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## Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts.

### PRAYER

The PRESIDING OFFICER. Today's opening prayer will be offered by Rev. Miniard Culpepper, pastor of Pleasant Hill Baptist Church in Dorchester, MA.

The guest Chaplain offered the following prayer:

Let us pray.

Our God and our Lord, our help from ages past and our help for the years to come, we thank You, Lord, for this day, for this is a day that You have made. Let us be glad and delight in it.

We thank You, Lord, for watching over our Senators all night long and waking them up clothed in their right mind. We pray, Lord, that You would bless them this day. Let them be the voice for all that is good and just. Let them be the voice of all that is peaceful and prosperous, loving and lifting.

Bless the Senators, Lord, as they deliberate, that they would be mindful of the homeless and the hungry, the rich and the poor, the helpful, the hopeful, and the hopeless.

Lord, we realize and acknowledge that You are a God of our weary years, that You are a God of our silent tears. Lord, You are the one who brought us thus far on the way. Lord, Thou are this God who has by thy might led us into the light. Lord, we pray, God, that You would keep us forever in the path, we pray.

These and all other prayers we ask in Your Name. Amen and amen.

### PLEDGE OF ALLEGIANCE

The Honorable WILLIAM M. COWAN 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 bill clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, May 9, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts, to perform the duties of the Chair.

PATRICK J. LEAHY,  
*President pro tempore.*

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

### RECOGNITION OF THE MAJORITY LEADER

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

Mr. REID. I yield to the Senator from Massachusetts, Ms. WARREN.

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts.

### WELCOMING THE GUEST CHAPLAIN

Ms. WARREN. Thank you, Mr. President.

Mr. President, a warm thank-you to the Reverend Miniard Culpepper. His words of faith and community are greatly appreciated here today.

For a long time now, Reverend Culpepper has been praying over me. Last winter, before I was sworn into office, Reverend Culpepper held a special Sunday prayer service for me in his church, Pleasant Hill Baptist, in Dorchester. That December evening the pews were packed with local preachers and churchgoers representing a dozen or so churches in the area.

At the conclusion of the service, the ministers circled around me, wrapped their arms together and prayed to God to give me the strength to work for the poor and powerless among us.

I feel blessed to have received their prayers, and I have tried my best to keep them in my heart in my work here. But I am just one of many who appreciates the hard work Reverend Culpepper and Pleasant Hill Baptist have put into strengthening and protecting their community.

You see, Reverend Culpepper and his congregation understand that their community extends well beyond the walls of their church. When Jahmol Norfleet, a former gang leader from Roxbury, left prison and showed a desire to turn his life around as a peacemaker between rival gangs, it was Reverend Culpepper who reached out to him. Pleasant Hill Baptist welcomed him into their family. After Jahmol was tragically shot to death outside of his grandmother's home, Reverend Culpepper worked hard to implement antiviolence program methods that were based on his conversations with Jahmol.

When in January of this year 13-year-old Gabriel Clarke suffered grievous gunshot wounds just blocks from Pleasant Hill Baptist Church, Reverend Culpepper and his congregation resolved to start their annual neighborhood patrols just a little earlier. After all, as Reverend Culpepper remarked, this is not somebody's problem down the street or on the other side of town, this is my problem.

Pleasant Hill Baptist Church was founded more than 70 years ago by Reverend Culpepper's grandfather, Rev. Samuel H. Bullock. Reverend Bullock was deeply involved in his community working to educate children and to reduce juvenile delinquency. Reverend Culpepper and the congregation at Pleasant Hill Baptist Church have carried on that legacy of community involvement with spirit and determination.

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



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We thank Reverend Culpepper for his blessing. We thank him for gracing us with the same spirit that drives him and the Pleasant Hill Baptist Church family back home. We thank him and his church for reminding us that the problems that affect our neighborhoods, our cities, our Commonwealth, and our country aren't someone else's problems, they are all of our problems.

I am honored to have Reverend Culpepper here today.

The ACTING PRESIDENT pro tempore. The majority leader.

#### SCHEDULE

Mr. REID. Following leader remarks the Senate will be in morning business for 1 hour, with the majority controlling the first half and the Republicans controlling the final half.

Following morning business the Senate will resume consideration of S. 601, the Water Resources Development Act.

We will continue to work through amendments to the bill today. We may also consider two district court judges sometime today, the Dick nomination from Louisiana and the Roman nomination from New York. Senators will be notified when those votes are scheduled.

#### OBSTRUCTION AND DELAY

Mr. REID. Mr. President, by now the minority's tactics, the Republican tactics of obstruction and delay are well known, but they are also well worn. Those methods were once again on display yesterday when Republicans delayed for the second time in 2 weeks a Senate HELP Committee vote on the nomination of Tom Perez to lead the Department of Labor.

