



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 113<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 159

WASHINGTON, MONDAY, APRIL 22, 2013

No. 55

## House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, April 23, 2013, at 12 p.m.

## Senate

MONDAY, APRIL 22, 2013

The Senate met at 2 p.m. and was called to order by the Honorable PATRICK J. LEAHY, a Senator from the State of Vermont.

### PRAYER

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

Let us pray.

Almighty God, our Father, give our lawmakers today high aspirations as You lift their thoughts above everything that would keep them from fulfilling Your purpose for them. Let Your blessings be upon them, enabling them to know the joy of giving You their whole heart.

Lord, we are grateful that Your power extends beyond humanity's powers and achievements, for Your thoughts are as high above our reflections as the heavens are above the Earth. Give us serenity of mind in spite of life's tensions and tumult, so that we will find the paths of peace.

Again, Lord, we ask You to bless the victims and families of the explosions in Boston and Texas. We pray in Your merciful Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable PATRICK LEAHY 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.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. MURPHY). The majority leader is recognized.

### SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will be in a period of morning business until 5:30 this evening. Senators will be permitted to speak for up to 10 minutes each. At 5:30 there will be a vote on the motion to proceed to S. 743, the Marketplace Fairness Act.

### ORDER OF PROCEDURE

Mr. REID. I now ask unanimous consent there be a moment of silence at 2:50 p.m. today for the purpose of honoring the victims of the Boston bombings.

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

### COMMENDING BOSTON'S LAW ENFORCEMENT COMMUNITY

Mr. REID. Mr. President, I commend the law enforcement officials at the city, State, and local level for their incredible response to last week's traumatic and horrifying events at the Boston Marathon, and for hours following that all over the Boston metropolitan area.

A week that began with this unspeakable tragedy, the death of three innocents, ended with the death of one suspect in the Boston bombing mara-

thon and the capture of the other. Capturing those suspects would have been impossible without the hard work and bravery of countless law enforcement personnel as well as the cooperation and fortitude of the people of Boston. They are Boston strong.

Our hearts extend to the family of 26-year-old Sean Collier, the young MIT officer who was simply sitting in his car and was so callously killed by these bombing murderers. Our thoughts this week are with Richard Donohue, the transit police officer who was wounded during the manhunt by these terrorists.

We once again extend hope for recovery of those injured in last week's senseless bombings and our condolences to lost loved ones. The U.S. Government and Americans across the Nation pledge our continued support for the people of Massachusetts as they recuperate from a truly trying week.

### SEQUESTRATION

Mr. REID. Mr. President, Americans arriving at the airport—almost any airport in America—to take off on their summer vacations already face long lines at security checkpoints. Soon they will be facing long waits at the terminal as well. Last week the Federal Aviation Administration announced that starting this week thousands of flights every day will be delayed for up to 3 hours.

Because of the devastating, arbitrary cuts of sequestration, the FAA is forced to furlough tens of thousands of workers. These furloughs could lead to

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



Printed on recycled paper.

S2819

6,700 flight delays every day this summer. I repeat, every day, 6,700 delayed flights. By comparison, the worst travel day of last year, 2012, was about 3,000 flights being delayed. That was after severe thunderstorms accompanied by 2-inch hail and a 90-mile-an-hour wind that ripped across the Midwest and Northeast and a tornado touched down in New York. That caused 3,000 flight delays. On any day this sequestration kicks in, it will be double that. Travelers were stranded at airports across the country during that very bad day we had last year. Some were stranded for days. It is going to be worse than that. As I said, this summer more than twice that number of flights will be delayed every single day.

While major airports such as LaGuardia in New York and O'Hare in Chicago will see the worst delays, furloughs will impact every airport in the Nation. So whether Americans are traveling to Orlando, Las Vegas, San Diego or Seattle, Maine or Montana, they should expect a long wait for a flight.

This will make air travel frustrating, to say the least. It is bad enough now. It will be worse. It will be time-consuming for millions of Americans, whether taking the family to see the Grand Canyon or heading to New York for business. It will cover everything. At airports across the country, millions of Americans who fly will get their first taste of the pain of sequestration.

Many Americans have been feeling that pain for weeks. For example, in Rockland, ME, Meals on Wheels, a wonderful program, been in existence for a long time, decades—it is for people who are old and homebound. They bring them a meal, one meal a day, a hot meal. In Rockland, ME, Meals on Wheels has a waiting list for the first time in 16 years.

