

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.

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

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

I yield for my colleague from Michigan.

The PRESIDING OFFICER. The Senator from Michigan.

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

I thank my colleagues for allowing us to step in.

The PRESIDING OFFICER. The Senator from Louisiana.

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

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

While Katrina—something that I am very familiar with, a storm that hit us over 7 years ago, in August of 2005—received headline after headline after headline, week after week after week, television station after television station, Superstorm Sandy, because it hit a more dense area that is potentially not as—I don't know—as camera friendly, and maybe because of some of the other things that have subse-

quently happened, the terrible shooting and other issues in the country, I am not sure the public quite understands how devastating this storm has been for a very important part of our country. I will try to frame it with just a few statistics that might grab people.

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

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

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

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

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

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

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

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

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

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

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

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

TRIBUTES TO DEPARTING SENATORS

JON KYL

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

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

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

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

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

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

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

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

opponents than insult them. He prefers accomplishments to acclaim.

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

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

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

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

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

He is leaving the Senate, and he will have time now to spend with his lovely

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

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

I yield the floor.

The PRESIDING OFFICER. The other Senator from Arizona.

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

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

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

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

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

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

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

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

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

JEFF BINGAMAN

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

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

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

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

The people of Michigan also have benefitted from Senator BINGAMAN's leadership of the Energy and Natural Resources Committee. He worked with me to enact legislation that has brought significant improvements to Michigan parks and recreational lands. With Senator BINGAMAN's assistance, we have established the River Raisin National Battlefield Park, preserving the site of one of the most important battles of the War of 1812; made major

progress toward completion of the North Country National Scenic Trail; enhanced wilderness protection at Pictured Rocks National Lakeshore; and made many improvements at Keweenaw National Historical Park. So, he has played a major role in helping preserve and protect numerous jewels of our State's rich history, culture and natural beauty.

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

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

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

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

RICHARD LUGAR

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

RICHARD LUGAR has, for more than 30 years, upheld that Senate tradition. All of us, regardless of party, have

great respect for his intelligence, his integrity, and his concern for the good of our country.

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

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

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

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

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

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

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

The PRESIDING OFFICER. The Senator from Massachusetts.

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

#### REMEMBERING DANIEL K. INOUE

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

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

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

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

DANNY was a bridge to that generation—a generation that I revered growing up in the shadows of World War II. I remember talking with my dad and hearing how he had volunteered for the Army Air Corps as war loomed over Europe. He was a pilot flying DC-3s,

paratroopers, preparing to go over for the invasion, and he shared with me his regret that he came down with tuberculosis and he was released from Active Duty and, in his perception, never got his chance to defend his country.

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

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

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

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

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

I still remember that speech. I was riveted watching it on television. I was

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

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

He went on to say famously:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

DAN had a special sense of his own responsibilities as the first Member of Congress from Hawaii. He believed in the Federal Government's ability to make a difference in people's lives. He was chairman of the Senate Appropriations Committee, as we all know. For all the talk in the media about earmarks and pork-barrel spending, we saw in DAN how one Senator could actually advance the interests of their State and articulate a vision for that State which didn't violate anybody's sensibilities about how we ought to be

spending a Federal tax dollar. He used his position unapologetically to bring home investments in Hawaii to build roads and bridges and classrooms, all of which changed people's lives on an island that most of us only thought of in the context of a vacation destination. To DAN, it wasn't a resort. It was home. It was people. As the son of a Japanese immigrant who came to work in those pineapple fields, DAN needed to make no apologies about using the Federal Government to make life for the people he represented better.

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

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

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

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

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

I yield the floor.

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

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

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

In an age where the loud crowd often demands center stage, Senator INOUE was a reminder that the truth is generally seen, rarely heard. He was a man who communicated concisely and precisely just exactly what he intended. Through his actions, Senator INOUE

demonstrated time and time again that he would lead legislative efforts, pool necessary support, and do what needed to be done to best represent Hawaii and advance all Americans.

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

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

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

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

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

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

#### TRIBUTES TO DEPARTING SENATORS

KAY BAILEY HUTCHISON

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

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



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

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

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

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

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

One story along those lines relates to KAY's office over in Russell. Anybody who has ever been there knows that it is at the end of on a dead-end hallway, and that at the very end stands a very large flag of Texas. Apparently, when

KAY put the flag out, the staff director of the Rules Committee did not like it. He thought it violated a rule, so he mentioned it to his boss, Senator John Warner. Legend has it that Senator Warner nodded gravely—gravely—at the young man and told him he was free to approach Senator HUTCHISON, but that he had no intention of taking on the mission himself. She is tough.

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

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

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

All of us are grateful to Senator HUTCHISON for her work in finally recognizing the hundreds of female Army Air Force pilots—or WASPs—who flew non-combat missions in World War II, so male pilots would be free for combat missions. Thirty-eight of these women lost their lives performing their duties. We thank Senator HUTCHISON for raising awareness of their service and their sacrifice and honoring their memory. Senator HUTCHISON's thoughts are never far from our men and women in uniform. Her office walls are filled with

photos of her visits with our troops in Bosnia, Iraq, and elsewhere. In the run-up to the Budget Control Act, she authored a bill to assure servicemen and women would be paid in the event of a government shutdown, recruiting more than 80 cosponsors. She served as chair and ranking member of the Military Construction subcommittee on Appropriations. She was a tenacious advocate for Texas during a series of BRACs, and the results speak for themselves: Today, one out of five Army and Air Force personnel are stationed at military installations in Texas, many of which were once considered likely candidates for closing.

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

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

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

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

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

The PRESIDING OFFICER. The Senator from Kansas.

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

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

TRIBUTE TO TOPEKA POLICE OFFICERS

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

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

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

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

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

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

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

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

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

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

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

Today we remember the lives of David and Jeff and their service to the Topeka community. We express our

gratitude for their dedication to their community and their country. We remember their families and their loved ones.

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

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

REMEMBERING DANIEL K. INOUE

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

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

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

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

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

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

I understand that other chairs of the Appropriations Committee have come

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

In addition to what is happening along the east coast, nine States and the District of Columbia have been declared major disasters—well, nine States and the District of Columbia, from Hurricane Sandy. It is not just Hurricane Sandy. We had a record number of disasters last year around the country. So, yes, there is some money in this bill for other disasters and if we have to increase or decrease that sum to accommodate some of the interests of the Members, we are going to have to do so to get help not only to the Northeast but to other areas of the country as well.

