



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, FIRST SESSION

Vol. 159

WASHINGTON, WEDNESDAY, SEPTEMBER 18, 2013

No. 123

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.

Gracious Savior, lead our lives so we will bring You pleasure, receiving the smile of Heaven's approval.

Guide our Senators, inspiring them to do justly, to love mercy, and to embrace humility as they walk with You. Lord, strengthen them, making them eager to lift burdens and to respond to human needs. In Your unfailing love, give them the wisdom to follow the leading of Your powerful providence. Do for them immeasurably, abundantly, above all that they can ask or imagine.

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 legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 18, 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.

SCHEDULE

Mr. REID. Mr. President, following leader remarks the Senate will be in a period of morning business, with the Republicans controlling the first 30 minutes and the majority controlling the second 30 minutes.

Following morning business the Senate will resume consideration of the Energy Savings and Industrial Competitiveness Act.

We have tried really hard to work on this Energy bill. It is no wonder the news is reporting today that this is the least productive Senate in the history of the country.

We have a number of Republican Senators and lots of Republican House Members who don't believe in government. They want to get rid of it. They are doing everything they can to make that a fact. We are waiting now to see what is going to come from the House to fund government or not fund it. As the Presiding Officer knows, they are obsessed with the constitutional law that has been in effect now for 4 years, declared constitutional by the Supreme Court.

The latest we got from our floor staff is that the Republicans on this Energy bill want five nongermane amendments and whatever other amendments are filed dealing with energy, which means we are not going to finish the legislation. That is an understatement. But we will proceed. We have a number of

issues we are going to work on. We have one that we filed—what is called a rule XIV procedure—yesterday dealing with continuing to allow our high-tech industry to be competitive.

We will move forward doing the best we can. We will wait and see what the House is going to do. They are still struggling to find out which absurd idea is going to prevail over there.

MEASURES PLACED ON THE CALENDAR—S. 1513, S. 1514, H.R. 2009, AND H.R. 2775

Mr. REID. I am told there are four bills at the desk due for second readings.

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

The assistant legislative clerk read as follows:

A bill (S. 1513) to amend the Helium Act to complete the privatization of the Federal helium reserve in a competitive market fashion that ensures stability in the helium markets while protecting the interests of American taxpayers, and for other purposes.

A bill (S. 1514) to save coal jobs, and for other purposes.

A bill (H.R. 2009) to prohibit the Secretary of the Treasury from enforcing the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010.

A bill (H.R. 2775) to condition the provision of premium and cost-sharing subsidies under the Patient Protection and Affordable Care Act upon a certification that a program to verify household income and other qualifications for such subsidies is operational, and for other purposes.

Mr. REID. Mr. President, I object to any further proceedings with respect to all of these bills that were just read into the RECORD.

The ACTING PRESIDENT pro tempore. Objection is heard.

The bills will be placed on the calendar under rule XIV.

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



Printed on recycled paper.

S6547

HISPANIC HERITAGE MONTH

Mr. REID. Mr. President, each year Hispanic Heritage Month offers an opportunity to honor the contributions of a community that has contributed to our country's progress for centuries.

In the State of Nevada the influence of Hispanic Americans is evident even in the name of the State, which means "snowcapped." Of course, our most famous city—one of the most famous cities in the world—means "the meadows." It was a place that in pioneer days was an oasis in the desert, and that is an understatement. Water from artisan wells that bubbled out of the ground was the beginning of Las Vegas—the meadows.

The first non-Native American who set eyes on Las Vegas Valley was a man named Rafael Rivera. We honor him in Nevada. In my office here and in my conference room I have a wonderful painting of Rafael looking down over Las Vegas. He looked so good, all dressed in his finery, but in reality he was lost. He had been with a Spanish expedition and was lost, but he was the first to see Las Vegas, and we recognize that. The picture is terrific. We see him looking down at a place where there was nothing other than the meadows, but now there are 2.5 million people there.

In Nevada and across the Nation we see the contributions of Hispanic Americans in every facet of our society—on the battlefield, in the boardroom, in the courtroom and the classroom, at art galleries, and on the playing field. Hispanic Americans have also played an important role in this Nation's Armed Forces, serving in every conflict since the Revolutionary War. More than 2.3 million Hispanic-owned businesses employ millions of Americans, providing critical goods and services and helping to drive our economy.

Nationwide, Latinos are expected to make up about 60 percent of the population growth in the decades to come. To ensure our country thrives, we must ensure this Hispanic population thrives as well. Hispanic Heritage Month should be one to celebrate but also one to reflect on what we can do to help Hispanic families thrive.

