



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 113<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 160

WASHINGTON, TUESDAY, MARCH 4, 2014

No. 36

## Senate

The Senate met at 2 p.m. and was called to order by the President pro tempore (Mr. LEAHY).

### PRAYER

The PRESIDENT pro tempore. Today's opening prayer will be offered by Pastor Dave Weigley, President of the Seventh-Day Adventist Church in the Mid-Atlantic States.

The guest Chaplain offered the following prayer:

Let us pray.

Almighty God, creator and maker of all, who sits enthroned above the earth, and in whom we live, move and have our being, we praise You from whom all blessings flow. We thank You for Your sustaining power, for peace, for the freedoms we enjoy. We ask Your blessings on our great Nation, insightful leaders and dedicated lawmakers.

Establish their steps and give them discernment and courage to act justly, love mercy and walk humbly. Strengthen those who need to be uplifted, who are downcast, who need the compassionate touch of a brother's or sister's hand. Above all, may Your kingdom come, may Your will be done, and may we readily incline our ears to Your call today. This we pray in Your holy and righteous Name. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore 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.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

### CHILD CARE AND DEVELOPMENT BLOCK GRANT ACT OF 2014—MOTION TO PROCEED—Resumed

Mr. REID. Mr. President, I move to proceed to Calendar No. 309, S. 1086.

The PRESIDING OFFICER (Ms. BALDWIN.) The clerk will report.

The legislative clerk read as follows: A bill (S. 1086) to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes.

#### SCHEDULE

Mr. REID. Mr. President, following my remarks and those of the Republican leader, the Senate will be in a period of morning business with Senators permitted to speak for up to 10 minutes each.

There will be no rollcall votes today because of the inclement weather we have had the last 3 or 4 days. The next rollcall vote will be tomorrow at 11:45 a.m.

#### BENEFITTING THE WEALTHY

Charles and David Koch are shrewd businessmen. Their wealth is nearly unparalleled, not only in America but in the world. The brothers inherited a small oil company. They inherited this company from their dad. They built it into a multinational corporation. It refines oil, makes carpets, manufactures fertilizers and chemicals, makes paper products, extracts minerals, produces glass, owns a cattle ranch, and lots of stuff.

Like most shrewd businessmen, the oil baron Koch brothers are very good at protecting and growing their prodigious future and their prodigious fortune. There is nothing un-American about that. But what is un-American is when shadowy billionaires pour unlimited money into our democracy to rig the system, to benefit themselves and the wealthiest 1 percent.

I believe in an America where economic opportunity is open to all. Based on their actions and policies they promote, the Koch brothers seem to believe in an America where the system is rigged to benefit the very wealthy.

Based on Senate Republicans' ardent defense of the Koch brothers and the fact that they advocate for many of the same policies as the Koch brothers, it seems my Republican colleagues also believe in a system that benefits billionaires at the expense of the middle class.

The Koch brothers are willing to invest billions to buy that America. They are investing billions to buy that America. In 2010 the Supreme Court opened the flood gates of corporate money into electoral politics. That was with the Citizens United decision. Since mega donors such as Charles and David Koch can launder their huge contributions using shadowy shell groups and so-called nonprofits, it is difficult to tell exactly how much they have invested so far.

Investigative reporting done by some of the most respected news outlets in the country has revealed that the Koch brothers funnel money through a web of investor groups and advocacy organizations that are immune from disclosure rules, such as the Club for Growth, Heritage Action, the NRA, and the U.S. Chamber of Commerce. We may never know how much money the Koch brothers are spending to rig the system, to rig the system for themselves.

But we do know their investments have paid off already. In November 2010, the petroleum industry walked right through the door the Supreme Court had opened and spent hundreds of millions of dollars to elect a Republican majority to the House of Representatives. That Republican majority has effectively shut down any hope of passing legislation to limit the pollution that has caused climate change.

That Republican majority is, in fact, working to gut the most important safeguards to keep cancer-causing toxins and pollution that cause sickness and death out of the air we breathe and the water we drink. Without those safeguards, the Koch brothers would pass on the higher health care costs to

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



Printed on recycled paper.

S1257

middle-class Americans while padding their own pocketbooks.

So the Koch brothers are already seeing a return on their 2010 investment in a Republican House of Representatives that does what they want done. But they certainly have not stopped there. The Koch-backed Americans for Prosperity alone spent \$400 million in misleading attack ads last election cycle.

If you have seen an ad recently maligning the Affordable Care Act or ObamaCare, chances are, significantly, that these ads are from the Koch brothers or one of the shadow groups paid for by the Koch brothers. Koch-backed groups have spent a vast sum trying to elect Republican Senate candidates this year, a sum that dwarfs even the National Republican Senatorial Committee's own spending.

