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House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, April 9, 2013, at 2 p.m.

Senate

MONDAY, APRIL 8, 2013

The Senate met at 2 p.m. and was called to order by the Honorable TAMMY BALDWIN, a Senator from the State of Wisconsin.

PRAYER

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

Let us pray.

God of love and grace, our love is pale and fitful compared to Your infinite goodness. Inspire our lawmakers with Your guiding power so they will stand firm in the faith You have given them. Lord, keep before them Your vision for our Nation and world, inspiring them to keep up their courage in spite of daunting odds. Use them as healers and helpers and heralds of Your hope. Assure them of Your love as You give them eyes to see Your saving truth.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable TAMMY BALDWIN 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, April 8, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TAMMY BALDWIN, a Senator from the State of Wisconsin, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Ms. BALDWIN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Madam President, I ask unanimous consent that the previous order with respect to Executive Calendar No. 14, the nomination of Patty Shwartz to be U.S. circuit judge for the Third Circuit, begin at 11:30 a.m. tomorrow, April 9, with all other provisions remaining in effect.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SCHEDULE

Mr. REID. There will be no votes today. The first vote of the week then will be tomorrow morning at noon on the confirmation of the Shwartz nomination.

EXECUTIVE SESSION

NOMINATION OF MARY JO WHITE TO BE A MEMBER OF THE SECURITIES AND EXCHANGE COMMISSION

Mr. REID. I ask unanimous consent that the Senate proceed to executive session to consider Calendar No. 50; that the nomination be confirmed and the motion to reconsider be laid upon the table, with no intervening action or debate; that no further motions be in order to the nomination; that any related statements be printed in the RECORD; that President Obama be immediately notified of the Senate's action and the Senate then resume legislative session.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE SESSION

The ACTING PRESIDENT pro tempore. The Senate will now resume legislative session.

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



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ISSUES BEFORE THE SENATE

Mr. REID. Madam President, I would like to welcome back the Presiding Officer and all the staff. I hope our 2-week Easter break was refreshing to everyone.

This month, the Senate will deal with a number of important matters, including judicial nominations and Cabinet nominations and a water resources measure.

GUN VIOLENCE

The Senate will also consider a package of legislation designed to safeguard Americans from gun violence.

In the wake of last year's terrible tragedy in Newtown, CT—a mass shooting we will never forget and that claimed the lives of 20 little, tiny boys and girls and 6 educators—I said shortly thereafter I would bring antiviolence measures to the Senate, and we are going to do that. It is time Congress engaged in a meaningful conversation and a thoughtful debate on how to change the law and culture that allowed this violence to grow so much.

I have said every idea should be debated and every issue should get a vote. From better mental health treatment, more secure schools, stronger background checks, banning assault weapons, the size of magazines or clips, and other issues, these ideas should get a vote. There are strong feelings and deep disagreements about some of these measures, but every one of these measures deserves a vote, a yes or a no—no hiding, no running from an issue that has captivated America.

There is no better place than in the Senate to begin a national conversation about such critical issues, even if they are divisive issues. We shouldn't stifle debate, run from tough issues or avoid difficult choices. This body—the world's greatest deliberative body—has a proud tradition of such robust and constructive debate.

I am deeply troubled a number of my Republican colleagues went so far as to send me a letter saying: We will agree to nothing. There will be no debate. There will be nothing. We want the Senate to do zero on anything dealing with stricter gun measures. They don't even want to let us vote.

This flies in the face of a Senate tradition of spirited discussion that began in the first days of this institution. There is simply no reason for this blatant obstruction except for the fear of considering antiviolence proposals in full view. Yet many Senate Republicans seem afraid to even engage in this debate—to have amendments to strengthen the legislation or, if they want, to offer amendments to weaken what the law is today.

In short, let's have a debate on violence in America. I repeat: Many Senate Republicans seem afraid to even engage in this debate. Shame on them.

The least Republicans owe the parents of these 20 little babies who were murdered at Sandy Hook is a thoughtful debate about whether stronger laws

could have saved their little girls and boys. The least Republicans owe them is a vote.

The least Republicans owe the families and friends of those gunned down at a movie theater in Colorado and a Sikh temple in Wisconsin and a shopping mall in Oregon and every day on the streets of American cities is a meaningful conversation about how to change America's culture of violence. The least Republicans owe America is a vote.

The legislation on the floor would keep guns out of the hands of convicted criminals and safeguard the most vulnerable Americans—our children.

This proposal is supported by 9 out of 10 Americans. Background checks, 9 out of 10—90 percent of Americans—believe we should do something, and I get a letter from a group of Republicans saying: Don't touch it. We don't want anything to do with it.

It flies in the face of what 90 percent of Americans want. If Republicans disagree with the measure, let them vote against it. One of my Democratic colleagues said: Here are some of the things I want to vote against. Good. They are free to vote against it. If they don't like the laws that now exist in America, offer an amendment to make it weaker or stronger, depending on how they look at it. They shouldn't shut down debate or prevent us from voting on many thoughtful proposals to curb violence.

On issue after issue, Republicans have called for a return to so-called regular order. They come to the Senate floor saying let's return to regular order. They ask for the opportunity to offer amendments. They have called for free and open debate in the Senate. Those who have been yelling the most for this free and open debate are the people who sent me a letter saying: We are going to filibuster everything relating to guns. Talk about speaking out of both sides of their mouth. This is the poster child of that.

When they encounter an issue they are afraid to debate in full public view, they want to thwart debate altogether. They have threatened to filibuster this legislation which was passed out of committee under regular order. That is what they said they wanted. They have threatened to block debate on this measure, to which they are able to offer amendments.

I am happy to see a few reasonable Republicans who have stated publicly they are willing to engage in an important conversation on this issue. They have urged their more extreme colleagues not to resort to the same tired tactics of obstruction. But it will take more than 1 or 2 or 3 reasonable Republicans to ensure the families of 30,000 Americans killed by guns each year get the respectful debate they deserve.

NOMINATIONS

Unfortunately, the type of Republican obstruction that could prevent the Senate from debating and voting on antiviolence legislation is nothing

new. For the last few years, Republicans have practically ground the work of the Senate to a halt. Republicans have filibustered countless job creation measures. Since President Obama took office, Republicans have systematically slow-walked or blocked scores and scores of judicial executive branch nominations, including even—for the first time in the history of our country—the nomination of the Secretary of Defense who, by the way is a former Republican Senator. Pending nominees have waited an average of 1 year for a Senate vote—almost 1 year, about 280 days.

Republicans have openly filibustered 57 of President Obama's nominees, but they have secretly stopped scores and scores of nominations by secret holds and procedural hurdles. Republicans have jammed executive branch nominees even when they have no objection to the nominee's qualifications, just to eat up valuable floor time.

I am concerned about this dysfunction, but I am not the only one. Virtually every American thinks this is foolish, the way things are going. The Nation is watching the Senate to see whether we will ever function efficiently again. They are watching.

I hope my Republican colleagues will work with Democrats going forward to prove the Senate is not completely broken.

SAFE COMMUNITIES, SAFE SCHOOLS ACT OF 2013—MOTION TO PROCEED

Mr. REID. I now move to proceed to Calendar No. 32, S. 649.

The ACTING PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 32, S. 649, a bill to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes.

RESERVATION OF LEADER TIME

Mr. REID. Would the Chair announce the business of the day.

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

Mr. REID. Are we now in a period of morning business?

The ACTING PRESIDENT pro tempore. We are on the motion to proceed to S. 649.

Mr. REID. Thank you very much. I note 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. GRASSLEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. GRASSLEY. Madam President, I ask unanimous consent to speak as in morning business.