

that his work here on this Earth changed the lives of thousands and that his legacy will not be forgotten.

May his memory live on for years to come.●

#### HONORING GEORGE SMITH

● Mr. UDALL of New Mexico. Mr. President, just a few weeks ago our Nation commemorated Veterans Day. It is above all a day of remembrance and gratitude. A time to remember the courage and sacrifice of the brave men and women who have served our Nation in the Armed Forces. It is a day when we pay tribute to the heroes among us. And to those who are no longer with us.

Today I wish to honor one of those heroes. On Tuesday, October 30, our Nation lost a great American, Navajo Code Talker George Smith. Mr. Smith was born on June 15, 1922, in Mariano Lake, NM, and was Salt People Clan, born for Black Streak Wood People Clan. In 1943, he enlisted with the Marines. He was trained as a Navajo Code Talker and achieved the rank of corporal while serving in the Pacific. Corporal Smith fought in battles in Saipan, Tinian, Ryukyu Islands. He also served in Okinawa, Hawaii, and Japan. His brother, Albert Smith, also trained as a Code Talker, and served with him.

The Marines who constituted the Navajo Code Talkers were small in number, but monumental in significance. Their skills were crucial to American victory in the Pacific during World War II. They turned their language into an unbreakable code. In battle after battle, in the thick of ferocious combat, they used that code as a powerful weapon in securing Allied victory. Our Nation will never forget what George Smith, and his brother, Albert Smith, and all of their fellow Code Talkers accomplished.

Their service is all the more poignant in that they fought for freedom in a world that did not always accord freedom to them. When America entered World War II, the U.S. government had only recognized Native Americans as citizens for 17 years. In some places, tribal members still did not have the right to vote. 45,000 of the 350,000 Native Americans in the U.S. at that time served in the war. This tradition of military service by Native Americans continues to this day. Native Americans have the highest rate of service of any ethnic group.

Mr. Smith was awarded the Congressional Silver Medal. After the war, Code Talker Smith returned home and dedicated himself to his family and community. He worked at Fort Wingate in disposing of old ammunition, and then as a mechanic at Fort Wingate Trading Post. Eventually, he went to Fort Defiance, where he served as a shop foreman. He later worked as a heavy equipment mechanic in Shiprock.

Code Talker George Smith was blessed with a long life. When he passed

away last month, he was 90 years old. He will be missed by his family, his friends, and his community, and he will always be remembered by a grateful nation. I extend my deepest sympathies to his family. We are forever in his debt. I hope that those who mourn him now will find comfort in all that he accomplished. His life made a difference. His invaluable service during World War II saved lives. Our Nation is free because of heroes like Code Talker George Smith.●

#### HONORING VIRGIL WALLACE

● Mr. UDALL of New Mexico. Mr. President, in the annals of our Nation's military history, the story of the defenders of Bataan will long live in our collective memory. One of those great defenders, Mr. Virgil Wallace, recently passed away at the age of 99. Mr. Wallace survived the 4 month battle, the infamous Bataan Death March, and 3 years of horrendous captivity. He was the State of New Mexico's oldest Bataan veteran.

Our Nation is forever in debt to the extraordinary courage and sacrifice that Mr. Wallace and the "Batling Bastards of Bataan" demonstrated in the early days of World War II. Their heroic resistance helped slow the Japanese advance, allowing crucial time for the Allied forces to reorganize and eventually reverse Japan's progress. They played a crucial role in our Nation's history. I am proud to have sponsored legislation to award these valiant soldiers the Congressional Gold Medal.

The Japanese attack on the Philippines in December, 1941, just hours after the attack on Pearl Harbor, led to 4 months of intense combat. Outnumbered, outgunned, Mr. Wallace and his fellow soldiers put up a desperate fight. For 4 months, they struggled, they valiantly fought, against impossible odds, and without hope of resupply, until they finally surrendered.

Their suffering was only just beginning. The brutal Bataan Death March was followed by terrible conditions in Japanese prisons and work camps. Starvation. Torture. Forced work. And, for so many of these brave men, death. By the time they were rescued, toward the end of the war, half of New Mexico's 1,800 soldiers serving in Bataan had died. Another 300 would die from complications related to their captivity within a year of returning to the U.S. Mr. Wallace was held captive for more than 3 horrific years.

