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Senate

The Senate met at 10 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.

Eternal God, how great You are. You are clothed with majesty and glory, riding on the wings of the wind. From the rising of the Sun to its setting, we lift our hearts in gratitude for You have done marvelously.

Lord, continue to sustain our Senators with Your constant love and faithfulness, answering them when they call to You in prayer. Help them to make every effort to do Your will on Earth, giving You their doubts and fears as they trust You to order their steps. May they realize that weakness provides an opportunity for Your strength to be revealed.

We pray in Your strong 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, October 29, 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 Republican leader or his designee will move to proceed to S.J. Res. 26, which is a joint resolution of disapproval regarding the debt ceiling. The time until 12:30 will be equally divided and controlled.

The Senate will recess from 12:30 to 2:15 p.m. for our weekly business meetings of each caucus.

At 2:15 Senators should expect two rollcall votes, first on the motion to proceed to S.J. Res. 26 and, second, a cloture vote on the nomination of Richard F. Griffin, Jr., to be general counsel of the National Labor Relations Board for a term for 4 years.

MEASURE PLACED ON THE CALENDAR—S. 1592

Mr. REID. Mr. President, I am told S. 1592 is at the desk and due for a second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

A bill (S. 1592) to provide for a delay of the individual mandate under the Patient Protection and Affordable Care Act until the American Health Benefit Exchanges are functioning properly.

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

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

NOMINATIONS

Mr. REID. Mr. President, today the Senate will proceed to consider the motion to proceed to a resolution of disapproval filed by the Republican leader, which would cause the country to default on its debts for the first time in its history. The Democrats will oppose this motion and vote to preserve the full faith and credit of our great country. I remind my Republican friends that every Democrat and 27 Republicans in the Senate, as well as 285 Members of the House of Representatives, already voted to do the right thing and pay the Nation's debts.

I look forward to quickly dispensing with this Republican resolution, which would risk America's economic security, as well as a global depression. This vote will take place this afternoon, after our weekly business meetings.

I want to spend a little bit of time talking about nominations. Directly after the vote on the default legislation, we will have the vote to break a filibuster of President Obama's nomination of Richard Griffin to serve as general counsel of the National Labor Relations Board.

There have already been 67 of President Obama's nominations filibustered. Let's just vote on these nominations. I cannot imagine why it would be a good thing for this country, or the Senate, to not allow us to go forward on the nomination. If you don't like him, vote against him, but don't stop the debate from going forward.

If cloture is invoked, there will be up to 8 hours of debate under the new rules we have established in the Senate. We will have 4 hours and the minority will have 4 hours. So I think that would be appropriate.

Few Americans are aware of the job that the National Labor Relations

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



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Board does. It looks out for the rights of millions of U.S. workers every day—Democratic workers, Republican workers, independents, tea party workers—regardless of whether they are in a union.

Mr. Griffin has extensive experience in employment law. He is highly respected by his fellow labor lawyers on both the union and the business sides. As general counsel for the NLRB, he will safeguard fair compensation and working conditions for all American workers.

This week the Senate will also vote on a number of other crucial executive nominations, some of which have been stalled for more than a year. The Senate will consider the nomination of Katherine Archuleta to serve as Director of the Office of Personnel Management. That is an extremely important position. She started her career in public service as an elementary school teacher. She will be the agency's first Hispanic director. Her desire to serve is earnest. This is what she said:

You do it [as a public service] because you have a deep passion for public good, for civic engagement.

She has worked in both the Transportation and Energy Departments under President Clinton. She served as chief of staff to Labor Secretary Hilda Solis for 3 years. She is eminently qualified. Yet Ms. Archuleta is the first OPM Director to be filibustered in the entire history of this agency.

This week the Senate will also consider the stalled nomination of Alan Estevez to be Principal Deputy Under Secretary of Defense. This man's nomination has been stalled for 402 days. He will be responsible for a \$170 billion logistics budget—\$170 billion. That is a year. This budget supports our men and women in uniform as well as millions of machines that take them where they want to go. He specialized in military logistics for more than 10 years. It is unfortunate that Republicans will hold up confirmation of such a crucial Defense Department nomination.

I am told most of it is that it is held up for an unrelated matter, dealing with some other issue. It is just wrong. If you do not like this guy, stand and say why you don't like him and vote against him. Don't stop us from moving forward on the nomination.

Most of the opposition to this man, who has been held up for 200 days, is, I am told, by the senior Senator from Texas.