North Dakota experienced terrible flooding. We were a little bit short on sending money to them and perhaps we should fix that in this bill. There have been some agricultural areas that have been very hard hit. We should fix that in this bill. Americans who pay taxes expect when they have catastrophic disasters for us to step up, and I think that is a good expectation, and I think it is a very fair expectation. When this country went to war over a decade ago, we didn't pay for the \$1.4 trillion that it took to secure this Nation from an outside threat. Sometimes threats come right to our front door and we have to be willing to step up and give a small amount compared to the \$1.4 trillion we spent in Iraq and in Afghanistan that was not offset. We should be willing to spend a very small portion—\$60 billion in this case, over \$100 billion for Katrina and Rita, and a few billion here and there. That is not an insignificant amount of money. A billion dollars is a lot of money. It sounds like a lot to anyone listening, but relative to the cost of the war, it is a very small investment in our own country to help Americans who have played by the

rules, done everything they were asked to do—they even have insurance—yet, without this bill, there is not enough money in the insurance program to cover their claim when they file it.

If we don't pass this bill, there is not enough money for FEMA to do its job. There is not any money in the Corps of Engineers. There is not enough money for transportation. Taxpayers in the Northeast and around the country deserve our best efforts.

If there is a Member who believes there is something in this bill, whether it is in my section of the bill which is Homeland Security, or whether it is in another—if a Member doesn't feel as though a request in here is justified, please offer an amendment, let us debate it, and maybe we can make some changes or a modification. Unfortunately, I can say from personal experience, from watching the mayors I represent—all 300-plus mayors in the State, dozens of them, their communities were destroyed by Katrina, watching them struggle month after month, year after year, not knowing what money was coming from Washington; whether the levees would get repaired or not; whether there was going to be a community development block grant—I can tell my colleagues it is better to fund this on the front end like this. Give them the money, let them make their plans, and then in a year or two if it is not enough they can come back and we can make some adjustments as opposed to not acting or giving them too little to start. If we do that, the recovery will not get off in a very balanced way and it will cost the taxpayers so much more in the long run.

I am kind of responsible for the FEMA portion, for the flood insurance portion, and for some of the reforms that are represented in this bill. I wish to speak for a minute about those reforms because sometimes it is not just about investing money and giving money from Washington; sometimes it is giving money in a way that saves taxpayers money in the long run or for investing in a way that includes reform. This is not your grandfather's FEMA. This is a new FEMA. We have some new reforms that are authorized in this bill that are going to help the recovery go more quickly, and I wish to talk about that for a minute.

This is a reform-minded supplemental. It is drafted to be a more efficient, more effective, and smarter recovery, saving taxpayers money over time. It reauthorizes two expired pilot programs from the Post-Katrina Emergency Management Reform Act, allows the use of money to repair rental housing units, and to expedite debris removal procedures. If my colleagues have not been a witness to a catastrophic disaster, they cannot imagine the amount of debris generated from either a massive fire or a massive flood. The old rules FEMA operated under were a waste of money, a waste of time, and lost opportunities. So we

have expedited debris removal. We cannot start rebuilding a community until we can get rid of the debris. It sounds like common sense and it is, but there are some bureaucratic hurdles and we are trying to fix those in this bill.

It allows the State to draw on a portion of the hazard mitigation funding from FEMA in order to leverage mitigation opportunities in the reconstruction process. Under the current program, it takes 18 to 36 months for funding to become available. By then, most reconstruction is already completed or underway. This would expedite—sort of forward fund—some of those projects, which is another smart move to save taxpayers money.

It codifies grants on the basis of flexible and fixed estimates for expedited removal of debris. It codifies temporary legislative measures that were connected to facilitate smarter recovery after Katrina and Rita, including third-party arbitration. It removes the penalty on alternative projects, and it allows FEMA to consolidate facilities.

Specifically, if 10 fire stations were lost in an area, instead of FEMA reimbursing each fire station one at a time, they can make a general estimate and receive a global settlement. We did this for our schools in New Orleans. One hundred out of 146 were destroyed. It was one of the smartest things we ever did, because before we passed this reform legislation, FEMA was asking us to count every piece of chalk that was missing, every eraser that was missing, every broken pane of glass, and would only refund the building of that exact building on that exact spot. We were able to have a global settlement where we could reconstruct our schools not to build a school system that had been built for the past century but to build a school system for the next century. That is what makes sense. That is what is in this reform supplemental.

There are better tools, more carefully designed to save taxpayers money and to help expedite a recovery of one of the most important financial centers in the world—not just in the United States but in the world. Every part of this country is important, but this particular part of the country, a lot of the rest of us depend on it operating at full speed, particularly as this recovery moves to our rearview mirror.

Let me say two or three more things. It reduces bureaucratic waste by eliminating the current practice of duplicative agency reviews for the same project. It will allow the rebuilding to, of course, consider environmental needs, but it does not require an environmental review by every agency for the same project. It helps to streamline that, which I think makes sense and honors the environment at the same time.

It includes tribal governments for the first time, which I think is an important addition, and, again, it requires an assessment of Hurricane Sandy's impact on local government budgets in the event they might need

to borrow some additional money to continue to operate.

So, again, the \$60 billion number is a large number. It is billions of dollars. It is not by any means pocket change, but compared to the money that was outlaid for the wars—\$1.4 trillion—when disaster comes knocking at the door in our hometowns, whether it is Hoboken, NJ, or New Orleans, LA, taxpayers who live by the rules and pay their taxes every year expect not a handout, not an easy recovery, but they do expect the Federal Government to step up and at least be a partner in their recovery.

There are local taxes that are going to have to be raised. There are hundreds and thousands of hours of volunteer efforts that go into rebuilding communities. Churches and faith-based organizations show up and do more than their share, but the Federal Government most certainly should step up and help the Northeast and a few other disasters that are still open.

All of this money will come back to us one-hundredfold as these businesses get back up on their feet, start paying taxes again to the community, and hire people who have been laid off. In fact, it creates a little bit of a stimulus boon in those communities, which benefits the tax base as well, as taxes are collected from every business that is reopened. So it is a smart investment for us.

I would recommend to my colleagues if they have specific objections to a specific part of the bill to file an amendment. We can discuss it, we can debate it, and perhaps we can shave a little here or a little there; perhaps there are some things that can be done differently. But this has gone under careful review by the administration and by the different members of the Appropriations Committee on both sides of the aisle, and, of course, vetted and screened by Governor Christie, a strong Republican leader in our country, Governor Cuomo, a strong Democratic leader in our country, and numerous mayors and elected officials have looked at this.

This is not something that was written in the dark of night somewhere by somebody who doesn't understand about disasters. It was carefully crafted for a very strong recovery for the Northeast.