This year affords a special moment for reflection as our Nation commemorates 50 years since the historic march on Washington for Jobs and Freedom. The struggle for equality, justice, and freedom is ongoing, but through engagement Hispanic Americans and all Americans can make heard in Washington their support for quality education, quality health care, a living wage, and the right to vote without intimidation or discrimination.

Congress heard their calls for quality affordable health insurance. That is why we passed, among other reasons, the Affordable Care Act, known as ObamaCare, which was a huge step forward for Hispanic families and Nevadans across the country. In Nevada alone, more than 160,000 Latinos and more than 10 million nationwide who

currently lack health insurance will be eligible for coverage through the new marketplaces that are going to start October 1.

Congress heard the calls for opportunity during tough economic times. Democrats made small business loans possible for 11,000 Hispanic-owned businesses. We have significantly cut predatory and discriminatory lending practices that disproportionately affected Hispanic communities. Last year Congress cut taxes for 98 percent of American families, including every middle-class family.

Congress also heard the calls for fair, practical immigration reform, and this year the Senate passed a bipartisan immigration bill that will reform America's illegal immigration system and reduce the deficit by \$1 trillion. This measure will also help 11 million people—people who are tired of looking over their shoulders and fearing deportation—to get right with the law and start down an earned pathway to citizenship. The Senate, though, is still waiting, as we have been waiting for lots of things, for the Republicans in the House to allow a vote on the Senate's bipartisan compromise. What better way to celebrate this important month than by passing a bill that will allow millions of families to stay together and reach their full potential?

I look forward to Hispanic Heritage Month as an opportunity to reaffirm my commitment to supporting the 52 million Latinos in America through our work in the Senate. To me, Hispanic Heritage Month is about recognizing the incredible contributions of Hispanic Americans to our Nation, but it is also about building a brighter future for Hispanic Americans in our Nation.

 RECOGNITION OF THE MINORITY LEADER

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

 TROUBLING REALITIES

Mr. McCONNELL. Mr. President, earlier this week we passed the 5-year mark since the financial crisis hit our country. Incredibly, President Obama tried to use that opportunity to take credit for the fact that things aren't as bad as they were back then, and he is back at it again today. Basically, his message is this: America isn't in a free fall, so everyone should give him a big pat on the back.

Well, as far as deflections go, it is pretty creative, but it is also pretty misleading because in an effort to justify his own failed policies and preserve them, the President is papering over some pretty troubling realities. The truth is, for most Americans, the past few years have felt like anything but a recovery. It has been a story of lost jobs and underemployment and the loss of dignity that comes with both. It has

been a period of stagnant wages and an increasing disparity between rich and poor. Then there are all the young people who have been stunned to realize, after graduating from college, that there just aren't any jobs out there. So now is not the time for victory laps because if this is his idea of success, I would hate to see what failure looks like.

Today, nearly 8 million Americans who want full-time jobs can only find part-time work. That is nearly twice as many involuntary part-timers as we had throughout most of the previous administration. And, of course, ObamaCare will make this much worse. What is more, the poor and middle-income folks and those just starting out on their own are some of the people who have been struggling the most in the Obama economy. The unemployment rate for low-income Americans, for instance, now stands at 21 percent—21 percent unemployment for low-income Americans—right about where it was during the Great Depression.

The President likes to claim credit for jobs created since the so-called recovery began, but what he fails to mention is that there are still fewer jobs today than before the crisis hit, while real median wages haven't gone up at all over the past 5 years.

Even though Candidate Obama promised to "spread the wealth around," we find that 95 percent of recent income gains have actually gone to the richest among us. Ninety-five percent of recent income gains have gone to the richest among us. In other words, we are again faced with the tragic irony that those on the left who claim most loudly to be standing for fairness and equality often end up getting the worst results for those who need help the most. To paraphrase President Reagan's old line about the apostles of "fairness," maybe they are fair in one way: Their policies don't discriminate; they bring misery to everybody—unless, of course, we are speaking of the elite of the elite. We all know why that is. Because when government policies hurt economic growth by stifling opportunities and drying up investment, it is the American worker who loses. It is those at the bottom of the economic ladder who suffer the most.

The best thing we can do to help the poor and working class is to get the private sector growing again. And we know how it is done—by implementing things such as a more competitive tax code, regulatory relief, approval of the Keystone Pipeline, and, of course, repealing ObamaCare, which is killing jobs.

The fact is that the policies of today's Washington Democrats actually entrench unfairness and make the playing field even more uneven.

Even the President's allies are beginning to understand. Big Labor wants to rewrite some provisions of the same ObamaCare law they helped muscle through. Why? Because, predictably, ObamaCare is now hurting the 40-hour