

NOT VOTING—10

Alexander	Lautenberg	Vitter
Heitkamp	Paul	Wicker
Hoeven	Pryor	
Landrieu	Scott	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Michael J. McShane, of Oregon, to be United States District Judge for the District of Oregon?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

The Senator from New Jersey.

MORNING BUSINESS

Mr. MENENDEZ. Mr. President, I ask unanimous consent that there be a period of morning business until 7 p.m., with Senators permitted to speak therein for up to 10 minutes each.

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

ORDER OF PROCEDURE

Mr. MENENDEZ. Mr. President, I ask unanimous consent that upon the conclusion of my remarks Senator BOXER be recognized for her remarks.

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

Mr. MENENDEZ. Mr. President, let me thank the distinguished Senator from California for her courtesy in allowing me to move forward first.

THOUGHTS AND PRAYERS FOR THE PEOPLE OF OKLAHOMA

Mr. MENENDEZ. Mr. President, before I begin, let me offer my thoughts and prayers for the people of Oklahoma, who are in the middle of a devastating disaster. We in New Jersey know what that kind of devastation can mean, and our hearts go out to the victims and their families who have lost everything.

PEREZ NOMINATION

Mr. MENENDEZ. Mr. President, I rise today to reiterate my strong support for Tom Perez, a man eminently qualified to serve our country as the next Secretary of Labor.

I am pleased that the Senate Health, Education, Labor, and Pensions Committee voted last Thursday to favorably report Mr. Perez's nomination to the full Senate. But we must remember this step forward came only after weeks of delay.

This is the week we should have been on this floor debating and voting on the confirmation of Tom Perez, but we are not. Instead, delaying tactics on this and other nominees have now needlessly, pointlessly pushed this debate into next month.

Let me state for the record that the obstruction we have seen thus far in the confirmation process is completely unacceptable and, for the sake of the American people, for the sake of good governance, it must end.

It does not stop at the Department of Labor. Republicans have refused to take up nominees at the National Labor Relations Board, threatening the operation of this critical agency. It appears any agency that stands up for workers' rights is under attack. Let's just do the job the American people sent us here to do.

Tom Perez is a quintessential public servant, but apparently that is not enough for my colleagues on the other side. He is a consensus builder, but that is not enough. As secretary of labor in Maryland, he brought together the chamber of commerce and Maryland labor unions to make sure that workers received the level of wages and benefits they deserved and that businesses had the skilled workforce they needed, but that experience of bringing both sides together is not enough. It is not enough that he is the Assistant Attorney General for the Civil Rights Division of the Department of Justice, where he increased prosecutions of human trafficking by 40 percent, won \$50 million for armed services members whose homes were improperly foreclosed on while they served, and settled the three largest fair lending cases in the history of the Fair Housing Act, recovering more money for victims in 2012 than in the previous 23 years combined. But none of those accomplishments on human trafficking, on servicemembers, on people who were abused in fair housing—that is not enough. It is not enough that he spent his entire career in public service. It is not enough to be a Brown University graduate or have a master's in public policy from the Kennedy School or a juris doctorate from Harvard Law.

The truth is that my friends on the other side are looking to block his nomination because Tom Perez is not enough of a Republican to pass muster. He is too much of an advocate for people with disabilities, achieving the largest ever disability-based housing discrimination settlement. He is too much of a civil rights champion. He obtained the first convictions under the Matthew Shepard and James Byrd Hate Crimes Prevention Act. He has been a strong supporter of ending discrimination on the basis of sexual orientation. They seem to hate the Civil Rights Division, but who could deny the importance of their work?

Tom Perez is just too much for my friends on the other side who want to block this nominee and insist on obstructing, obfuscating, and politicizing

everything that comes before the Congress. The fact is that this is not even about Tom Perez. It is about rendering government helpless and standing in the way of any effort to govern.