Virgil Wallace was awarded the Bronze Star and numerous other commendations for his heroic service. After the war, he returned to New Mexico, where he worked for the Department of Transportation and later Carrie Tingley Hospital in Truth or Consequences.

Our Nation will long remember this courageous soldier, a man who gave so much in service to his country. Mr. Wallace is one of the last of a legendary band of brothers, who rep-

resented the very best of who we are. In the dark days of the beginning of World War II, they showed America's fighting spirit and inspired a nation.

I extend my deepest sympathies to Mr. Wallace's family and friends. I hope that you will find comfort in your memories of his long, and distinguished, life. We honor his valor and his example, and we mourn your loss.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the Committee on the Judiciary.

(The messages received today are printed at the end of the Senate proceedings.)

#### MESSAGE FROM THE HOUSE

At 12:32 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 41. An act to temporarily increase the borrowing authority of the Federal Emergency Management Agency for carrying out the National Flood Insurance Program.

The message further announced that the House has agreed to the following concurrent resolutions, without amendment:

S. Con. Res. 1. Concurrent resolution to provide for the counting on January 4, 2013, of the electoral votes for President and Vice President of the United States.

S. Con. Res. 2. Concurrent resolution extending the life of the Joint Congressional Committee on Inaugural Ceremonies.

S. Con. Res. 3. Concurrent resolution providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 1. Concurrent resolution regarding consent to assemble outside the seat of government.

The message further announced that pursuant to 15 U.S.C. 1024(a), and the order of the House of January 3, 2013, the Speaker appoints the following Members of the House of Representatives to the Joint Economic Committee: Mr. BRADY of Texas and Mrs. MALONEY of New York.

#### TO TEMPORARILY INCREASE FEMA BORROWING AUTHORITY

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed

to the consideration H.R. 41, which was received from the House and is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 41) to temporarily increase the borrowing authority of the Federal Emergency Management Agency for carrying out the National Flood Insurance Program.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Mr. President, this is a small part of what we have needed to do for the people of New York and New Jersey.

I ask unanimous consent that the bill be read a third time and the Senate proceed to a vote on passage of this legislation.

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

The bill was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. If there is no further debate, the bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 41) was passed.

Mr. REID. Mr. President, I ask unanimous consent that the motion to reconsider be laid upon the table with no intervening action or debate.

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

#### SIGNING AUTHORITY

Mr. REID. Mr. President, I ask unanimous consent that from Friday, January 4, through Monday, January 21, the majority leader be authorized to sign duly enrolled bills or joint resolutions.

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

#### ORDERS FOR MONDAY, JANUARY 21, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it recess under the provisions of S. Con. Res. 3 until 11:30 a.m. on Monday, January 21,

2013, for the Joint Session of the Inaugural Ceremonies, and that upon conclusion of the joint session, the Senate recess until 10 a.m. on Tuesday, January 22, 2013; that following the prayer and pledge, the Journal of proceedings be approved to date and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business for debate only until 12:30 p.m., with Senators permitted to speak therein for up to 10 minutes each; and that the Senate recess from 12:30 p.m. to 2:15 p.m. to allow for the weekly caucus meetings.

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

#### ADJOURNMENT UNTIL MONDAY, JANUARY 21, 2013, AT 11:30 A.M.

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate recess under the previous order.

There being no objection, the Senate, at 2:11 p.m., adjourned until Monday, January 21, 2013, at 11:30 a.m.

#### NOMINATIONS

Executive nominations received by the Senate:

##### THE JUDICIARY

ROBERT E. BACHARACH, OF OKLAHOMA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE TENTH CIRCUIT, VICE ROBERT HARLAN HENRY, RESIGNED.

CAITLIN JOAN HALLIGAN, OF NEW YORK, TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT, VICE JOHN G. ROBERTS, JR., ELEVATED.

