

It is well recognized that small- and medium-sized business are the backbone of our economy, employing half of private sector workers and accounting for the creation of two out of three new jobs in the United States. Immediate support and stabilization is critical to full recovery of small businesses, which, as noted, make up about 90 percent of the 265,000 estimated New York firms impacted by Sandy. Business continuation, including keeping the doors open while loans, insurance payments and other incentives are realized, is essential. One Federal investment worthy of consideration is temporary employment support, which will help maintain both business operations and help prevent the loss of jobs through the recovery, reducing the need for unemployment and other Federal benefits.

In addition to Federal investment in workforce retention programs, rapid response in identifying and servicing impacted businesses and unemployed workers is required. As recovery efforts move forward, Federal, State, and local authorities should look for ways to invest in and partner with the extensive networks of community-based organizations, economic development groups, as well as organized labor and affiliated management to deliver workforce development services, including outreach for job opportunities, job training, and placement for in-demand occupations and other related reemployment activities.

For example, the Consortium for Worker Education, CWE, a nonprofit agency specializing in workforce preparation, industry specific training, and employment services has partnered in the past with all levels of government and other community based organizations to deliver job placement services and temporary employment support programs to ensure worker retention in the aftermath of disasters. Their efforts alone have helped train and put back to work thousands of people during similar workforce crisis situations as New York finds itself in now following Sandy.

By investing in innovative programs like CWE's, workforce recovery efforts will more effectively take into account the unique needs of each impacted area and deliver tailored services to impacted businesses and displaced workers alike.

Mr. HARKIN. Mr. President, let me commend the Senator from New York for highlighting the critical employment and workforce needs in the areas impacted by Superstorm Sandy. Now more than ever, Congress must give our States and localities that have been hard hit by Sandy the tools and resources that help dislocated workers return to their jobs or, if necessary, find new, good-paying employment. The supplemental appropriations for disaster assistance bill's funding for dislocated workers is just one step in the recovery process, but an important one to help workers get back on their feet.

As New York, New Jersey, and the other impacted areas move forward with their recovery, I will continue to work with Senator GILLIBRAND so that the short- and long-term needs of impacted workers are addressed.

Ms. COLLINS. Mr. President, I rise today to engage my colleague, Senator TESTER, in a colloquy regarding language he authored in this bill that would amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act. This language would authorize chief executives of federally recognized tribes to submit a request for a major disaster or emergency declaration directly to the President of the United States.

The principal effect of this language would be to eliminate the current requirement that tribal chief executives submit such requests to the Governor of the State in which the tribal reservation is located; tribal chief executives would be permitted to submit such requests to the President without first obtaining the Governor's approval.

The tribes of Maine—the Penobscot, the Passamaquoddy, the Houlton Band of Maliseet Indians, and the Aroostook Band of Micmacs—have a jurisdictional relationships with the State of Maine which is unique among the 50 States. Although, based on my analysis, this language would not in any way affect the relationship between the State of Maine and the tribes of Maine, to make this clear, I would like to pose some questions to the Senator regarding the intent of the language.

The jurisdictional relationship between the tribes of Maine and the State of Maine is set forth in the Maine Indian Claims Settlement Act and the Maine Implementing Act, the latter having been enacted by the Maine State Legislature and ratified and approved by Congress when it enacted the Maine Indian Claims Settlement Act.

If the language the Senator authored was to be enacted into law, would this in any way change the relationship of the State of Maine and the tribes of Maine?

Mr. TESTER. No. I understand that the Maine Indian Claims Settlement Act not only recognized the uniqueness and significance of that jurisdictional arrangement but specifically provided that, following the enactment of the Settlement Act, no future congressional legislation would in any way alter or affect that arrangement unless Congress specifically so provided. This requirement is set forth in Title 25, Section 1735, of the United States Code.

Ms. COLLINS. Did the Senator take Section 1735 into account in his drafting of this legislation?

Mr. TESTER. Yes. I understood that, given the requirement that Section 1735 imposed on Congress, this provision would not and should not apply within or to the State of Maine unless Congress specifically so provided. Knowing that Section 1735 operated to that effect, I did not include specific

language making this legislation inapplicable to Maine, as such language was unnecessary. Our Senate colleagues should understand that this legislation in no way supersedes Section 1735.