I thank the Members for their suggestions and I look forward to the debate, and hopefully we can get this supplemental done before this Congress adjourns. I think the people of the Northeast and the rest of our country are depending on us to do that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. McCAIN. Mr. President, is the parliamentary situation in order so I could send an amendment to the desk?

I have an amendment at the desk and I ask for its immediate consideration.

The PRESIDING OFFICER. Is there objection to setting aside the pending amendment?

Without objection, it is so ordered.

Mr. McCAIN. This is McCain-Coburn amendment No. 3355. I ask unanimous consent that Senator COBURN be added as a cosponsor to amendment No. 3355.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Arizona [Mr. McCAIN], for himself and Mr. COBURN, proposes an amendment numbered 3355.

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

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

The amendment is as follows:

(Purpose: To strike funding for the emergency forest restoration program)

Beginning on page 2, strike line 16 and all that follows through page 3, line 2.

Mr. McCAIN. Mr. President, this amendment is a very simple one. It calls for striking the funding of some \$58 million for the USDA, U.S. Department of Agriculture, Forest Restoration Program for planting trees on private property. It is actually a farm bill subsidy program that is run by a relatively unknown agency that is called the Farm Service Administration, which is primarily responsible for managing crop insurance.

Under this program, private landowners with about 50 acres of land can apply for up to \$500,000 in free grants for tree planting activities. Obviously, this has nothing to do with an emergency, and there is nothing in the supplemental that limits the funding to Hurricane Sandy areas. Under this bill, this \$58 million can be used just about anywhere.

I would like to make a few remarks about the bill itself so we have this in the right context.

First of all, I want our colleagues—everyone—to understand there are none of us who do not support—there is no one who does not support—giving the much needed funding as quickly as possible to help relieve the tragedy of Hurricane Sandy, and we believe there are important parts of this appropriations bill that we should pass immediately. But we also believe there are many provisions in this bill that both have nothing to do with Hurricane Sandy and many of the programs in this bill will not even take effect before the year 2015. We are about to reach the year 2013. We cannot consider this much needed appropriation outside the context that we now have nearly a \$17 trillion debt, and, obviously, this \$60 billion is now going to be added to the debt because none of it is paid for.

Let's be clear about this. Every one of my colleagues on this side of the aisle wants to act quickly to provide much needed relief for the people who have been impacted by the horrible effects of Hurricane Sandy. But we cannot consider this legislation in a vacuum. We are looking at a \$17 trillion debt—somewhere between \$16 and \$17 trillion. We have committed generational theft. We have mortgaged our

children's and our grandchildren's future. So we must be very careful as to how much more of the taxpayers' dollars are spent. For what? When is this money necessary? Those are the questions this body should be asking itself.

I would argue there are a whole lot of billions of dollars in this bill that fit into the categories of, one, not necessary as a result of the impact of Hurricane Sandy and certainly not an emergency situation.

I would like to go over some of the projects that are in this bill, and some of them hold merit. Some of the projects in this bill are very meritorious. It goes way beyond emergency aid and funds projects, as I said. At a time when we face these deficits, we cannot justify this spending. Again, I wish to emphasize some of the projects are meritorious, but they should go through the normal budget and appropriations process, where Congress has time to vet the need for such spending requests.

The CBO examined both the Senate bill and the administration's request and found—and this is from the Congressional Budget Office—64 percent of the funds appropriated under the Sandy supplemental will not be spent until fiscal years 2015 to 2022 and after, therefore, raising concerns about the rush to spend \$60.4 billion without any attempt to pay for it.

Two weeks ago, FEMA Director Fugate told the House Transportation and Infrastructure Committee that the Disaster Relief Fund currently has enough money and will not need additional funding until the spring of 2013. CBO's assessment, combined with the statement of Director Fugate, clearly shows we need to pass a Sandy supplemental bill that only includes prioritized disaster aid funding.

I and my colleague from Oklahoma, Senator COBURN, have been examining this bill over the last few days, and I will tell my colleagues, we have not gotten all the way through it. We have not identified a lot of these spending bills—what they are for and where they came from. The appropriators and their staff I always admire. They have turned it into an art form, and our ability to ferret out some of these appropriations has required a great deal of hard work and effort.

We have billions to replace "Federal assets" damaged by the storm, including automobiles owned by the Federal Government. The Federal Government currently owns or leases over 660,000 vehicles. Do you think we could find replacements within our own inventory, the current inventory? Shouldn't we focus on providing relief directly to those still trying to rebuild their lives before replacing a bureaucrats' car?

There is \$2 million to repair damage to the roofs of museums in Washington, DC, while many in Hurricane Sandy's path still have no permanent roof over their own heads.

There is \$150 million for fisheries as far away from the storm's path as Mississippi and Alaska.

There is \$125 million for the Department of Agriculture's Emergency Watershed Protection Program, which helps restore watersheds damaged by wildfires and droughts for areas, including Colorado, and, by the way, including my own State of Arizona. That money is needed. It is needed. We are having wildfires across the Southwest and the West in an unprecedented fashion because we are in severe drought, and I want that money for the Department of Agriculture's Emergency Watershed Protection Program. But it has nothing to do with Hurricane Sandy. That is what is wrong with this bill. I will fight for the \$125 million that would help my State of Arizona, and I will fight to find ways to pay for it. I will do both. But we are including \$125 million for the Department of Agriculture's Emergency Watershed Protection Program, which is several hundred miles away from the path of Hurricane Sandy.

There is \$20 million for a nationwide Water Resources Priorities Study. While studies are important, they are not emergencies and should be submitted during the upcoming budget debate.

We badly need a water resources priorities study. There was just a recent study about the Colorado River basin and how we are going to run out of water. But, again, the water resources priorities study is not associated with Hurricane Sandy.

There is \$15 million for NASA facilities, though NASA itself has called its damage from the hurricane minimal. One day after the storm hit, NASA's Wallops Island put out a statement stating that "an initial assessment team surveyed roads and facilities at NASA's Wallops Flight Facility today reporting a number of downed trees but otherwise minimal impact in the wake of Hurricane Sandy." Does this mean we need \$15 million for NASA's facilities?

There is \$336 million for taxpayer-supported Amtrak without a detailed plan for how the money will be spent. Some of the funding will go for repairs. Money will also go to increasing capacity and future mitigation efforts. Amtrak is up and running. We can go right over here—not very far from here—to Union Station and get on Amtrak. It is not apparent why this funding is deemed "emergency" spending and included in this spending package. Further mitigation should be debated next year.

The dirty little secret is that Amtrak loses billions of dollars every year. That is because we subsidize unneeded and unnecessary routes. The route on the east coast from here to New York, for example, makes money. But we cling to those routes that neither make money nor does anybody care to patronize.

