



United States  
of America

# Congressional Record

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

Vol. 159

WASHINGTON, TUESDAY, JANUARY 29, 2013

No. 12

## Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. LEAHY).

### PRAYER

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

Let us pray.

Eternal God, before whom the morning stars first sang together, we praise Your holy Name. Replenish our Senators with new hope as they deal with the difficult issues of our time. Remind them that all things are possible to those who believe and that nothing can separate them from Your love. May they call to You for help, knowing that You will answer, inclining Your ear to hear their cry. Lord, give them the hearts and minds of servants who strive to please You. May the words they speak be an echo of Your voice as You help them to remember that no perplexity can successfully resist Your solutions.

We pray in Your great Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable PATRICK J. 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 PRESIDENT pro tempore. The majority leader is recognized.

Mr. REID. Mr. President, I am so used to the President pro tempore allowing someone else to preside that I was speechless. I am very glad the President pro tempore is here. We have not seen him a lot, and it kind of keeps us on our toes. I am glad he is here.

### SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will be in a

period of morning business until 12:30 p.m., with the majority controlling the first 30 minutes and the Republicans controlling the second 30 minutes. The Senate will recess, as we always do, for our weekly caucus meetings today at 12:30 p.m. until 2:15 p.m. We expect that the Foreign Relations Committee will report out Senator KERRY's nomination to be Secretary of State, and I look forward to full Senate consideration of that very important nomination today.

### MEASURE PLACED ON THE CALENDAR—S. 164

Mr. REID. Mr. President, I am told S. 164 is at the desk and due for a second reading.

The PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

A bill (S. 164) to prohibit the United States from providing financial assistance to Pakistan until Dr. Shakil Afridi is freed.

Mr. REID. Mr. President, I object to any further proceedings with respect to this legislation at this time.

The PRESIDENT pro tempore. Objection is heard.

The bill will be placed on the calendar.

### PAYCHECK FAIRNESS ACT

Mr. REID. Mr. President, today women make up nearly half of the American workforce. More women graduate from college today than do men, more women were sworn in to the 113th Congress than any Congress before that, and there are more women in the Democratic caucus than ever before—and that is an understatement. Millions of women in the United States are the primary wage earners for their families, and women are now free to fight for this county on the front lines of battle. Yet, for millions of American women, no amount of valor, talent, or

dedication will bring pay equality with their male peers. Women still bring home 77 cents for every \$1 their male colleagues earn for doing exactly the same work.

I have five children. My oldest child is a girl, my daughter Lana. I mean, it is hard to comprehend that she is worth less than one of my boys who does the same work. It is unfair. And that is true regardless of whether a woman has a college degree, regardless of what job she holds, and regardless of how many hours she spends at the office or factory each week. They get paid 77 cents on average for every \$1 a man makes.

Four years ago President Obama signed the Lilly Ledbetter Fair Pay Act. I have gotten to know this dynamic, courageous woman, Lilly Ledbetter. She has campaigned around the country for people she likes and believe in her. I am so impressed with her and what she has been able to accomplish. This one woman has accomplished a great deal.

The Lilly Ledbetter legislation—the first bill President Obama signed as President of the United States—was the single greatest legislative step to ensure women have every chance to be full, equal participants in the workplace since the Equal Pay Act of 1963 was passed. But while this landmark legislation built on the legacy of the Equal Pay Act and narrowed the pay gap, it has not closed the pay gap, as I have just indicated. So the senior Senator from Maryland, BARBARA MIKULSKI, introduced the Paycheck Fairness Act last Congress. The Paycheck Fairness Act is a logical extension of protections under the Equal Pay Act and the Lilly Ledbetter Fair Pay Act. It would help close the wage disparity by empowering women to negotiate for equal pay and creating strong incentives for employers to obey the laws already in place. It would give workers stronger tools to combat wage discrimination and bar retaliation against

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



Printed on recycled paper.

S335

workers for discussing salary information. And it would help secure adequate compensation for victims of gender-based pay discrimination. It is simply not fair that any woman working the same hours in the same job should make less money than her male co-worker.

Unfortunately, this commonsense legislation was blocked by a Republican filibuster last Congress. But Senator MIKULSKI, who has done so much to advance the pay equity issue, reintroduced the measure last week, for which I am grateful.

As we mark the fourth anniversary of the signing of the Lilly Ledbetter Act, I applaud Senator MIKULSKI and the women of the Democratic caucus for their dedication to American women and families—and to the principle of equality.

Would the Chair announce the business of the day.

Oh, I am sorry, I did not see the Republican leader here, so my apology, Mr. President.

