



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, FIRST SESSION

Vol. 159

WASHINGTON, WEDNESDAY, JULY 31, 2013

No. 112

Senate

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

PRAYER

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

Let us pray.

God of grace, glory, and power, the battle belongs to You. Forgive us for fearing the future, forgetting how You have led us in the past. Forgive us also for our haste to paint a caricature of the many because of the mistakes of the few. Lord, remind us that fierce winds bring no anxiety to those who keep their eyes on You.

Lord, today, imbue our lawmakers and the members of their staffs with Your wisdom, that they may know the road to take. Sustain those who courageously bear the burdens of the marginalized.

We pray in Your great 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 31, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable EDWARD J. MARKEY, a

Senator from the Commonwealth of Massachusetts, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

RECOGNIZING SENATOR MARKEY

Mr. REID. Mr. President, just a brief word or two about the Presiding Officer. When he took the oath to become a Senator, we had a lot of things going on here. I did not have the opportunity to say as much about him as I would have liked because we were in the thralls of a real battle that we seem to have resolved.

I do not know if there is anyone in my 31 years of Congress who has been better prepared to be a Senator than the Senator from Massachusetts who now is the Presiding Officer. His stunning record has already been established with his work in the Senate. I have, from afar, admired this good man and for 4 years up close when I served in the House with him. His work for the environment has been unparalleled. His is one of the rare voices that have for many years understood the dangers of nuclear waste. He has been aware of the benefits of nuclear power but also the dangers.

There is a long résumé the Presiding Officer has. I want the record to reflect that I am terribly impressed with the work he has already done in the House and will be even more impressed with the work he will do here in the Senate. The people of Massachusetts are very fortunate in having the Presiding Officer from Massachusetts.

SCHEDULE

Mr. REID. Following leader remarks the Senate will resume consideration of the Transportation, Housing and Urban Development appropriations bill. At about 10:45 there will be a roll-call vote in relation to the Paul amendment. As I have indicated to him and others, we will probably move to table that. That will be up to the two managers of the bill, but I understand that is what they are going to do—or someone will do.

Following disposition of the Paul amendment, the Senate will proceed to executive session to consider the Jones nomination to be Director of the ATF. We will do this vote just as quickly as I can work out an appropriate time with the Republican leader.

Yesterday I filed cloture on the THUD bill. As a result, the filing deadline for all first-degree amendments on that bill is 1 p.m. today.

MEASURE PLACED ON THE CALENDAR—S. 1392

Mr. REID. I am told S. 1392 is at the desk and due for a second reading. If that is true, I ask the clerk to report the same.

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

The assistant legislative clerk read as follows:

A bill (S. 1392) to promote energy savings in residential buildings and industry, and for other purposes.

Mr. REID. Mr. President, I object to any further proceedings on this bill at this time.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bill will be placed on the calendar.

THE TAX CODE

Mr. REID. Mr. President, when President Obama proposed a plan yesterday

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



Printed on recycled paper.

S6083

to simplify our corporate Tax Code and lower rates for businesses, I expected Republicans all over the country but especially here in Congress to jump for joy. I think there are many people around the country who were satisfied and happy, but the Republican leadership in the Congress surprised me and I think a lot of people by their reaction. Just a few months ago Leader McCONNELL signaled he would be open to a plan to reform the Tax Code. This is what he said:

I'm told President Obama is going to come out for lowering the corporate tax rate. To the extent he wants to do some of these things, our answer is going to be yes.

It is amazing how quickly his answer went from yes to no, no. Republicans have favored corporate tax reform for decades. We have heard them say so. This was one of the mantras during the Presidential campaign. But now that President Obama is proposing it, Republicans are opposing it.

The President's thoughtful approach would couple lower tax rates, corporate tax rates, with investments in job-creating measures, such as roads and bridges and dams, worker training programs, and manufacturing incentives.

He was in the State of Tennessee when he made this announcement. They are a picture book as to how corporate interests there can really move on. They have done a great job in Tennessee, and I would bet that at every corporation in Tennessee they were elated to hear what President Obama had to say yesterday.

It is going to take a balanced approach and include smart spending cuts, closing wasteful loopholes and asking corporations that will benefit from lower tax rates to contribute their fair share. Even Speaker BOEHNER supported this approach in the past. This is what he said just a short time ago:

If we want to put Americans back to work, I think lowering the corporate tax rate is critically important. And to do that, I think we have to look at the tax-expenditure side, the deductions, credits, and other gimmicks that may be in the tax code and that have accumulated over the last 30 years.

I do not say this very often, but Speaker BOEHNER was right.