There is \$5.3 billion for the Army Corps of Engineers—more than the Army Corps of Engineers' annual budget. With no clarity as to how the

money will be spent. Included in the Senate bill is \$50 million in funding for more studies, which will most definitely lead to additional Army Corps projects and a new task force established by executive order.

More projects are not something the Army Corps can handle. They are currently experiencing a backlog of construction and maintenance projects of approximately \$70 billion. Furthermore, a 2010 report released by the Government Accountability Office noted that carryover funds have increased "due to the large amount of supplemental funding the Corps has received in recent years." Clearly, supplemental spending on the Army Corps has not paid off.

The bill includes \$12 to \$13 billion for future disaster mitigation activities and studies, without identifying a single way to pay for it. I think we need future disaster mitigation activities. We need studies. We are experiencing climate situations which we never anticipated. Certainly Hurricane Sandy was never anticipated by any of us. We need the studies. But that is not an emergency to handle the effects of Hurricane Sandy and should come out of normal funding and be paid for. I support these studies. But should they come out of the taxpayers' pocket without a way to pay for it?

There is no justification to include these projects in this emergency spending bill. Waiting to fund these projects until next year during the normal budget and appropriations process, we will have a better understanding of the path forward and reduce the possibility of waste, fraud, and abuse.

There is \$10 million to improve weather forecasting capabilities and infrastructure. Mr. President, \$10 million to improve weather forecasting capabilities and infrastructure—do we truly need to include that in an emergency funding bill for Hurricane Sandy? As I mentioned at the beginning, at some point we are going to have to start paying for things. At some point we are going to run out of Chinese money. At some point we are going to be like Greece. At some point the American people are going to say "enough." Every American family has to balance their budget. Every American family has to make tough decisions. Why don't we make some tough decisions if we want to have things paid for such as weather capabilities, such as Amtrak, such as replacing Federal assets, buying vehicles when we have 660,000 vehicles in the inventory? Why don't we start making tough decisions?

I often mention that the approval rating we have from the American people is rather interestingly low. The last one I saw was an 11-percent approval rating. No wonder—no wonder—we are about, in a matter of literally hours, to spend about \$60 billion of the American taxpayers' money—estimates by some are it should be around \$24 billion—without hearings, without the kinds of

scrutiny it deserves in the normal appropriations process.

I understand why we need some of this money in an emergency fashion. But it is akin to the train leaving the station. It is loaded with pork and it is moving and so everybody wants to get on board. It is not the way the Congress should do business.

So, Mr. President, I will ask for the yeas and nays on my amendment, which is to strike funding for \$58 million for the tree planting subsidy known as the Forest Restoration Program for planting trees on private property.

The PRESIDING OFFICER (Mr. PRYOR). Is the Senator asking for the yeas and nays?

Mr. MCCAIN. I am asking for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There does not appear to be a sufficient second.

Mr. MCCAIN. OK. Then I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. PRYOR). Is there objection?

Mr. MCCAIN. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard. The clerk will continue with the call of the roll.

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

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

Mr. MCCAIN. Mr. President, I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There does not appear to be a sufficient second.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Ms. STABENOW. Mr. President, I ask unanimous consent to speak as in morning business.

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

REMEMBERING DANIEL K. INOUE

Ms. STABENOW. Mr. President, I rise today, as so many colleagues have done throughout the day, to pay tribute to a tremendous colleague whom we lost yesterday, a friend to all of us, someone from whom we have all learned a tremendous amount, on both sides of the aisle, about how to work together, DANIEL INOUE of Hawaii. He was an outstanding Senator, a cherished colleague, and a dear friend.

We all know he dedicated his life to serving our country, first as a soldier in World War II where he put his life on the line for our freedoms, for our country, and then as a Member of Congress for 53 years. Senator INOUE was Hawaii's first Congressman. Think about that, the first Congressman. Today marks the first day in the history of our country that the State of Hawaii has not been represented in Congress by DANNY INOUE.

He also had a special connection to my home State of Michigan, and Senator LEVIN and I have both been very proud of that fact. He was a patient at a hospital in Battle Creek during World War II where he met Philip Hart and Bob Dole. Can you imagine those three great men coming together serving our country, wounded, doing rehabilitation at a hospital together in Michigan and all going on to be involved in public service as Senators?

That building is still standing. It is no longer a hospital; it is another Federal building. It is our great honor in Michigan to have that building named the Hart-Dole-Inouye Federal Center, honoring all three of these outstanding leaders.

Senator INOUE was a great mentor for me as well as so many of us in the Senate. Coming to the Senate, he always encouraged me during the elections. He always told me to hang in there, that things would go well and it would be great. He was always a person with a smile on his face, encouraging each and every one of us. He was there encouraging me when we were fighting for our economic lives in Michigan with the automobile industry, saying it was going to be OK, that we would be able to get through it, and that things would be better on the other side. He was right, with the help of so many people here and the President.

He also has consistently said to me: I want to help your city of Detroit. I want to make sure I do everything I can to support that great city. He has been a wonderful friend and supporter on that front as well.

He also received a distinguished honor given by the Arab-American community in Michigan after he helped us establish the first National Arab American Museum. After 9/11 when there were stories of young Arab-American children and girls who were being harassed or attacked while wearing their traditional garb in school, he called up leaders in Michigan to tell them they had his support as a Japanese American, knowing what he had gone through in a very difficult time in our country's history. He showed incredible support to a great part of our Michigan community.

He is beloved by so many around Michigan, but no more than those who are in the Arab-American community who are business leaders, community leaders, who found themselves, just because of their heritage, in very difficult circumstances. He has shown great support to them and was a great

role model to them. I was proud to be a part of honoring him a few years ago in Michigan with the highest award coming from that community.

He touched lives everywhere he went. He served with quiet dignity. He had a strong, firm conscience. He has set an example for each one of us. He was a true patriot and a true American hero in every sense of the word. The Senate and the American people will miss him greatly. My thoughts and prayers are with his family this evening.

The PRESIDING OFFICER. The Senator from Montana.

AMENDMENT NO. 3350 TO AMENDMENT NO. 3338

Mr. TESTER. Mr. President, I ask unanimous consent to set aside the pending amendment and call up my amendment No. 3350.

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

The clerk will report.

The bill clerk read as follows:

The Senator from Montana [Mr. TESTER], for himself, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. WYDEN, and Mr. BAUCUS, proposes an amendment numbered 3350 to amendment No. 3338.