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mr. SCHATZ). The Republican leader is recognized.

#### GROWTH AND OPPORTUNITY

Mr. MCCONNELL. Mr. President, over the past several days, I have spoken of the need for the two parties to come together to address the Federal debt. We need to act quickly if we are going to avert a European-style debt crisis and avoid the harsh austerity that would bring.

But this is about more than just avoiding a calamity, as serious as that prospect has become. What this debate offers is a once-in-a-generation opportunity to update government for the 21st century, to modernize programs that work, and to reform ones that do not. Many Federal bureaucracies have not been reformed in any real way since the age of black-and-white television. Even if we did not have a debt crisis, we should want to reform them. This debate is an opportunity to do so.

By making government leaner and more efficient, we can sweep away outdated and heavyhanded regulations that have impeded private sector growth and the job creation we so desperately need. And by reducing the debt, we can eliminate an additional drag on our economy.

So this is not a conversation about austerity; it is a conversation about growth and opportunity. That does not mean we are all going to agree on the path forward. Americans certainly expect a serious policy debate. They expect both parties to offer competing plans to preserve and protect long-term entitlement programs, and they expect both sides to propose different plans to get our fiscal house in order and our country back to economic health.

Republicans have done their part. The budgets passed by House Republicans over the past couple of years contain fresh ideas that would help solve our fiscal crisis. Policymakers from both Chambers and from statehouses across the country have put forward a number of their own ideas and proposals as well. But from the Democrats? So far, not much. Four years on, President Obama and congressional Democrats still have yet to offer a serious plan to address the economic challenges we face. They have been content to wage political war instead.

It is my hope, however, that the debate over the debt ceiling will finally move our friends on the other side beyond their preoccupation with the horse race. Already, Senate Democrats have committed to developing a budget this year, after years of ducking their responsibility to do so. Hopefully, this will be a serious exercise and not simply an excuse for them to try to raise taxes, which, as we all know, is just another way to avoid solving core problems. Last week I came to the floor with a chart which showed that even if the President got every single tax increase he asked for, every one of them, we would still not even come close to solving the problem—not even close.

So let's not waste time with more pointless arguments about tax increases. We had that debated already. It is done. It is over. Instead, I call on Democrats to approach the spending debate with the seriousness it demands and to do it through regular order. We have to break this penchant among Democrats for putting off all important work until the final hour. We need to get back to regular order, and that takes time, and that is why we need to get started right now. Let the tough work of developing a budget and putting together long-term policies to control government spending begin today—not 1 minute or 1 hour before we come up against a deadline but today.

Americans deserve better than what they have been getting from Washington the past few years. Democrats were reelected, and I congratulate them. It is time now to get serious about actually governing.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. SESSIONS. I thank the Chair.

#### RESERVATION OF LEADER TIME

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

#### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 12:30 p.m., with Senators permitted to speak therein for up to 10 minutes each, with the majority controlling the first 30 minutes and the Republicans controlling the second 30 minutes.

The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, I understand I might be recognized for up to 15 minutes.

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

Mr. SESSIONS. I ask I be notified after 12 minutes.

The PRESIDING OFFICER. The Chair will do so.

#### IMMIGRATION REFORM

Mr. SESSIONS. Mr. President, as we consider the serious issue of immigration reform, it is important for us to understand where we are as a country with regard to the laws we have and how they are being enforced. I will share some thoughts about that today because the American people and Members of Congress need to fully understand what is happening. It is well documented that the Obama administration has either unilaterally weakened or outright waived the enforcement of existing immigration law at the border, in the interior, at the worksite and at the welfare office. That is just a fact.

Last year, I joined with my colleagues at a press conference with the top representatives of the Nation's rank-and-file immigration law enforcement officers—the presidents of the ICE—Immigration, Customs and Enforcement—and Border Patrol unions. Those men, who are elected to serve as the voice of their fellow officers, gave a chilling report at that press conference—right over in the Senate building, with several other Senators—they gave a chilling report about the administration's systematic effort to dismantle the enforcement of our Nation's immigration laws. It is not just an effort, it is an effective plan and action to do so.

At the center of this misconduct is John Morton, the Director of ICE. The evidence I am about to share with you leads me to the unfortunate conclusion that Mr. Morton can no longer effectively serve at this post and, perhaps more importantly, there can be no comprehensive immigration reform as long as he is the person charged with enforcing it. What purpose is served to pass new laws if the ones we have are ignored by the officials charged with enforcing them?

This timeline shows how Mr. Morton and the administration have undermined enforcement. Most Americans do not fully understand the real effect of these immigration policies. In reality, right now, if a State law enforcement officer apprehends someone for