

couldn't get that bill to the floor. So Speaker BOEHNER once again decided to forgo the Hastert rule. That is how they got the Sandy emergency aid bill passed. Look again at the votes. Republican "yes" votes for the disaster bill, 49; Republican "no" votes for that bill, 179. That bill was dead on arrival under the Hastert rule. The Republican caucus couldn't support it, wouldn't support it, and we would be without any help now if they had followed the Hastert rule.

On the Democratic side, what was the vote on the Hurricane Sandy bill—192 "yes" votes to 1 "no" vote. The final count was 241 ayes, 180 nays. The bill passed, but about three-quarters of the support came from Democratic votes.

If the Speaker had imposed the Hastert rule, not only would we be off the fiscal cliff, but we would have failed at providing disaster relief for Hurricane Sandy. The only reason these critical pieces of legislation avoided the fate of the highway bill and of the farm bill is that the Speaker didn't follow the Hastert rule. He couldn't follow the Hastert rule because he wouldn't have been able to pass legislation. If his tea party caucus had forced America off the fiscal cliff, he knew there would have been hell to pay, so he waived the Hastert rule.

Now, of course, House Republicans are all in a fuss about having waived the Hastert rule. One tea party lawmaker admitted that the New Year's Day tax vote left a lot of his fellow Republicans with a very bad taste in their mouth. So it is probably back to Hastert rule business as usual on the House side, with death by tea party to any major bipartisan Senate legislation.

The tea party over on the House side wanted to vote for extreme things, such as voting to repeal or defund ObamaCare over 30 times—over 30 times—or voting to turn Medicare into a voucher program. If it is extreme enough, then they will vote for it. But those are actions which are not supported by the American people, and they can't pass the Senate.

For the regular business of government, for the regular business of passing Senate bipartisan legislation, the tea party-Hastert rule combination is deadly.

So back to where I began. If you are concerned about dysfunction in Congress, if you are wondering why we are less popular than a root canal, if you are wondering why 77 percent of Americans look at Congress and think we are actually doing more harm than good, and if you want an explanation of the dysfunction, take a look at the Hastert rule. If you look at this problem the way a doctor would look at a patient, the way an engineer would look at a system, the way a car mechanic would look at an automobile, and you look for what is broken, be specific; it is the application by the Speaker of the Hastert rule that prevents strong, bi-

partisan Senate legislation from going forward. When something moves, it is because the Hastert rule has been waived.

So if you want to see what is wrong, that quest takes you straight to the House of Representatives, and there it leads you straight to the House Republican conference, and there it leads you to that toxic combination of the tea party and the Hastert rule.

When you understand the problem, the cure is obvious: The House should ditch the Hastert rule. Call things up for a vote. Let everybody's vote count. Don't refuse to proceed unless only your own party will let you. It is the obvious and only solution. The fiscal cliff bill and the Sandy bill and the votes on those bills prove it.

With those tea party extremists dominating the House Republican conference and ready to pitch the country over the fiscal cliff and leave hurricane victims high and dry, the Speaker had to ditch the Hastert rule. The only way the House can do bipartisan business on major issues is to ditch the Hastert rule.

As we saw, the Senate has its problems, but we are actually doing OK, just as our legislative record shows. Over and over, we pass real, significant, bipartisan legislation after a real process on the floor of argument and amendment. As the House's legislative record shows, the problem is over there. More precisely, the problem is within the House Republican conference. Still more precisely, again, the problem is that toxic combination of the tea party and the Hastert rule.

If we want Congress to function effectively, if we want to succeed at doing the work of the American people, such as the fiscal cliff bill and the hurricane relief bill, and if we don't want to see more important legislation, such as highway bills and farm bills, fail in the House, unable to pass in the House, blocked in the House, the solution for the problem is clear: We have to ditch the Hastert rule and let the House as a body work its will, just as the American people elected it to do.

#### EXTENSION OF MORNING BUSINESS

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the period for morning business be extended until 6:30 p.m. today and that all provisions of the previous order remain in effect.

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

Mr. WHITEHOUSE. I yield the floor. The PRESIDING OFFICER. The Senator from Georgia.