Tom Perez is a good man. He is qualified and competent. He is a professional public servant nominated by the President and already confirmed by the Senate to the post he holds today. I endorsed Tom Perez after meeting him. I continue to stand firmly by him as a nominee. But what I will not stand for is Republicans blocking his nomination for no valid reason, without any real objection, only an ideological objection to allowing this President or this Congress to govern or to at least select a Cabinet that will help us do so, and in this case particularly the Department of Labor that stands for working men and women of this country.

I said, when the President nominated him, he was an outstanding nominee to be the Secretary of Labor. He has "dedicated his career to championing the rights of workers and all Americans, and I am confident he will continue to do the same if confirmed."

I also marvel that I listen to all the election postmortem about how the Republican Party has to reach out to Hispanic Americans in this country, how they have to do a better job of engaging them and selling their vision of America. This is the President's first nominee for this second term of a Hispanic American who is eminently qualified.

To try to stop this nominee is reverting back to the same old failed political strategies during the last election. It is unfortunate that the President's first Hispanic choice for his second-term Cabinet comes under such attack, no valid attack. It does not have to be that way. Mr. Perez deserves an up-or-down vote, and he deserves to be swiftly confirmed as the next Secretary of Labor.

To my friends on the other side, I would say to you it is time to stop the obstructionism. I would say to you the empty rhetoric and baseless objections to Tom Perez's nomination are not going to serve you well in the Hispanic community. You should allow, as I have heard so many times—give us an up-or-down vote—an up-or-down vote. Working families in this country, those who depend upon the Labor Department to have a sense of fairness and justice, deserve an up-or-down vote. Hispanic Americans who want to see someone from that community represented in the President's Cabinet want to see an up-or-down vote. That is what justice would be all about.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Before my friend from New Jersey leaves the floor, I wish to thank him for leading a letter regarding this important nomination. We need a Secretary of Labor. We had a wonderful Secretary of Labor, Hilda Solis. The reason it is so essential is we

now see that the middle class is essentially collapsing, even though we are coming out of the worst recession since the Great Depression because of the leadership of our President and those of us who tried to help him. We need a head of the Department of Labor to make sure everybody gets a fair chance. I wish to thank my friend. He makes a very important point about Republican obstructionism.

After the election, they sat around, all of them, and said: Oh, my goodness. We have to do better with Hispanics. We have to do better with women.

Who are the two people they are holding up with all their might at this point—and I hope they end it—Mr. Perez and Gina McCarthy, a woman who deserves a promotion just as Mr. Perez deserves a promotion. They can say all they want that they are reaching out to minorities and women, but then they are blocking promotions of people who are outstanding Americans. I wished to say that before my friend left the floor.

FACING THE ISSUES

Mrs. BOXER. My colleagues on the other side of the aisle are focused on several issues, which they call scandals. I would like to address those and then talk about issues that seem to be falling through the cracks while they focus on “gotcha” politics; they are going to get the President.

I think we will start with the IRS. It is wrong to target any group for scrutiny whether they are on the right or on the left, if it is a tea party group or a liberal church. We have seen this with the IRS over the years. As a matter of fact, I looked back to see how many of my Republican friends stood up and talked about going after the IRS and straightening them out when they went after the NAACP or when they went after a liberal church in Pasadena in Congressman SCHIFF's district. The fact is they got exercised when they went after the tea party. OK. I hear you. I am with you. What is important is so is the President.

If this President says: I agree with you, they say: We didn't hear you.

They just want to fight. I have friends where sometimes we are having a debate, and all of a sudden a bright light goes on and I will say, you know what, I think you are right. Sometimes they keep on arguing.

The President said this is an outrage, and he has already made sure people are being fired. We are going to make sure we straighten things out at the IRS.

Let's focus on how to fix it, not how to make it into a “gotcha” political issue. We also have Republican outrage over the Justice Department seeking the phone records of the Associated Press.

I, myself, believe freedom of the press is one of the most important freedoms we have. I don't like to see phone records of reporters subpoenaed in secret.

I was once a reporter and had a lot of confidential sources. I wrote for a very good weekly magazine called the *PacificSun*. I did in-depth stories on all kinds of issues. People would talk to me, and they knew I would never say who they were and who was giving background.

