



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, FIRST SESSION

Vol. 159

WASHINGTON, WEDNESDAY, JULY 17, 2013

No. 102

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable CARL LEVIN, a Senator from the State of Michigan.

PRAYER

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

Let us pray.

Eternal God our king, You rule from Your throne, sustaining us with the unfolding of Your providence. Today, abide with our Senators and all those to whom You have committed the government of this Nation. Lord, give them Your special gifts of wisdom and understanding, of counsel and strength, providing them with the insights to choose what is best. Bless them with constancy of purpose and an unflinching devotion to their duties. Answer their prayers and give them Your peace.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer 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 assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 17, 2013.

To the Senate:

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

PATRICK J. LEAHY,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

KEEP STUDENT LOANS AFFORDABLE ACT OF 2013—MOTION TO PROCEED

Mr. REID. Mr. President, I move to proceed to Calendar No. 124.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 124, S. 1238, a bill to amend the Higher Education Act of 1965 to extend the current reduced interest rate for undergraduate Federal Direct Stafford Loans for 1 year, and to modify required distribution rules for pension plans, and for other purposes.

SCHEDULE

Mr. REID. Following my remarks and those of the Republican leader, we will proceed to executive session to consider the nomination of Fred Hochberg to be president of the very important Export-Import Bank. At 10 a.m. there will be a cloture vote on the Hochberg nomination.

Following that, if cloture is invoked, we will have, as a result of some rules changes made earlier this year, 8 hours of debate. I doubt seriously if the Democrats will take any of their time, so we should be able to finish that sometime soon and have a vote on his confirmation, if we invoke cloture.

We then have left on the calendar for this week the Secretary of Labor and the head of the EPA. So we should be able to finish that tomorrow.

SENATE FRIENDSHIPS

Mr. President, I am so glad to see the Presiding Officer in the Chair. For

those who perhaps are not aware, Senator LEVIN is a long-time Member of the Senate, and he has decided not to run again, which is very sad for the State of Michigan, the Senate, and the country, but that is the decision he made.

I had the good fortune—and he has heard me say this before, but I will say it again because I will never forget this—of coming to the Congress in 1982, with Senator LEVIN's brother—his older brother—and so the first time I met Senator CARL LEVIN I was contemplating whether I should run for the Senate, after having served in the House. At the very beginning of our visit—a visit in Senator LEVIN's office—I said to him: I know your brother. He and I came to Congress together a few years ago. CARL looked at me so intently and so seriously and said: Yes, he is my brother, but he is also my best friend. Well, having three brothers of my own, that was something that always stuck with me.

Senator LEVIN is our Presiding Officer today, and it doesn't happen very often, so we appreciate that. Our more senior Members don't preside as often as the more junior Members.

I also want to say, with this man in the chair, that we just had one of those rare occasions where the senior Senator from Michigan and I disagreed. The disagreement we had had nothing to do with us and everything to do with positions we had taken. We need not get into what the difference was—it was something dealing with the Senate and had nothing to do with our personalities—but I will say, as a result of the efforts of Senator LEVIN, I am sure he is as pleased as I am with what happened here in the Senate in the last couple of days.

For a number of reasons, not the least of which is the input of the Senator from Michigan, we have now started a new era—I hope a new normal era—here in the Senate where Senators, instead of talking past each

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



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other, start talking to each other. So I want to publicly state I appreciate the Senator from Michigan for many different reasons.

Senator LEVIN has been a long-time protector of our military, as the chairman of the Armed Services Committee. I am not an expert on what is happening in that committee, but I do know that during the more than three decades I have been in Congress no one has been more vigilant and caring about the men and women who serve in our military. So I admire, appreciate, and have great affection for the Presiding Officer.

The burdens we as leaders here in the Senate have—and I was reflecting on this as I was walking in here this morning—whether it is the Armed Services Committee or the things I am called upon to do, are so minimal compared to the burdens of the President of the United States—whoever the President of the United States happens to be. But let's focus on Barack Obama. Every day he gets up for a briefing about what is going on around the world, and there are so many things going on around the world that are so difficult—for him, for us as a country, and for the world. The problems we have here at home, as the leader of the superpower that we are, he has to deal with every day.

I had a visit with the President yesterday on the telephone. After we worked out an arrangement here in the Senate that was pleasing to virtually everybody, he called me and said: Thanks. I know it was a lot of hard work—and all that stuff. But I commented to him: We all realize the burdens that you bear. And I think we do. If we pause and think for a minute, it is easy to understand the heavy burdens this man bears.