(The remarks of Mr. CHAMBLISS pertaining to the introduction of S. 122 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from New Jersey.

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

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

#### SANDY DISASTER RELIEF

Mr. MENENDEZ. Mr. President, I rise to encourage the Senate to seek quick action on the Sandy relief package that has been long overdue. I know the majority leader is committed to bringing it to the floor as soon as we can get some type of agreement with the other side of the aisle, and I hope that agreement can come quickly because a recovery that is delayed—as this has already been significantly delayed—is a recovery that very likely can fail.

We cannot afford for one of the biggest engines of the national economy, which is the Northeast, to fail in its recovery. This is not only for the sake of the Northeast but for the entire country.

I appreciate the majority leader's steadfast commitment to provide that relief as quickly as possible here in the Senate, but time is a-wasting. It is already Wednesday, and I am concerned we will lose another week before we, in fact, seek passage and then go to the President. From there, it would move on so the resources could begin to flow to communities across the Northeast that have languished since Sandy took its toll.

There is no excuse for delay. We already had the delay in the House. They could have passed the package the Senate passed in a transparent process that had the Appropriations Committee—on both sides—scrubbing the bill. It was brought before the Senate in a fashion in which we like to see the Senate work. I believe there were 25-some-odd amendments that were considered, a full vetting of the legislation, and there was a strong bipartisan vote at the end of that process. It was then sent to the House, and unfortunately it languished and died at the end of the last Congress.

Now the House has acted in a different fashion. So I am happy at this point to accept the House's version—even though I do believe the Senate version is superior in a variety of ways—so it can be sent to the President. Getting relief to the citizens in the Northeast is critically important.

I look at the package the House has, and I say to myself that \$50.7 billion in resources, in addition to the flood insurance package that has already passed, will allow our residents and small businesses that have been waiting so long to recover and begin to rebuild. Finally, it will show them that they have a strong partner in the Federal Government and that someone is there for them, as we have been whenever and wherever disaster has struck

our fellow Americans throughout this Nation.

Obviously, I would have preferred the Senate bill, which was stronger, but we cannot let the perfect be the enemy of the good. We need to get assistance to the victims of Sandy as quickly as possible. This is a vehicle that gets us to that goal.

While the House bill significantly reduces assistance in a couple of areas—including fishery disasters and community development funding, which I think in that respect may stump the recovery of an important industry along our coast and could potentially siphon off billions in CDBG funding that is badly needed right now in New York and New Jersey by amplifying what disasters are eligible for it—I am pleased to say we protected the overall amendment of the CDBG funding from the Senate bill, which is about \$16 billion.

While it is not everything we needed since it will now be spread even thinner across even more disasters, we can certainly help as many communities rebuild and recover as we can because time is of the essence. There is a fierce urgency right now. There are many business owners whom I have spoken to who said to me: Senator, I am at a critical juncture. I don't know whether I can reopen. If the government is not going to give me assistance, then I likely won't open because adding more debt, even in terms of a long-term, low-interest loan, is still debt. They say: I took out debt to start this business or: I took out debt to get through the great recession, but I don't really have the option to take out more debt without some direct assistance, such as a grant. A grant would give the help I need to jump-start my business so I can get those individuals I had employed reemployed once again and create an opportunity for our community.

That decision right now for those businesses, which are life-and-death decisions, is pending and hanging by the will of the Senate to act.

I am also pleased that the package the House passed recognizes what I have been saying all along—that funding the Army Corps of Engineers' efforts is critical to rebuilding coastal communities, particularly New Jersey's weakened coastal defenses. We are at the lowest of our immune system as a coastal State, and we already see the biting cold. It is cold throughout the Capitol today, which shows how cold it is outside. Think about those residents who are fellow Americans and don't have a place to call home because they don't have the wherewithal to get their home back in a way in which they can once again be able to live there, raise their families there, and meet their challenges as a family in a warm nurturing environment. That does not exist for many of our fellow Americans because they don't have the wherewithal to decide whether they are going to get the type of assistance to help them rebuild their homes. All of that is pending.