The junior Senator from Texas has placed a hold on another nomination, a man by the name of Tom Wheeler to be Democratic member of the Federal Communications Commission, FCC, a very important agency. In addition to writing two books, Mr. Wheeler has founded several technological companies—important companies. He cofounded the largest online targeted news service and helped develop the U.S. Government's telecommunications policy.

President Obama nominated Tom Wheeler as well as Republican Michael

O'Rielly to fill two vacant seats on the FCC; so what is stopping us from filling these vacancies with a bipartisan pair of nominees? Listen to this. The Senator from Texas has stalled the nomination because he opposes legislation proposed by Democrats in Congress that would require shadowy groups that spend millions on political advertising to disclose their donors.

This next one is really a doozy: the U.S. Secretary of the Treasury. It is an extremely important job. This man is qualified. He has run the Office of Management and Budget. He has been the President's Chief of Staff. He is now Secretary of the Treasury. What a fine, fine man—Jack Lew. Jack Lew, even though he is the Secretary of the Treasury of this great country, cannot go to meetings that other finance ministers from around the world can go to. Why? Because Republicans are holding up his nominations to all these important bank boards, finance boards, the International Monetary Fund. He is supposed to be there. He cannot go.

He is a talented and dedicated public servant. He has already been approved by the Senate, confirmed by the Senate. Every Treasury Secretary serves as the U.S. representative on the international bank boards and offers input on America's position on global financial matters. That is his job. He cannot do that because of what I have just said. It is an embarrassment that we have not acted more swiftly to confirm him in this role. To think that we have to file cloture on this. Yet the junior Senator from Kentucky has subjected this nomination to partisan wrangling—and others have joined with him, I assume—as he threatens to do with the nomination of Janet Yellen to serve as the Chairman of the Federal Reserve.

The Presiding Officer and others who serve in this body and have served in the House of Representatives have served with a fine public servant by the name of MEL WATT. I got to know MEL WATT when he was chairman of the Congressional Black Caucus. He would come over and visit with me every month or so—a fine man. He has represented North Carolina's 12th Congressional District since 1993, and as senior Member of the House Financial Services Committee he understands the mistakes that led to the housing crisis.

He also has proposed legislation to crack down on the worst abuses in mortgage lending and helped to pass the Dodd-Frank bill to prevent predatory lending. By any measure Congressman WATT is qualified to help struggling homeowners recover from the worst downturn in generations. My Republican colleagues should give him the up-or-down vote he deserves, not filibuster him.

I know some Republicans do not like Dodd-Frank. Obviously, they didn't mind the abuses that took place that led to the crashing of Wall Street. But he should not be punished for that.

At a time when America faces difficult economic times at home and var-

ious threats abroad, it is crucial the Senate confirm these talented and dedicated individuals to serve in the executive branch of government. Let us vote on these nominations. These normally easily confirmable positions should not have a filibuster. Not long ago I can remember Republicans who, in this body, were concerned because they could not get the votes they wanted on their nominees for President Bush. They spread on this record, clearly, that it is a right of the President to choose the players on his team. We should return to that custom, remove partisanship from the confirmation process and ensure highly qualified nominees receive the fair and speedy confirmation they deserve.

RECOGNITION OF THE MINORITY LEADER

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

OBAMACARE

Mr. MCCONNELL. Mr. President, I think at this point Senators from both parties can agree that healthcare.gov is a rolling disaster. Every day seems to bring more near-comic calamities. We hear about visitors being told things like their wife is really their daughter or that they have multiple spouses or that they are unable to apply "due to current incarceration."

Unsurprisingly, just 12 percent of Americans think the rollout has gone well. That is less than the 14 percent of Americans who believe in Bigfoot. Those who have succeeded in actually enrolling in a plan are vastly outnumbered by those who have lost their plan. The real tragedy is that many who have succeeded are finding out the product is actually worse than the Web site.

The only thing the Web site seems to be good at right now is creating punchlines for late-night comedians. It is almost as though Americans are being forced to live through a real-life "Saturday Night Live" sketch. If you caught last week's opener, it is getting harder to tell the ObamaCare headlines from the ObamaCare punchlines these days.

Paper applications, 800 numbers, applying by fax—ObamaCare appears to be leading us boldly into the 1980s. Remember, before this thing launched, the administration swore up and down that ObamaCare was ready to go. Democratic leaders in Congress told Americans that the law's implementation was fabulous and that ObamaCare was wonderful. The President reassured everyone it was working the way it was supposed to, and of course Washington Democrats bragged about their fancy new Web site, the Web site that cost taxpayers—\$100 million? \$200 million? \$300 million? No one is quite sure. That is just one of the unanswered questions we hope they will clarify soon.