



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, FIRST SESSION

Vol. 159

WASHINGTON, FRIDAY, JANUARY 4, 2013

No. 2

Senate

(Legislative day of Thursday, January 3, 2013)

The Senate met at 12:30 p.m., on the expiration of the recess, and was called to order by the Honorable TOM UDALL, a Senator from the State of New Mexico.

PRAYER

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

Let us pray.

Eternal God, sovereign of the nations, we place our trust in You. Infuse our lawmakers with a spirit of discernment that they may fulfill Your purposes for our Nation and world. Lord, stir them up with the fresh realization of the supernatural resources available to them to accomplish their tasks. As they seek Your guidance on all decisions, guard their hearts and minds with Your peace. Help our Senators to give one another kindness, patience, and encouragement as You saturate their hearts with Your grace and joy.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable TOM UDALL led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The legislative clerk read the following letter.

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, January 4, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. UDALL thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

JOINT SESSION FOR COUNTING OF ELECTORAL VOTES

Mr. REID. Mr. President, the Senate will recess for the joint session for the counting of electoral votes.

Following the joint session, we are hoping to complete action on part of the flood insurance of the Sandy supplemental, which the House just passed.

RECESS SUBJECT TO THE CALL OF THE CHAIR

I ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

There being no objection, the Senate, at 12:33 p.m., recessed to reassemble in the Hall of the House of Representatives for a Joint Session and at 1:56 p.m. reassembled in the Senate Chamber when called to order by the Acting President pro tempore.

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

HELPING THE VICTIMS OF HURRICANE SANDY

Mr. SCHUMER. Mr. President, I rise in support of the legislation we are about to vote on that will provide an

additional \$9.7 billion to the National Flood Insurance Program. Without these funds, the program would have run out of money next week, leaving over 100,000 victims of Hurricane Sandy in the lurch.

I would like to thank my colleagues on both sides of the aisle for allowing this vote to go forward. They have acted honorably. The good news is the House passed this bill this morning and the Senate will pass it in a few minutes.

With the passage of this bill, hurricane victims from Staten Island to east Long Island, as well as in New Jersey, can rest assured their flood insurance will have enough money to pay out claims. We had no choice but to pass this provision because the Federal Government is obligated to reimburse when people have floods if they have paid in their flood insurance.

While this bill is important, it is something we were almost obligated to do, and we should not have parades down the street because this bill has passed.

The major work of helping the victims of Sandy is still ahead of us. The bad news is we even had to go through this dog-and-pony show in the first place.

Last month, the Senate passed a good, strong bill to help all victims of Hurricane Sandy, and the House simply could have taken it up and passed it. In fact, they promised to vote on a similar provision before the last Congress ended.

Unfortunately, this changed at the last moment. We do not need to get into the whys right now; we just want it to happen, and we are worried the second major portion of this relief bill will not get through the House in the form it should.

We need the House to pass not only the \$9 billion they passed this morning but the \$51 billion that contains the

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



Printed on recycled paper.

bulk of the aid people need, without which we will not be able to recover. To be a bride and left at the altar once is bad enough. To be left twice would be unconscionable.

As I said, this is a good step that we are going to pass this \$9 billion flood insurance bill. This is a good but small first step. It is a small downpayment on the much larger amount of aid we need to get through Congress.

Let me tell you what is not in this bill. What is not in this bill is help for every homeowner who does not have flood insurance and lost their home or suffered major damage.

Homeowners are waiting for Congress to pass relief the way we did for Irene and Katrina and so many other disasters so they can get a contractor to sign a contract, get a bank to make a loan until they know that the Federal Government will be there to reimburse, as it always has in the past.

What is not in this bill is aid to small businesses, small businesspeople who are hanging by their fingernails, who might not be able to restart their businesses unless there is Federal aid, which was already in the Senate bill. Unless it comes back from the House and we are able to pass it in the Senate, they will be hurt.

What is not in this bill is dollars to rebuild our highways and, most importantly, our mass transit systems that were flood, damaged. The MTA alone has taken out a \$5 billion loan, but it will be in real financial jeopardy unless it is assured that it will be reimbursed for all the damage that Sandy caused to our railroads and our tunnels and our mass transit system—our amazing mass transit system that brings 3½ million people off and on Manhattan Island every single day.

What is not in this bill is help to bring the electricity system back up to snuff so there will not be major blackouts, so people can be assured of their electricity.