Mr. TESTER. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide additional funds for wildland fire management)

On page 72, between lines 16 and 17, insert the following:

WILDLAND FIRE MANAGEMENT

For an additional amount for "Wildland Fire Management", \$653,000,000, to remain available until expended: *Provided*, That such amount is designated by Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(i)); *Provided further*, That, not later than December 31, 2013, the Comptroller General of the United States shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report on new models or alterations in the model that may be used to better project future wildfire suppression costs.

Mr. TESTER. Mr. President, I ask unanimous consent that Senator TIM JOHNSON of South Dakota be added as a cosponsor to amendment No. 3350.

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

Mr. TESTER. Mr. President, I would like to make a few remarks on amendment No. 3350. This past summer was the third worst fire year in the history of this great country, with over 9.2 million acres burned. Over 1 million of those acres were in the State of Montana. The drought that drove this year's fire season persists and is projected to worsen in 2013, creating conditions for an equally or potentially greater fire season this upcoming year.

This trend is not stopping. Conditions are changing on the ground. I think we are all seeing impacts. I am certainly seeing impacts on my family farms. We are seeing impacts across the forests of this country, and western Montana is no exception.

My amendment with Senator UDALL does two things: First, it provides funding for the difference between the current funding request to prepare for and suppress wildfire and the amount the 2013 fire season is expected to cost; second, it requires GAO to make recommendations on a better model to project the cost of wildfires in the future.

Wildfires are continuing to burn, and burn hotter and faster, larger and earlier, and doing more damage than in past years. We need to assure the resources to address these catastrophic events are there this next year and with a study into the future.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### UNANIMOUS CONSENT AGREEMENT—S. 3276

Mr. REID. Mr. President, the Senate has been considering the supplemental appropriations bill for 2 days now. The Republicans, I am told, are in the process of trying to picture out what they want to do. We have other concerns, as you know. We had the tragedy in Connecticut, and we had the untimely death of our friend Senator INOUE. But time doesn't stop for anything. It keeps marching on, Christmas is coming. We have a fiscal cliff that is on the horizon. So I hope we can make progress on this bill in the morning. If not, I will be forced to file cloture to try to figure out a path forward on this bill. It has been open for amendment. That is what my friends said they wanted, and that is what they have.

We have the DOD authorization. We need to complete action on that conference report, which has been completed now. We expect they will file tonight or tomorrow, so we need to complete that before the end of the week.

Christmas is 7 days from today. We have judicial nominations. We have been making some progress with the district court nominations. We have to do three more before the end of the week. We have executive nominations we need to consider before the end of the week.

FISA is an important piece of legislation. Imperfect as it is, it is what is necessary to help us be protected from the evil that is in the world. We have to complete this before we leave here this week.

Today is Tuesday. Everyone else can do the math just as well as I can about how many days are left.

I ask unanimous consent that at a time to be determined by the majority leader after consultation with the Republican leader, the Senate proceed to consideration of Calendar No. 463, S. 3276; that the only first-degree amendments in order to the bill be the fol-

lowing: Judiciary Committee-reported substitute; Leahy, sunset; Leahy, oversight; Wyden, public reporting; Wyden, backdoor searches; Tester, reverse targeting; and Merkley, declassification of FISA Court opinion; that there be 1 hour of debate equally divided between the proponents and opponents; that upon the use or yielding back of time, the Senate proceed to votes in relation to the amendments in the order listed; that there be no amendments in order to any of the amendments prior to the votes; that upon disposition of the amendments, the bill be read a third time and the Senate proceed to vote on passage of the bill, as amended, if amended.

Mr. President, before the Chair rules, it is pretty easy to figure out how much time this includes. This is the better part of a day—the better part of a day if we got this consent done. So I ask that the Chair approve the consent agreement.

The PRESIDING OFFICER. Is there objection?

Mr. CHAMBLISS. Mr. President, reserving the right to object, and I do intend to object, first of all, I say to the leader, thanks for moving toward the FISA bill because—the Senator is exactly right—this is a bill that must get done before the end of the year so we can make sure our intelligence community is able to gather, in a lawful and legal way, the kind of intelligence that helps keep America safe and secure.

There are two documents; first, a Statement of Administration Policy from the White House where they have agreed to the bill that has already passed the House, and second, a letter from the leadership of the intelligence community—namely, the Director of National Intelligence as well as the Attorney General—directed as the leadership, both of which letters and statements support the House bill.

It is because of that and because of the fact that if the House bill comes through here—and I understand we may have to have debate, may have to have amendments debated, whatever the leader says—but the important thing is that we can hopefully get that bill passed and send it directly to the President's desk.

So I would ask unanimous consent to have printed in the Record the letter from the DNI and the Attorney General dated February 8 as well as the Statement of Administration Policy dated September 10.

Mr. President, I do object.

The PRESIDING OFFICER. Objection is heard.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET,  
Washington, DC, September 10, 2012.

#### STATEMENT OF ADMINISTRATION POLICY

H.R. 5949—FISA AMENDMENTS ACT  
REAUTHORIZATION ACT OF 2012

(Rep. Smith, R-TX, and 5 cosponsors)

The Administration strongly supports H.R. 5949. The bill would reauthorize Title VII of

the Foreign Intelligence Surveillance Act (FISA), which expires at the end of this year. Title VII of FISA allows the Intelligence Community to collect vital foreign intelligence information about international terrorists and other important targets overseas, while providing protection for the civil liberties and privacy of Americans. Intelligence collection under Title VII has produced and continues to produce significant information that is vital to defend the Nation against international terrorism and other threats. The Administration looks forward to working with the Congress to ensure the continued availability of this critical intelligence capability.

Hon. JOHN BOEHNER,  
Speaker, House of Representatives, Washington, DC.

Hon. HARRY REID,  
Majority Leader, U.S. Senate, Washington, DC.

Hon. NANCY PELOSI,  
Democratic Leader, House of Representatives, Washington, DC.

Hon. MITCH MCCONNELL,  
Republican Leader, U.S. Senate, Washington, DC.

DEAR SPEAKER BOEHNER AND LEADERS REID, PELOSI, AND MCCONNELL: We are writing to urge that the Congress reauthorize Title VII of the Foreign Intelligence Surveillance Act (FISA) enacted by the FISA Amendments Act of 2008 (FAA), which is set to expire at the end of this year. Title VII of FISA allows the Intelligence Community to collect vital information about international terrorists and other important targets overseas. Reauthorizing this authority is the top legislative priority of the Intelligence Community.