The able and considerate chairman TOM HARKIN had already postponed the vote 2 weeks at the request of one of the Republicans. They requested more time to review documents related to Tom Perez's nomination. It was terribly disappointing that, after they were granted additional time as a matter of courtesy, an anonymous Republican would employ an arcane procedural tactic to prevent the committee from even meeting, and, of course, voting on that nomination.

Republicans had 7 weeks, 49 days to consider this nomination. He was nominated on March 21. Since his confirmation hearing in April, he has responded in writing to more than 200 questions.

He is an extremely qualified candidate for this job. The President was smart in nominating him. He is what the American dream is all about. He is the son of immigrants. He paid his way through college by working as a garbage collector and at a warehouse. He went on to become the first lawyer in his family.

Mr. Perez was appointed by Governor O'Malley of Maryland to be the secretary of the Department Labor, where he helped implement the country's first statewide living wage law. In his

current role as the head of the Civil Rights Division of the U.S. Department of Justice, Mr. Perez helped settle cases on behalf of families targeted by unfair mortgage lending.

As anyone can see, he is an extremely qualified nominee. His knowledge and experience will make him an outstanding Secretary.

Unfortunately, impressive qualifications and exceptional character are no longer enough to satisfy Senate Republicans. Instead of a fair and constructive confirmation process, Republicans have chosen to play partisan political games with dozens—scores—of President Obama's appointees.

They have also slow-walked the nomination of dedicated public servant Gina McCarthy to lead the EPA, the Environmental Protection Agency. This morning, just a few minutes ago, Republican members of the Senate Environment and Public Works Committee sent a letter to Chairman BOXER indicating they will boycott committee markup of Ms. McCarthy's nomination.

This type of blanket partisan obstruction used to be unheard of. Now it has become the pattern Republicans have adopted. They will use any procedural roadblock or stalling tactic to deny President Obama qualified nominees.

My Republican colleagues can try every trick in the book—and they have and they probably will—but I assure you he will have his day in the Senate. I assure everyone Ms. McCarthy will have her day in the Senate, and I will do all I can to ensure these highly qualified are confirmed, as the President has requested.

#### RECOGNITION OF THE MINORITY LEADER

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

#### UNEMPLOYMENT

Mr. MCCONNELL. Today the President plans to travel to Austin, TX. I understand his trip includes a visit to a technical high school and a chat with workers. The idea, I presume, is to show folks that the White House has once again pivoted to jobs. If you are someone who is all about the visual, then, of course, putting on a pair of goggles or showing up at a factory is a great way to at least look as though you are doing something about the situation.

Whether that means you are actually getting the job done is a different story. Unfortunately, robust job creation has been talked about a lot in this administration, even as millions remain out of work or stuck in part-time jobs.

Take a look at last month's jobs report. It was touted by the White House as proof of an economy on the mend, and surely we on this side hope that

will soon be the case. We are not there yet. We only have to drill down below the top line to find a lot to be concerned about. For instance, the unemployment rate technically edged down to 7.5 percent, but it actually moved up to 8 percent in my home State of Kentucky. While the Federal rate is still pretty high, even those numbers don't tell the full story. Because so many Americans have stopped looking for work altogether, we now have the lowest labor force participation rate since Jimmy Carter.

Our actual Federal unemployment rate is nearly 11 percent. That is quite a ways off from the 5 percent or so the administration boldly predicted we would have by now if only Congress would pass the stimulus.

Consider this. If all we did was match the average of recoveries since World War II, we would have about 4 million more private sector jobs than we do today. That is how much worse this recovery is than other recoveries since the war.

Unfortunately, that is the Obama economy. I hope the President is traveling to Austin today because he is finally serious about turning that around, about changing course and implementing policies that might actually work to get the economy moving again. Given that he will be in Texas, he might want to think about developing more jobs in the energy sector. It is a huge industry—huge—not just in Texas but all across our country. His administration has the power, if it chooses, to spur more job-creating energy resource exploration and development.

There is a lot more Texas is doing right too. That is why it has been touted as a national leader in job creation. One study showed Texas, with less than 10 percent of the population, accounted for almost one-third of private sector jobs created in high-paying sectors in recent years. If the President is interested in duplicating that success at the Federal level, he might take note of the fact that policymakers in Austin have taken a very different approach from Washington when it comes to how they tax and spend.

Basically, they do less of it with no income tax, for instance, and a low ratio of spending per capita. They don't ram through laws such as ObamaCare.

I hear the President plans to hold another event tomorrow where he will claim that ObamaCare is helping women. Let me tell a story of how ObamaCare is affecting one woman, and I am sure there are many more just like her.

The Wall Street Journal recently profiled a businesswoman named Elizabeth. She is in the clothing business, and she had been hoping to hire more employees. But thanks to ObamaCare, Elizabeth is now being forced to turn to independent contractors because if she brings on just a few more people and exceeds 50 employees, the government could punish her business.