Ms. COLLINS. Did my colleague also consider the unique foundation for the Maine Indian Claims Settlement Act and the Maine Implementing Act, as well as the subsequent acts for the Houlton Band and the Aroostook Band?

Mr. TESTER. Yes, I understood that the Maine Indian Claims Settlement Act and the Maine Implementing Act constitute statutory settlement documents. Therefore, our colleagues should understand that the current legislation respects the intent of the parties to Maine's historic and complex settlement and does not in any way disturb the settlement agreement or the statutory construct on which that settlement rests.

The intent of this legislation is to improve communication, response times, and recovery of disasters in Indian Country while better respecting tribal sovereignty. I understand that tribes in Maine have a unique relationship with the State of Maine and nothing in this Act should be interpreted to change or degrade that relationship.

This legislation, if enacted into law, would in no way change the relationship between the State of Maine and the tribes of Maine. That means that, even after the enactment of this legislation, if any of the tribes of Maine wished to obtain a declaration from the President that a major disaster existed, they would have to bring their request to the Governor of Maine, who would have to consider the request in accordance with existing standards and procedures but who would retain the discretion to deny that request.

Ms. COLLINS. I appreciate the time and attention of my colleague from Montana, Senator TESTER, regarding the intent of this language, as well as the care that he took in crafting this legislation.

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

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

#### MORNING BUSINESS

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

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

# TRIBUTE TO SHERIFF MEARL JUSTUS

Mr. DURBIN. Mr. President, my home county of St. Clair, IL, lost a dedicated public servant this week. Mearl Justus—aptly named “justice”—passed away Tuesday at the age of 81. He had retired only 1 week earlier after serving eight terms as St. Clair County sheriff.

Mearl Justus was a legend. He was funny, he was innovative, and he was a creative thinker who was always looking for new and better ways to run his department. Above all, he was deeply dedicated to the people he served in the county.

An editorial in the Belleville News-Democrat described him as “a 6 feet 2 inch teddy bear with a sailor’s vocabulary and a hero’s heart. He was gruff. He was endearing. He was a champion, rescuing us from the bad guys for 60 years.” What an epitaph.

He got off to a rocky start in life. He was 19 months old when his dad died, and he was raised by his grandparents. He was a high school dropout in 1953 when the mayor of Cahokia, IL, suggested he join the local police force. That is how the aptly named Mr. Justus began his nearly 60-year-long career in law enforcement.

He started as a part-time officer in the Cahokia Police Department. He earned his GED and went on to earn an associate’s degree at Southwestern Illinois College in Belleville and then earned a bachelor’s degree in criminal justice. He advanced quickly up the ranks and served as Cahokia’s police chief for 22 years. He ran for sheriff of St. Clair County in 1983 and won—his first run for elective office. He would be reelected seven times, never losing an election, and nobody came close.

Sheriff Justus loved his job and loved having fun. One of the most legendary tales of his years as sheriff was when he sent notices to several hundred fugitives from justice telling them they had won a free pair of sneakers from the fictional Nabbar Shoestore. When the scofflaws turned up to claim their sneakers, the sheriff’s department locked them up. The department made over 50 arrests that day and 1 the next despite the fact that the prior day’s arrests had been widely reported in the news.

He closed up shop with a sign that read: “Closed. Catch ya next time.” He once explained to a reporter, “In this business, to keep from going off the deep end, you need that humor.”

Mearl Justus didn’t drink or smoke and rarely carried a gun because he said it was bulky and “it tears my clothes up.”

He sold advertising space on patrol cars and put public service announcements on their fenders. He provided jail inmates with a garden to grow vegetables. The prisoners grew their produce and gave any extra to local nursing homes.

Sheriff Justus was so dedicated to his work that he and his wife Audrey lived

for years in a three-bedroom apartment above the county jail. He said he figured that is where he was needed. At first, the couple found the routine cell checks a little disturbing, but they grew fond of their living arrangement and even raised a granddaughter in their apartment.

Over the course of his six decades of public service, Mearl Justus established several programs for local schools, including Stranger Danger awareness training. He also introduced the D.A.R.E. Program in the St. Clair schools long before others had it.