What is not in this bill is help for all of the communities that laid out hundreds of millions and billions of dollars for the cleanup. Their taxpayers will foot the bill unless Congress does what it has always done: step to the plate when a major disaster occurs and have the Federal Government help the locality. There has been a wisdom for 100 years that when an area is afflicted by a disaster, we unite as a nation and come together and help that part of the country whether it is New Mexico or California or Louisiana or Florida or Missouri or North Dakota or New York or New Jersey.

This bill is a first step to deal with flood insurance. It is the easiest part. The hard stuff is still ahead of us. We await the House returning in a week and a half, and we hope and expect, in fact, that they will vote the full \$51 billion remainder. We hope and expect, in fact, that they will not put in legislative language that prevents money from getting to homeowners and communities that need it desperately right away.

The draft we have seen contains some major changes from the Senate bill that would make it very difficult for NIH, the Army Corps, and other parts of the government to spend the dollars that are needed efficiently and quickly and to place them where they go. We beseech the House to finish its business, to finish the major part of its business, and approve the \$51 billion that will make up the rest of the \$60.

We beseech them not to hamstring the local homeowners and businesses and governments with language that would prevent recovery. We beseech them to move quickly. Of course, the ideal would be for them to pass the same bill that the Senate passed in the waning hours of the last session. If they cannot, we will have to get legislation through the body again. But through the generosity of the majority leader, he has assured us it will be the first order of business when we return. So we have to move forward.

As we have seen, this is not going to be easy. There are many bumps in the road and obstacles that we cannot yet see. For sure they will arise and for sure we will have to grapple with them.

This vote needs to be the beginning of the process. It cannot certainly be the end, and it certainly cannot be the middle. We cannot just pass the \$9 billion bill and then say that is it. We cannot let the House pass this and rest on its laurels. We in New York and New Jersey cannot let our guard down. Not until the full \$60 billion arrives in New York and New Jersey can we stop working. So I urge my colleagues to support this legislation and then alert them to keep the victims of Sandy in New York, New Jersey, and elsewhere in their thoughts so that we can continue to support the region when we return.

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

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

The legislative clerk proceeded to call the roll.

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

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

Mr. REID. Mr. President, in the years I have served in legislative bodies, which is quite a long time now, it is interesting to see how different people approach the legislative process. I have learned over the years there is nothing more important than people working hard. You have to be tenacious to get legislation passed.

The leader of passing Sandy over here—and I am confident when we get back in a couple of weeks after the House works on theirs, the same dynamic will be here—the senior Senator from New York has worked tirelessly to get legislation passed. He has led a team effort of Senators from New Jersey and his partner, Senator GILLIBRAND, but the leader, the quarterback, has been the Senator from New York.

The work he has done not only in the Senate, but having the many years of experience he had in the House of Representatives, the Presiding Officer, the senior Senator from New York, worked day and night making phone calls, personal contacts with people in New York and New Jersey who could call House Members and have them pass this legislation.

On the way back from the joint session dealing with the electoral vote count, he walked up and grabbed me—did not grab me, but we talked for several minutes walking back to the Senate—the majority leader from the House of Representatives. He worked extremely hard on this. He worked hard on it. I indicated to him that I had received calls from people in New York who appreciated very much his efforts to try to get this thing passed.

I really do believe it is important that I have the record reflect the reason we have gotten as far as we have on Sandy is because of the senior Senator from New York. It is too bad that it has taken so long. When we had that devastation from Katrina, we were there within days taking care of Mississippi, Alabama, and especially Louisiana—within days. We are now past 2 months with the people of New York and New Jersey.

The people of New Orleans and that area, they were hurt but nothing in comparison to what happened to the people in New York and New Jersey. Almost 1 million people have lost their homes; 1 million people lost their homes. That is homes, that is not people in those homes. So I think it is just unfortunate that we do not have the relief for New York and New Jersey and the rest already. It has to be done. We have to meet the needs of the American people when an act of God occurs.

So I, on behalf of the entire Senate, and certainly my Democratic caucus, express my appreciation to the legislative initiative and the legislative expertise of my friend from New York, an experienced legislator in the State of New York, the House of Representatives, and the Senate. He has done a masterful job.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent 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.

WIND ENERGY TAX CREDIT

Mr. UDALL of Colorado. Mr. President, today marks my 28th time here on the Senate floor to talk about the Production Tax Credit for wind energy. Twenty-seven other times I stood here—oftentimes joined by like-minded colleagues from around the country—to urge Congress to extend this vital tax credit, which has helped the wind