One provision, section 702, authorizes surveillance directed at non-U.S. persons located overseas who are of foreign intelligence importance. At the same time, it provides a comprehensive regime of oversight by all three branches of Government to protect the privacy and civil liberties of U.S. persons. Under section 702, the Attorney General and the Director of National Intelligence may authorize annually, with the approval of the Foreign Intelligence Surveillance Court (FISC), intelligence collection targeting categories of non-U.S. persons abroad, without the need for a court order for each individual target. Within this framework, no acquisition may intentionally target a U.S. person, here or abroad, or any other person known to be in the United States. The law requires special procedures designed to ensure that all such acquisitions target only non-U.S. persons outside the United States, and to protect the privacy of U.S. persons whose nonpublic information may be incidentally acquired. The Department of Justice and the Office of the Director of National Intelligence conduct extensive oversight reviews of section 702 activities at least once every sixty days, and Title VII requires us to report to the Congress on implementation and compliance twice a year.

A separate provision of Title VII requires that surveillance directed at U.S. persons overseas be approved by the FISC in each individual case, based on a finding that there is probable cause to believe that the target is a foreign power or an agent, officer, or employee of a foreign power. Before the enactment of the FAA, the Attorney General could authorize such collection without court approval. This provision thus increases the protection given to U.S. persons.

The attached background paper provides additional unclassified information on the structure, operation and oversight of Title VII of FISA.

Intelligence collection under Title VII has produced and continues to produce significant intelligence that is vital to protect the nation against international terrorism and other threats. We welcome the opportunity to provide additional information to members concerning these authorities in a classified setting. We are always considering whether there are changes that could be made to improve the law in a manner consistent with the privacy and civil liberties interests of Americans. Our first priority, however, is reauthorization of these authorities in their current form. We look forward to working with you to ensure the speedy enactment of legislation reauthorizing Title VII, without amendment, to avoid any interruption in our use of these authorities to protect the American people.

Sincerely,

JAMES R. CLAPPER,  
*Director of National  
Intelligence.*

ERIC H. HOLDER, Jr.,  
*Attorney General.*

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I will continue to work on a path forward. If anyone has any ideas how to help me do that, I would be happy to listen to them, but this is something we must do before we leave here. Christmas is not more important than this legislation. I am sorry, I hope I am not offending anyone, but that is the way it is. We have to get something done on this before the end of the year, and I think we will be walking on very, very thin ice to try to wait until after Christmas to try to move this legislation. It is hard for me to comprehend the potential damage to our country if we do not extend this legislation.

The PRESIDING OFFICER. The Senator from Oklahoma.

AMENDMENT NO. 3368

Mr. COBURN. I ask unanimous consent that the Senate set aside the pending amendment and call up amendment No. 3368.

The PRESIDING OFFICER. Is there objection?

The majority leader.

Mr. REID. I object. I feel somewhat ill at ease here with not having anyone managing the bill at all, but I would hope that my friend will—I will talk to Senator LEAHY, but I am not in a position here to agree with it.

One thing I am not going to do, regardless of what the managers say, is have a big stack of amendments here that we are going to be worrying about. So I don't know where everybody is, but the managers aren't here.

Mr. COBURN. Through the Chair, I would ask the majority leader, he does not want amendments to be made pending for us to debate?

Mr. REID. Mr. President, do we have amendments pending now?

The PRESIDING OFFICER. There are amendments pending.

Mr. REID. How many amendments are pending?

The PRESIDING OFFICER. There is a substitute amendment and four first-degree amendments.

Mr. REID. The Senator is filing a first-degree amendment?

Mr. COBURN. I am.

Mr. REID. One more shouldn't do much damage.

Mr. COBURN. Well, I have five I was going to place pending, and I will be happy to work with the managers.

Mr. REID. I say to my friend again, through you, Mr. President, I am happy to do one, but the managers—I haven't talked to them in the last couple of hours. I am not going to agree to five amendments. I have no idea what is in them. If the Senator wants to lay down one of the amendments tonight, that is fine, but until we have managers on the floor, I am not going to agree to that.

The PRESIDING OFFICER. The Senator from Oklahoma.

AMENDMENT NO. 3371 TO AMENDMENT NO. 3338

Mr. COBURN. I ask unanimous consent that the pending amendment be set aside and that amendment No. 3371 be called up.

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

The clerk will report.

The bill clerk read as follows:

The Senator from Oklahoma [Mr. COBURN], for himself and Mr. MCCAIN, propose an amendment numbered 3371 to amendment No. 3338.

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

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

The amendment is as follows:

(Purpose: To ensure that Federal disaster assistance is available for the most severe disasters, and for other purposes)

At the appropriate place insert the following:

SEC. 52007. (a) Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency (in this section referred to as the "Administrator") shall review the public assistance per capita damage indicator and shall initiate rulemaking to update such damage indicator. Such review and rulemaking process shall ensure that the per capita indicator is fully adjusted for annual inflation for all years since 1986, by not later than January 1, 2016.

(b) Not later than 365 days after the date of enactment of this Act, the Administrator shall—

(1) submit a report to the committees of jurisdiction in Congress on the initiative to modernize the per capita damage indicator; and

(2) present recommendations for new measures to assess the capacities of States to respond and recover to disasters, including threat and hazard identification and risk assessments by States and total taxable resources available within States for disaster recovery and response.

(c) As used in this section, the term "State" means—

(1) a State;

(2) the District of Columbia;

(3) the Commonwealth of Puerto Rico;

(4) any other territory or possession of the United States; and

(5) any land under the jurisdiction of an Indian tribe, as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

The PRESIDING OFFICER. The majority leader.

Mr. REID. I would also say to my friend the Senator from Oklahoma that the manager will be here bright and early in the morning. I will call him now.

Mr. COBURN. That is fine. I have no choice but to accede to the Senator's wishes, so I will.

Ms. MIKULSKI. Would the Senator from Oklahoma yield for a question?

Mr. COBURN. Absolutely.

Ms. MIKULSKI. I have a section of this bill, and I wonder if that amendment is relevant to my bill, and I would extend some courtesy.

Mr. COBURN. This is updating per capita damage indicators and the process for determining declarations. Oklahoma has had more declarations declared, but we haven't updated the per capita indicator for a long time, so we have had no increase in that. So what is happening is that it is too easy to get a declaration declared. I am trying to have them update that to where it is more reflective of the true cost.

Ms. MIKULSKI. I appreciate the Senator's advocacy for Oklahoma.

Mr. COBURN. This would actually hurt Oklahoma.

Ms. MIKULSKI. But what I am wanting to say to the Senator from Oklahoma is that my subcommittee deals with coastal impact, so the issue the Senator wishes to raise is with the Subcommittee on Homeland Security.

If it dealt with my part of the bill, I would say—because I know what the Senator is trying to do, and I appreciate it, which is trying to move the Senate forward in an expeditious way.