Sheriff Justus’s success and dedication were widely admired by his peers, who elected him president of the Illinois Sheriffs’ Association. He was also chairman of the board of his region’s Major Case Squad.

In recent years Sheriff Justus led efforts to combat crime and vandalism on MetroLink trains, the county’s light rail transit system, making the system safer for those who depend on it. That is where I came to know him. You see, this MetroLink is a light rail train service that has been one of the most popular things that has happened in that region. I grew up in that region. I used to kid my friends from St. Louis that I grew up in a suburb known as East St. Louis, and they all laughed because nobody considers Illinois to be part of St. Louis.

Well, it turned out that station in East St. Louis for MetroLink was a critical part of the political agreement that led to the creation of this important light rail system. But we had a problem. East St. Louis has been notoriously dangerous for years, and there was a question: How in the world could we expect anybody to wait at the train station with all the dangerous street crime in East St. Louis?

Mearl Justus stepped up. His St. Clair County Sheriff’s Department provided the protection that was needed to establish that MetroLink station in my hometown of East St. Louis and to give people the peace of mind that if they wanted to board or leave a train or park their car there, there would always be reliable law enforcement. Mearl Justus showed the way for many of us when we couldn’t think of how to resolve this quandary. That is the kind of problemsolver he was.

Mearl Justus had an amazing sense of humor. For many years, his own Web site featured the sheriff wearing a sombrero and a boast that any local event featuring Mearl Justus as the master of ceremonies would draw twice as many people.

He cared deeply about the people. He hosted “Slumber in the Slammer” fundraisers for a women’s crisis center, allowing people to sleep in the jail in exchange for a donation to the local crisis center. He once arranged cataract surgery for a woman whose savings had been stolen.

He said he looked forward to coming to work every day and wanted people to think of him as an honest, people-

oriented public official. He is going to be remembered for that and so much more. Mearl Justus made St. Clair County not just a safer place but a better place. I am honored to have known him. He was a fun person to be around, but you knew that when it came to his job, he took it very, very seriously.

My wife Loretta and I send our condolences to his wife Audrey, his daughters Kay and Debra; and his three granddaughters and three great-grandchildren.

## RETIREMENT OF ILLINOIS STATE SENATOR JEFFREY M. SCHOENBERG

Mr. DURBIN. Mr. President, I rise today to honor my friend, Illinois State Senator Jeff Schoenberg, on his more than two decades of service in the Illinois General Assembly.

Jeff was elected to the Illinois House in 1990 at the age of 30. He served six terms there before being elected to the Illinois Senate in 2003, where he rose through the ranks, serving as assistant majority leader, chairman on the Commission on Government Forecasting and Accountability, and vice chairman of the Appropriations Committee. More importantly, Jeff Schoenberg has been a dedicated public servant to his constituents in Evanston and to the people of Illinois for 22 years.

During his time in the Illinois General Assembly, Jeff sponsored a bill that would provide better access to quality health care and give consumers the opportunity to make better choices for their health. He also secured more than \$5 billion in Federal funds for safety net hospitals such as Mount Sinai, Mercy, and Holy Cross.

Jeff Schoenberg supported the Illinois Safe Choice Zones Act, which helped pave the way for Illinois’ pioneering work in stem cell research, and insisted on greater accountability and oversight at the Illinois State Toll Highway Authority.

A father of two himself, Jeff was critical to the passage of a measure allowing schools to keep and administer epinephrine for anaphylactic shock following the death of a 13-year-old girl from Chicago who had an allergic reaction to peanut oil while at school.

Jeff also understood foreign policy issues, including support for legislation to divest State pension funds from foreign countries doing business with Iran and drawing attention to the genocide in Cambodia. Jeff visited Cambodia last month as part of a delegation representing the U.S. Holocaust Memorial Museum.

Incoming State Senator Daniel Biss will have large shoes to fill given how well Jeff has served the Illinois Senate’s Ninth District. Since the outset of his political career, Jeff has been inspired by the likes of Congressman and Federal Judge Abner Mikva and U.S. Senator PAUL SIMON, for whom he and I both worked.

Jeff’s dedication to service now takes on a new focus in improving the lives