Part of that is the Army Corps of Engineers' ability to reengineer our beaches in a way that ultimately provides not only for the potential of tourism, which is a \$37 billion industry in our State, but even more importantly for the protection of lives, property, and protection against repetitive losses. That is what is going to happen when we get this money to the Army Corps of Engineers so they can rebuild our coastal defenses. This package would give Jersey Shore residents and businesses the comfort of knowing they would be better protected in the future than they have been in the past.

It also includes \$13 billion in critical funding I sought to help to restore our transportation systems. For example, it would allow New Jersey Transit to repair extensive damage from the storm and allow the agency to build facilities on higher ground to prevent future flood damage, which is a common-sense option. When we think about fiscal responsibility, why would we rebuild only to the very same status that was allowed to be flooded in the first place and caused all of the damage the government would pay for? The passage of this potential package from the House would allow the port authority to finish repairing the PATH station and harden electrical equipment to prevent future damages.

If we could get an agreement, the package that would come to the floor would include necessary policy reforms that I have supported that will streamline recovery efforts and improve FEMA's public assistance programs, which is critical to a successful recovery. These reforms would allow us to rebuild what is in place even stronger and better before there is another storm. Again, this is important in terms of the end results. It is important in terms of the fiscal responsibility to ensure we rebuild in such a way that we don't end up with repetitive damage, which would be more costly to the government.

It would allow a third-party dispute resolution process for major projects. Some of the history we have, particularly with Katrina from Senator LANDRIEU's experience, is the reality of not having a dispute resolution process, which ultimately forestalled recoveries and critical projects to that State and in those communities. Also, coverage for childcare costs related to disaster recovery through FEMA individual assistance is a critical element.

Without going through all of the provisions of the House bill, let me just say we need to pass this relief package. People are suffering. They are desperately waiting for certainty so they can start rebuilding their lives, their businesses and communities. They are trying to get back on their feet. They need this aid even if it is late and even if it is ultimately longer than other disasters have had to wait. As I pointed out in the past, I think it was 10 days or so when \$50 billion flowed to Katrina victims. We are nearly 3 months since

the worst disaster on the east coast in terms of a natural disaster that has taken place.

The people of the Northeast, the people of my State of New Jersey and our neighbors in New York desperately need this funding, and it is time to help these fellow Americans. It is time to do it now. It is time to do it this week. It is going to take time for this recovery to take place. The longer we delay, the greater the chance of failure we, in fact, create. I think we want success, not failure. I think we want to understand, as an institution, as I have said many times, that this is the United States of America. That means we respond to the challenges and the disasters that take place in other parts of the country. We do it, hopefully, more expeditiously than this, and at the same time we stand by our fellow Americans so they can reclaim their lives, reclaim their commitments to their communities, reclaim the opportunity to reopen their businesses, to contribute to those communities, to our State, to this Nation, to our society.

So I strongly urge our colleagues who have some reticence to agree to moving forward on a Sandy bill to come to common ground with us, to come to agreement to move this relief package. No American should have to languish months after a disaster to get help. That should not be the standard. The hallmark of our response should be an intelligent but expeditious response to the consequences of a disaster that any American faces. That is our tradition. It is a tradition we should maintain. It is a tradition that, unfortunately, in this particular instance has not been a reality. It is a tradition that I hope we can ultimately embrace once again this week in finally pushing through a Sandy package that can move to the President for signature and bring relief to our communities.

With that, I yield the floor.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO KEN SQUIER

● Mr. SANDERS. Mr. President, I rise today to celebrate Ken Squier, of Stowe, VT, for his historic contribution to motor sports and to broadcasting, and for his deep and abiding commitment to the people of Vermont. On November 29, 2012, NASCAR presented Ken with the prestigious Buddy Shuman Award, given to "an individual who has played a key role in the continued growth and success of Cup racing."

Most Americans know Ken Squier as the "Voice of the Daytona 500." In 1979, Squier convinced CBS Sports to broadcast the Daytona 500 in its entirety. This event was a seminal moment for stock car racing in the United States, later described by ESPN as "NASCAR's most revolutionary event," the one that convinced the national networks