Mr. COBURN. I thank the Senator.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. We have a bill before us that is \$64 billion, and I have spent the last week trying to get the OMB and Department of Commerce the background on all of these requests, and what I can tell you is there is an immediate need for about \$24 billion that we ought to be passing through this Chamber to take care of immediate needs over the next 2 years in relationship to this tragedy in terms of Sandy.

Almost every amendment I am going to offer or hope to offer is about transparency, is about limiting who can have access, such as people who are in arrears on their taxes for years and years.

What we learned on the Homeland Security Committee, which has the authorization of most of these programs, which I will become ranking member of, is that out of the \$100 billion-plus we spent on Katrina, \$11 billion of it got wasted. One of the reasons it got wasted is because we didn't have transparency, we didn't have good-government amendments on it. And we are getting ready to make that mistake again.

So I was asked to come down, by our side of the aisle, to have amendments pending, and now that I can't have amendments pending, I think I will



just talk in general about this bill for a moment, if I might.

There is no one in the Senate who does not want to meet the needs of the people who have suffered from this horrific storm. How we do that is important. Meeting immediate needs in terms of the insurance fund for flooding—that is something on which everybody would agree. Nobody is going to object to that. We are going to be short on that. But also what is important in that is that we should have a provision that if you were in a floodplain and didn't buy the insurance, we certainly should not be ponying up our grandkids' money to pay for you when you chose not to insure it.

The reason that is important—there are two moral principles on why that is important. No. 1 is that we are going to endorse irresponsibility. No. 2 is that if we don't put that provision in this bill, the NFIP is never going to work because in the future everybody is going to say: Don't worry, you don't have to buy the flood insurance. Congress is going to take care of it.

So it is those kinds of good-government things that I am trying to put into this bill, and now I am unable to bring amendments to the floor. There is no reason not to bring amendments to the floor right now.

We are going to pick and choose what amendments we are going to bring to the floor when we have good-government amendments? I am at a loss to know why we would object to good-government amendments.

I understand the majority leader's reasoning. We now have five amendments pending on this bill of \$60 billion. You take five or six of the agencies, this bill is going to be more than what all five of those agencies spend in a year, and 64 percent of this bill would not even get obligated until 2015 at the earliest.

I also would remind my colleagues that on this \$64 billion bill, we don't have to offset any spending anywhere under the rules. So here we have this \$64 billion, when we know we are wasting hundreds of billions every year in agencies throughout this government, and we are going to borrow \$64 billion and not do the good-government clean-up, transparency.

One of our amendments is about creating a Web site so everybody can see. One of our amendments is about not having no-bid contracts or sole-source contracts. We have all this experience from Katrina where we know the money was wasted. Yet now we are precluded from putting amendments on the Senate floor that would keep us from wasting that very money in this emergency supplemental bill. It shows the dysfunction of the Senate.

In 2005 and 2006, we would not have had this happen. Amendments would be offered, they would get voted down or embarrassed into not asking for a vote, or withdrawn. Now we are going to pick and choose good-government amendments. In other words, we are

saying we don't want good government. We don't want to do the hard work of making things efficient and effective when we go to spend \$64 billion.

I don't get it. I don't understand it. Generations will not understand it that follow us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

#### NEWTOWN, CONNECTICUT TRAGEDY

Mr. TESTER. Mr. President, I rise today to offer condolences to the families and the communities of Newtown, CT, and to offer my condolences to the family of DANIEL K. INOUE, the Senator from Hawaii.

For nearly a week now, my thoughts and prayers have been with everyone in Connecticut and all those families whose lives have been changed by the murders in Newtown. Like so many Americans, Sharla and I continue to struggle with the news. We prayed for lives that were lost and grieved for their families and their loved ones.

As a former teacher, but more importantly as a father and grandfather, I can't begin to make sense of the violence, especially against children—children, our future, the same age as my grandkids, exposed to the unthinkable actions of an assassin. No one can make sense out of it. I don't think we ever will. But we can offer hope.

We can offer our solidarity as Americans who unify in tragedy to look ahead—shaken with grief but strengthened with courage. In the days and weeks ahead, we will work together to address the unspeakable violence that has hurt our Nation. As a Senator, it is my responsibility to address the growing issue of violence in America, particularly as it applies to schools and public places, and to stand to ensure the safety of our children.

While we mourn the deaths of innocent children and their educators, we must bring ourselves together for an honest, real, national conversation about every aspect of this terrible attack. It will be a difficult conversation, but it is the responsible and necessary next step for the children of this country, for the children of Montana, and I look forward to rising to the challenge.

#### REMEMBERING DANIEL K. INOUE

Earlier today, I had the opportunity to sit in the Presiding Officer's chair, and I heard many Members of this body speak of Senator INOUE. Some spoke of him as a distinguished voice, a Senator's Senator, a great hero, a true patriot, a singularly iconic leader, an incredibly great man, a giant of the Senate, a mountain of Hawaii, and the list goes on and on and on.

You know, they say the hardest thing to get in life is a friend, and the easiest thing to lose in life is a friend. DANNY INOUE was a friend.

I will never forget when one of my neighbors came out to visit me. DAN's office is right next door to mine in the Hart Building. Now, make no mistake about it, before I came to this body I knew of DAN INOUE's past as a war

hero, as a part of the Watergate investigative committee. He truly was somebody I knew before I got here through the media.

Well, so did my neighbor. After I had been here for a while I started to take DAN for granted. He was just one of us. So my neighbor was here, and we were standing in the anteroom of my office and DAN INOUE came walking out of his office. My neighbor's eyes almost rolled out of his head and fell on the floor. He wanted to meet DAN. Why? Because he was a great American and he knew it. He knew this was an opportunity he shouldn't pass up.

I stopped into DAN INOUE's office today and passed along my condolences to the staff and had the opportunity to walk back into DAN's office. One of the things that was pointed out to me was a sugar contract that set right above his chair, right in front of him. It was what he looked at every day when he sat at that desk—a sugar contract his parents had. Why? So he didn't forget where he came from. And all the time DAN INOUE served in this body he was probably as grounded as anybody ever could be because he never forgot where he came from.

When I first got here, I was trying to get on the Appropriations Committee. I went to visit Senator INOUE, and he said he would help, and he did.

DAN INOUE was going to Cody, WY, and he flew into Billings, MT, and drove down to Cody for a veterans event. In doing so, he drove through forests that were brown and dead, and he came back and asked me: What is going on with the forests in Montana?

I said: DAN, I have a bill called a forest jobs and recreation act that will help remedy that problem. DAN's response was: Sign me up as a cosponsor. He was always there to help.