WILLIAM J. KAYATTA, JR., OF MAINE, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FIRST CIRCUIT, VICE KERMIT LIPEZ, RETIRED.

JILL A. PRYOR, OF GEORGIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE ELEVENTH CIRCUIT, VICE STANLEY F. BIRCH, JR., RETIRED.

PATTY SHWARTZ, OF NEW JERSEY, TO BE UNITED STATES CIRCUIT JUDGE FOR THE THIRD CIRCUIT, VICE MARYANNE TRUMP BARRY, RETIRED.

SRIKANTH SRINIVASAN, OF VIRGINIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT, VICE A. RAYMOND RANDOLPH, RETIRED.

RICHARD GARY TARANTO, OF MARYLAND, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FEDERAL CIRCUIT, VICE PAUL R. MICHEL, RETIRED.

ELISSA F. CADISH, OF NEVADA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEVADA, VICE PHILIP M. PRO, RETIRED.

VALERIE E. CAPRONI, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK, VICE RICHARD J. HOLWELL, RESIGNED.

SHERI POLSTER CHAPPELL, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF FLORIDA, VICE GREGORY A. PRESNELL, RETIRED.

PAMELA KI MAI CHEN, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NEW YORK, VICE RAYMOND J. DEARIE, RETIRED.

BRIAN J. DAVIS, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF FLORIDA, VICE RICHARD A. LAZZARA, RETIRED.

SHELLY DECKERT DICK, OF LOUISIANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF LOUISIANA, VICE RALPH E. TYSON, DECEASED.

JENNIFER A. DORSEY, OF NEVADA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEVADA, VICE LARRY R. HICKS, RETIRED.

KATHERINE POLK FAILLA, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK, VICE DENISE COTE, RETIRED.

KENNETH JOHN GONZALES, OF NEW MEXICO, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW MEXICO, VICE BRUCE D. BLACK, RETIRED.

ANDREW PATRICK GORDON, OF NEVADA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEVADA, VICE KENT J. DAWSON, RETIRED.

KETANJI BROWN JACKSON, OF MARYLAND, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLUMBIA, VICE HENRY HAROLD KENNEDY, RETIRED.

ROSEMARY MARQUEZ, OF ARIZONA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF ARIZONA, VICE FRANK R. ZAPATA, RETIRED.

MICHAEL J. MCSHANE, OF OREGON, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF OREGON, VICE MICHAEL R. HOGAN, RETIRED.

RAYMOND P. MOORE, OF COLORADO, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLORADO, VICE WILEY Y. DANIEL, RETIRED.

TROY L. NUNLEY, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF CALIFORNIA, VICE GARLAND E. BURRELL, JR., RETIRED.

BEVERLY REID O'CONNELL, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA, VICE VALERIE L. BAKER, RETIRED.

WILLIAM H. ORRICK, III, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF CALIFORNIA, VICE CHARLES R. BREYER, RETIRED.

NITZA I. QUINONES ALEJANDRO, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA, VICE RICHARD BARCLAY SURRICK, RETIRED.

LUIS FELIPE RESTREPO, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA, VICE ANITA B. BRODY, RETIRED.

NELSON STEPHEN ROMAN, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK, VICE RICHARD M. BERMAN, RETIRED.

JEFFREY L. SCHMEHL, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA, VICE THOMAS M. GOLDEN, DECEASED.

WILLIAM L. THOMAS, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF FLORIDA, VICE ADALBERTO JOSE JORDAN, ELEVATED.

ANALISA TORRES, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK, VICE NAOMI REICE BUCHWALD, RETIRED.

DERRICK KAHALA WATSON, OF HAWAII, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF HAWAII, VICE DAVID A. EZRA, RETIRED.

MARK A. BARNETT, OF VIRGINIA, TO BE A JUDGE OF THE UNITED STATES COURT OF INTERNATIONAL TRADE, VICE JUDITH M. BARZILAY, RETIRED.

CLAIRE R. KELLY, OF NEW YORK, TO BE A JUDGE OF THE UNITED STATES COURT OF INTERNATIONAL TRADE, VICE EVAN J. WALLACH, ELEVATED.