We all know what a fine human being he is, and we have watched him, as we have seen all Presidents change before our eyes, this vibrant young man who served here in the Senate with us, with his coal-black hair, and now, after a few years, that hair is similar to that of myself and Senator LEVIN. He is still vibrant and strong, but he has a lot of burdens on his shoulders. Having worked with him as closely as I have, I have such understanding of what I think he goes through—at least somewhat of an understanding and some empathy for what he goes through.

Maybe somebody at the White House will pass him a copy of this exchange between the Presiding Officer and myself and they will tell him how much we in the Senate, Democrats and Republicans—the Republicans may disagree with him politically, but I don't think you can find a Republican who doesn't admire him as a good human being.

RESERVATION OF LEADER TIME

Mr. President, would you announce the business of the day?

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

EXECUTIVE SESSION

NOMINATION OF FRED P. HOCHBERG TO BE PRESIDENT OF THE EXPORT-IMPORT BANK OF THE UNITED STATES

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to consider the following nomination which the clerk will report.

The assistant legislative clerk read the nomination of Fred P. Hochberg, of New York, to be President of the Export-Import Bank of the United States.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 10 a.m. will be equally divided and controlled between the two leaders or their designees.

Mr. REID. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MURPHY). Without objection, it is so ordered.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will report.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Fred P. Hochberg, of New York, to be President of the Export-Import Bank of the United States.

Harry Reid, Tim Johnson, Benjamin L. Cardin, Christopher A. Coons, Patrick J. Leahy, Charles E. Schumer, Ron Wyden, Patty Murray, Heidi Heitkamp, Tom Udall, Martin Heinrich, Jack Reed, Sheldon Whitehouse, Elizabeth Warren, Richard J. Durbin, Kirsten E. Gillibrand, Robert Menendez

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Fred P. Hochberg, of New York, to be President of the Export-Import Bank of the United States for a term expiring January 20, 2017, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

The yeas and nays resulted—yeas 82, nays 18, as follows:

[Rollcall Vote No. 175 Ex.]

YEAS—82

Alexander	Baucus	Blumenthal
Ayotte	Begich	Blunt
Baldwin	Bennet	Boozman

Boxer	Heinrich	Nelson
Brown	Heitkamp	Portman
Burr	Heller	Pryor
Cantwell	Hirono	Reed
Cardin	Hoeven	Reid
Carper	Isakson	Rockefeller
Casey	Johanns	Sanders
Chiesa	Johnson (SD)	Schatz
Coats	Kaine	Schumer
Cochran	King	Scott
Collins	Kirk	Sessions
Coons	Klobuchar	Shaheen
Corker	Landrieu	Stabenow
Crapo	Leahy	Tester
Donnelly	Levin	Thune
Durbin	Manchin	Udall (CO)
Feinstein	Markey	Udall (NM)
Fischer	McCain	Vitter
Flake	McCaskill	Warner
Franken	Menendez	Warren
Gillibrand	Merkley	Whitehouse
Graham	Mikulski	Wicker
Hagan	Murkowski	Wyden
Harkin	Murphy	
Hatch	Murray	

NAYS—18

Barrasso	Grassley	Paul
Chambliss	Inhofe	Risch
Coburn	Johnson (WI)	Roberts
Cornyn	Lee	Rubio
Cruz	McConnell	Shelby
Enzi	Moran	Toomey

The PRESIDING OFFICER (Ms. HEITKAMP). On this vote, the yeas are 82, the nays are 18. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Pursuant to S. Res. 15 of the 113th Congress, there is now 8 hours of postcloture debate equally divided in the usual form.

Who yields time?

If no one yields, the time will be equally divided.

The Senator from Pennsylvania.

Mr. TOOMEY. Madam President, I rise to speak for a few moments about the cloture vote we just had and the confirmation vote that is upcoming.

First of all, let me start by saying I think Mr. Hochberg is a good, capable, and competent person. The point I am making is that the candidate for President of the Ex-Im Bank, for whom we just granted cloture and are likely to confirm, is a capable individual.

I voted against cloture, and I am going to vote against this confirmation. It is not about him. I wish to explain what this is about for me and why I think this is a lost opportunity. Precisely, it is this: By invoking cloture, as we have just done, and confirming Mr. Hochberg, as we are no doubt about to do, I think we are going to miss a big opportunity to insist on some modest reforms that are necessary at the Ex-Im Bank and we are going to miss an opportunity to pressure the administration and the Ex-Im Bank to follow existing law in ways that are not currently being followed. I wish to touch on a couple of these.

First of all, just by way of background, a reminder about the Ex-Im Bank: This is a taxpayer risk. This is a bank that makes taxpayer-backed loans and guarantees to countries and companies that buy American products. In 2012 we reauthorized the ongoing existence of the Ex-Im Bank and increased its lending authority to \$140