It is going to affect Meals on Wheels Programs all over the country. They have literally cut the size of meals they serve to the elderly in order to save money. Not only are they going to be able to do less meals, but those they serve are going to be smaller. This is the only meal most of these seniors get every day. They may have a bowl of cereal, eat a piece of toast. But as far as a hot meal, this is it.

In Fayetteville, AR, a Head Start Program will close 13 days early this spring, leaving hundreds of needy children without anywhere to go and without nutritious meals to eat. Nationwide, more than 70,000 little boys and girls will be kicked off Head Start, a program for low-income children who could not afford preschool.

As the name Head Start says, the purpose of it is for these tiny little boys and girls to have preschool programs so they can learn to start to understand what it means to read, to understand what education is all about. Economically burdened little kids, because of this program, who want to get a head start will not be able to; these programs will be savaged.

At Duke University, just one program out of hundreds at the School of Medicine program will have 50 people laid off. These are people doing some of the most important research there is in the world to cure diseases such as Parkinson's, Alzheimer's, diabetes. All over the country, thousands of these researchers will be furloughed or they will be laid off.

The U.S. military has cut tuition assistance for soldiers and eliminated a program helping more than 100,000 homeless veterans get off the street and back on their feet. The U.S. Air Force has grounded one-third of its fighter jets and bombers because of the across-the-board cuts. These programs are to train our military so in a time of crisis they can be prepared. They cannot be prepared if they cannot practice. More than 1 million Federal workers, including hundreds of thousands of Defense Department employees, are preparing to take forced furlough days. This is not only a hardship for individual families, it is also a threat to our national economy and our national security.

In national parks across the Nation—Great Basin in Nevada, Bryce Canyon, UT, Mount Desert Island, thousands of miles away from those two places in Maine—employees face reduced hours, and closure will affect thousands of travelers.

Long delays at the airport will not be the only damper on summer vacation travel. For every person who loses work because of this sequestration, that is less they can buy to help people who are selling goods and services. We cannot and we should not only address the FAA cuts. As important as they are, we should look at the whole spectrum. We cannot ignore the sequester's overall effect on Americans and on programs that help small businesses grow, fund crucial medical research, and keep our children and seniors safe.

While airport delays are costly and frustrating, some would say they are not as severe as the pain of a senior citizen missing a meal, the only hot meal they would get that day, or veterans going without a roof over their head at night.

Families and businesses in every State in the Nation, in red States and blue States, are at risk because of these haphazard cuts. That is what they are. But Congress has the power to reverse these self-inflicted wounds without adding 1 penny to the deficit. We are winding down the war in Afghanistan, and Iraq has been wound down significantly. We have provided the money. The money is there. We have not spent it. We do not need to. We can use those savings from wrapping up two wars to avoid the full brunt of the sequester's arbitrary cuts. The Congressional Budget Office said that would score, that money is available, money we could use. Funding for the operations in Iraq and Afghanistan is kept in the so-called Overseas Contingency Operations Account. That is

what it is called. Since the worst of the sequester cuts is creating an emergency situation, we should consider using these funds to offset their impact. These really are emergencies. We should do it. I am not proposing to use these funds to offset the entire sequester, but Congress has the power to avert the most painful and senseless of the sequester's cuts using these monies.

Twenty-eight Republicans in the Senate and 174 Republicans in the House voted to oppose these sequester haphazard cuts. If those same Republicans will work with Democrats, we could act now to protect families, businesses, ensure our national defense, and save Americans millions of hours spent waiting at the airport.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, leadership time is reserved.

#### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 5:30 p.m., with Senators permitted to speak therein for up to 10 minutes each.

#### MARKETPLACE FAIRNESS ACT

Mr. DURBIN. I note Senator ENZI is on the floor. At 5:30 p.m. we are voting on a measure which will affect literally millions of Americans. I will provide some illustration about this bill.

A close friend of mine is the mayor of Normal, IL. His name is Chris Koos, and he is a local businessman. His business sells bicycles, running shoes, running paraphernalia, and equipment. Chris has a good business and has done well.

He told me that in the last 10 or 20 years things have changed. He said, It is not unusual for someone to come into my store, ask to see a pair of running shoes, try them on, look at the different colors, and then leave without buying anything. Sometimes they will come back several weeks later with shoes and they will say: Chris, we bought these over the Internet, and they are not what we thought they would be; what can we do about it?

This is called "showrooming" and is happening more and more. Why would somebody try on the shoes, not purchase them, and then go to the Internet? In many instances, it is because many Internet retailers do not collect sales tax. In my State, this means 9 or 10 percent less cost to purchase an item over the Internet.

This is the reality for most companies. Some companies, Internet retailers, collect a sales tax. I recently purchased a book on Amazon, and they