I remember one time in the cloakroom he was telling a war story about after he had gotten his arm blown off. They were laying on stretchers—this was in the 1940s, and medicine has come a long way since then, remember. But they were laying on stretchers, and there were many folks there, many with limbs missing, and he said there was a man of the cloth giving last rights. They came to DAN and DAN said: No, I am not going anywhere. And he stayed with us, thank goodness, and came to the Congress and then to the Senate. What a man. What an incredible man he was.

He always sat at our table at the caucus lunch, and when he came in he referred to me as "Big One," and then proceeded to lecture me as to why I needed to lose weight if I was going to stick around here for a while. I always appreciated that.

Another time we were in his office visiting about some legislation, and out of the blue he asked me how many men I had on staff. I was going down the list counting them when he said: You know how many I got?

I said: No.

He said: I got two because women are better.

That was DAN INOUE. He also had a connection to probably every State in the Union, and Montana was no exception. He always spoke of Mike Mansfield with great passion.

When I was in his office earlier today I noticed on the wall he had a picture of Ted Stevens, LBJ, Warren Rudman, and, of course, Mike Mansfield. On that picture, Mike Mansfield, then-majority leader, had written to my friend Senator DAN INOUE: "With admiration, respect, and affection."

I can't say it any better.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

#### REMEMBERING JAMIE ELLIS

Mr. WICKER. Mr. President, I rise tonight to pay tribute to Jamie Ellis, a beloved member of my staff who passed away on Tuesday, November 27, at the age of 65.

Jamie Ellis served his State and country proudly as a constituent liaison in my office in Tupelo. He handled veterans issues, a role he filled with compassion, ability, and integrity. It was a natural fit. Jamie brought to the position his own background of military service and experience as a volunteer Veterans Service Officer for the local chapter of the Vietnam Veterans of America. He had a deep understanding of the unique circumstances our veterans face, and he worked tirelessly to make their lives better. His help and kindness will not be forgotten.

This ability to work well with others was evident throughout Jamie's career, from his years in public service to his success in business. He knew how to lead—a talent that served him well as president of Ellis Brothers Timber and Wonder Wood Products in Mississippi. Before joining my office, he was a valued independent sales agent for Lawson Products in Illinois.

Jamie deserved the respect that veterans and others bestowed upon him. He served in the U.S. Air Force from 1966 to 1970, spending nearly 3 years in southeast Asia, including 1 year in Vietnam. He then served in the National Guard. In his home community of Saltillo, Jamie was a 32nd-degree Mason and Shriner and member of the Saltillo First United Methodist Church.

Helen Keller once said:

The world is moved along not only by the mighty shoves of its heroes, but also by the aggregate of the tiny pushes of each honest worker.

Jamie was the true and honest worker Ms. Keller describes, and he was a hero to those he helped. There is no doubt his contributions have made the world a better place than he found it.

I am thankful to have known Jamie Ellis and to have had him on my staff. My wife Gayle and I extend our deepest sympathy to his loved ones. To many, Jamie was a fellow veteran and a good friend. To his family, he was a devoted son, husband, father, brother, and grandfather.

Our thoughts and prayers are with his family, especially his wife Judy of 42 years, and their three children and nine grandchildren. He will be truly missed.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### MORNING BUSINESS

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. UDALL of Colorado). Without objection, it is so ordered.

#### REMEMBERING DANIEL K. INOUE

Mr. PRYOR. Mr. President, I understand we are in a period of morning business. I wish to offer a few reflections and reminiscence about our dearly departed Senator DAN INOUE.

Yesterday afternoon I came into the Chamber expecting to vote on a matter or two. I was stunned and devastated to hear the news, as were the rest of my colleagues, that we had lost Senator INOUE. When I think of what a Senator is and should be, I think of DAN INOUE.

When I came to the Senate, 10 years ago now, I would say that there were three undisputed giants in this hall. There may have been more, but there were three undisputed giants I think everybody recognized as giants in the Senate. One would be Ted Stevens, one would be Ted Kennedy, and the other would be DAN INOUE. There is something about those three men, those three Senators, that put them in a class by themselves.

Some of it is the force of their personalities, some of it is their legislative accomplishments, some of it is just their ability to get it done; when the chips are down to have the integrity, to understand the vital role that the Senate plays in our Federal system. I think DAN INOUE had all of those traits and he also had character. Character is something that is hard to

describe, it is hard to quantify, hard to define sometimes, but there is no doubt Senator INOUE had character.

Yesterday morning I got off the plane. Like many of us I raced into the office. I noticed I had a big bundle of papers waiting for me to look at. I did not have a chance to look at those, I just grabbed those and plopped them on my desk and I thought I would go deal with those later, and later turned out to be the next morning, which is this morning.

I have been thinking about losing our friend DAN INOUE over the last 12 or 14 hours or so, and I was sitting in my office starting to go through this stack of papers and there at the bottom of the stack I saw a Christmas card that had come from Senator INOUE and his wife. I thought this Christmas card summed up one of the traits that made Senator INOUE so special. It is from DAN and Irene—certainly we offer our prayers and our support for Irene right now—but the photo was taken at the Maui Arts and Cultural Center, "a performing arts facility, providing music, dance and theatrical performances as well as art exhibitions." It is about Hawaiian culture and education and there he is on their Christmas card, promoting Hawaii and never stopping in that quest to make us aware of the special nature of that State and the importance of that State and so many of the qualities of that State.

I look at Senator INOUE's picture on the Christmas card and what I see is that very kind and very generous but also, as our fellow Senators will testify and have testified repeatedly today, that very encouraging face and way of DAN INOUE.

Actually a year or so ago, on my own initiative, I wanted to know a little bit more about him. It is rare to have a Congressional Medal of Honor recipient in your midst, much more rare to work with that person every day. I had the great fortune and extreme pleasure of being on two of Senator INOUE's committees, committees he chaired. He chaired the Commerce Committee for a while and he chaired the Appropriations Committee. I served on both of those with him as chair. In both of those, by the way, I saw the great bipartisan working relationship he had. I want to talk about that again in a moment.

About a year or two ago I thought: I want to know more about Senator INOUE, so I started reading. Of course, you can go to Wikipedia and whatnot, but there are several books available, several resources available where they talk about his life story. Of course, with Senator AKAKA and Senator INOUE, they were both born in the Territory of Hawaii, not the State of Hawaii but the Territory of Hawaii. When you start to read about DAN INOUE's young life, you start to think this is an ordinary, average guy. He is going to grow up and be pretty nondescript. Who knows what he is going to do with the rest of his life? But