This is the kind of balanced approach to deficit reduction the American people favor—a simpler tax code that lowers rates, makes our businesses more competitive, but also raises new revenue to invest in job creation. We have learned that the sequestration has already cut 1.6 million jobs, so we need job creation. We need to help the middle class by creating jobs. As President Obama said, if we are going to give businesses a better deal, we need to give workers a better deal also. We can use the money we save by simplifying the Tax Code to create jobs now, right away, jobs that can never be outsourced. Both Democrats and Republicans can get something they want, and the economy gets the shot in the arm it needs.

We have already cut the deficit in half over the last 3 years—that is the yearly deficit—and we have already saved \$2.6 trillion from the accumulated debt. Democrats know there is more to be done. We certainly do. But we will not agree to any plan that balances the budget by killing jobs even more than already and whacking the middle class, and that is while holding the richest individuals and corporations harmless.

Democrats believe we must offset the harsh spending cuts of the last few years with job creation that puts the middle class back on track. To get the economy back to full steam, we should be making targeted investments in areas such as infrastructure and education—things that have always helped America grow and succeed.

RECOGNITION OF THE MINORITY LEADER

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

PRESIDENTIAL LEADERSHIP

Mr. McCONNELL. Mr. President, you know there is not much to say about the President's speech yesterday other than that he actually retreated from previous commitments to a more bipartisan, revenue-neutral corporate tax reform and then tried to sell that rejection of bipartisanship as some "grand bargain"—I mean, only in Washington. But let me say this: It really would be nice to see the President work with Congress for a change to get some important work done for the American people. Republicans have been eager to do this all along, but, really, it is almost as if there is a "Gone Campaignin'" sign outside the Oval Office—a "Gone Campaignin'" sign outside the Oval Office. On the rarest of occasions when he does come to the Hill, as he will today, you find out it is basically just for another internal campaign rally with Democrats.

I hope he will finally get serious and make one of his famous pivots—this time in a new direction toward effective policy and away from the never-ending political sideshow. But it is hard to see, especially when you consider that the President's party is now attempting to blow up one of the most genuinely bipartisan accomplishments of the Obama era.

The Budget Control Act that was agreed upon two summers ago represented a commitment from Washington to America, a bipartisan promise to enact \$2.1 trillion in spending control. Last year the slightest hint of fiddling with the spending caps led to a furious response from senior Washington Democrats. It even led to a veto threat from the White House. But now Washington Democrats are tired of bipartisanship. The commitments they made have become an inconvenience to their special interest agenda, so now

they are threatening to shut the government down if they are not allowed to break their word. That is what this appropriations debate we are having is all about. It is about an attempt to blow up an important bipartisan achievement by busting the spending caps to which both parties already agreed.

Republicans do not believe we should be breaking our commitments to the American people, and breaking commitments in order to overspend, as Democrats propose, seems like an even worse reason for them to shut down the government. So I hope they will not. I hope they will think about the "third way" offer we have made to them too—that we would happily discuss exchanging some of the particular cuts they do not like for government reforms, the kinds of innovative ideas that can get our economy back on track and our government back in the black not just in the immediate term but over the long haul. This policy discussion has never been more relevant, especially when we look at what is happening in Detroit and what is happening in Europe, when we realize that the real-world consequences of putting off reform are no longer just abstract or hypothetical, they are here, they are real, and they are now.

The experts tell us that the United States is already on a completely unsustainable fiscal trajectory and that we need to make some big changes today if we want to avoid a similar fate. They also tell us that, unlike Detroit or Greece, America still has some time to chart its own future—but not long. That is why the choices we make today are so important. We can follow the Democratic path to austerity—the path of breaking spending caps wide open and borrowing more money we do not have, of callously rejecting reform and blissfully denying the future. That path inevitably leads to European-style austerity, to the decimation of the middle class, to desperation for the least among us, or we can follow the Republican path to reform and growth, a path of smart choices, innovative reforms, and orienting our economy toward the future. The Republican path not only prevents austerity tomorrow but leads to more jobs and a better economy today. The Democratic path to austerity or a Republican path to reform and growth, these are the choices.

Voting for appropriations legislation that blatantly violates budget reforms already agreed to by both parties moves our country in exactly the wrong direction. It puts us on the Democratic path to austerity. That is one of the many reasons I will be voting against this spending bill, and I urge my colleagues to do the same. It is time to get serious about the challenges we face. It is time to work together to reposition America for growth and prosperity and sustainability in the 21st century.

If the President is willing to get off the campaign trail and show some leadership with his party—convince them