The thought of having the government take a look at these records without telling the press is bad. Guess what. The President agrees it is bad. The President said we need a law, a media shield law. Guess what else. We had a vote on this in 2008. It was 51 to 43 with all Democrats supporting the media shield law and all Republicans, save 5, voting to filibuster, so the bill was killed.

How do they then say this is horrible when they themselves, Republicans, blocked us from protecting the media?

I believe this is an important issue we should work on together, but it shouldn't be made into a political “gotcha.” We should fix it and move on. Let's take up a media shield law again. This time the Republicans shouldn't filibuster since they are all over this question, and let's get going.

Then we look at Benghazi. I am on the Foreign Relations Committee. I sit next to the chairman. I sat next to John Kerry. I sat through all the hearings where Hillary Clinton, the Secretary of State, said: This was a tragedy. These were my friends who were killed. I take full responsibility.

She ordered an independent investigation. It came back and guess what it said. We need to spend more defending our outposts.

Guess who started cutting embassy security, who initiated it. The Republicans in the House.

I think if they are looking to blame someone, why don't they look in the mirror for starters.

Again, let's fix the problem. I am supporting a bill that will authorize funding for key items identified by the independent review board Secretary Clinton put together. It will deal with a number of pieces they recommend. It requires, among others, detailed reports from the State Department on how they are progressing toward implementing the recommendations, and it requires the identification of the most high-security threats.

I understand why we would look at losing four brave Americans as a tragedy. It is a tragedy. Don't politicize it.

Where were the Republicans when we lost 4,000 Americans in Iraq, injured 10 times as many. Where were they? Where was their indignation at that? Based on false premises, that war was a war of choice, not a war of necessity.

We have all of this swirling around Washington and we look at the American people and we say what is it they want us to do. Sure, we should conduct oversight. I am all for it. Let's solve those problems, but let's move to the issues that matter.

I will tell you what matters most in California: jobs, jobs, jobs, the econ-

omy, the economy, the economy. We just moved off a double-digit unemployment rate. For the first time in a long time we are below 10 percent. It means we have to keep our eye on this economy. We have to make the investments that matter. Restore some of the mindless cuts that were made with the sequester while we see this deficit going down.

That is another point. All the howling from the Republicans about how this President doesn't care about deficit reduction, we are witnessing deficit reduction. We are witnessing the housing market come back. We are witnessing a lot of good. Just think of what we could witness if we came together, sat down with this President and inked a whole new plan for this economy, for deficit reduction.

We have to do the farm bill. We just did the water resources bill. Let the House get it done. We did the Marketplace Fairness Act. Let the House get it done.

Republicans, I say to them—they are not here—rhetorically, help us pass a budget. They are blocking the budget. They went around the country campaigning against Democrats saying we didn't pass a budget. Then we passed a budget and now they will not finish the job, which means making sure we get conferees appointed. Bring the two bills together, the House and the Senate, compromise on that, and get the budget done. There is no budget. They will not let us do it.

Endlessly, they bash the President. Immigration reform, my colleagues are doing an incredible job in the Judiciary Committee, very difficult—sensible gun laws, background checks, things that matter to people.

Working on the farm bill, I hope we get it done this week. Last time it died in the House. I have a message for my House friends. Please, do your oversight but do something for the people that they are asking us to do. Get a budget, get a farm bill, get a Marketplace Fairness Act. Work on restoring the mindless cuts so we can have more jobs. These are the things that have to be done. Background checks. We didn't get it here. It was very close. It would be great if they did something in the House.

This week I believe we are voting on Richard Cordray to head the Consumer Financial Protection Bureau. We have to protect the middle class.

Today I read the paper about some new instrument that has been thought of by Wall Street that would go to people and say give us the proceeds of your pension plan, and we will give you a lump sum. Maybe that is great, but it sounds risky to me. We need someone who is out there protecting the consumers, particularly in banking and housing. I hope we get Richard Cordray done.

I thought Senator MENENDEZ was brilliant the way he explained why Thomas Perez deserves to be head of Department of Labor.