The Koch brothers and other moneyed interests are influencing the political process for their own benefit in a way not seen for generations. Republican Senators have come to the floor to defend the Koch brothers' attempts to buy our democracy. Once again, Republicans are all in to protect their billionaire friends.

Not only have Senate Republicans come to the floor to defend the Koch brothers personally, they have again and again defended the Koch brothers' radical agenda—and it is radical, at least from a middle-class perspective.

Senate Republicans have opened so many different avenues to oppose closing a single tax loophole. Senate Republicans have opposed closing even a loophole for these oil companies or corporations that ship jobs overseas. This benefits the Koch brothers. Senate Republicans have opposed asking billionaires to pay the same higher tax rate as middle-class tax families, as illustrated by Warren Buffett.

Senate Republicans have opposed environmental and workplace safety standards that might cause the Koch brothers or their corporate donors a few extra dimes—a few extra dollars maybe. The Koch brothers are returning the favor with huge donations to Republican Senate candidates, either directly or indirectly.

Senate Republicans are addicted to Koch. In fact, Senate Republicans hardly need the NRSC any more, which for decade after decade was the main funding tool for the Republican Senate. Not any longer; the Koch brothers take care of that.

Aside from that, the NRSC cannot hide its donors' identities like the Koch brothers-funded groups can hide their donors' identities. Senate Republicans call this freewheeling spending by anonymous donors nothing more than "free speech." Senate Republicans say that whoever has the most money gets the most free speech. But that is not what America's Founding Fathers said. They did not mean that by free speech. The Founders believed in a democracy where every American had a voice and a vote.

This discussion, this fight, is not just about health care or even about a few

hundred million dollars in disingenuous ads. This is about two very wealthy brothers who intend to buy their own Congress, a Congress beholden to the money and bound to enact their radical philosophy. Witness this: Senators beholden to wealthy special interests; Republican senators rush to the floor to defend the Kochs whenever I say something negative about the brothers or their radical agenda.

By the way, the words "radical agenda" are not my words. Charles Koch proudly told Brian Doherty, an editor of the magazine "Reason," about his self-described—his quote—"radical philosophy" in 2007. These are the same brothers who have lobbied against the recognition of formaldehyde as a cancer-causing carcinogen, because it might be bad for their business.

These are the same brothers whose Koch Industries ranks near the top of the list of America's worst toxic air polluters. Those are the same brothers whose company, according to a Bloomberg investigation, paid bribes and kickbacks to win contracts in Africa, India, and the Middle East.

These are the same brothers who, according to the same report, used foreign subsidiaries to sell millions of dollars of equipment to Iran, a state sponsor of terrorism. Let's make sure we understand that. I may not have said it quite right. These are the same brothers who, according to the same report, used foreign subsidiaries to sell millions of dollars of equipment to Iran, a state sponsor of terrorism. We all know that.

The Koch brothers already believe they can play by a different set of rules. Think about how an America rigged by the Koch brothers would look. The Koch brothers do not care about creating a strong public education system in America. The Koch brothers do not care about maintaining the strong safety net of Medicare and Social Security. The Koch brothers do not care about the guarantee of affordable, quality health insurance for every American.

That is obvious from the misleading ads they have paid for all over the country. Why? Because the Koch brothers can afford to buy all of those benefits and more for themselves and their families. Their extreme vision for America means abolishing Social Security and Medicare. Their extreme vision for America means eliminating minimum wage laws. Their extreme vision for America means putting insurance companies back in charge of your health care and denying coverage for preexisting conditions. That is the way it used to be.

I guess that is what they want, running all of these ads. Their extreme vision for America means stripping tens of millions of people of the benefits in the Affordable Care Act today. Their extreme vision for America means allowing the gap between the wages women and men earn for the same

work to keep growing. Their extreme vision for America means giving giant corporations the unfettered right to dump toxins in our rivers and streams, on our mountains and our valleys, and to give them even more tax breaks while they destroy our environment.

We Democrats have a different vision. Democrats believe the economy is strongest when the middle class is vibrant and growing. Democrats believe world class education leads to world class work. This work is one where people are ready to take on any challenge. Right now there are at least three people for every job available. Democrats believe in an even playing field with higher wages, affordable health care, and a secure retirement for every American so that every American can have a shot at success.

I welcome a debate over these competing visions. Average Americans share our vision for a country whose success is built on a strong middle class. The Koch brothers know Americans share our vision for a country where success is built on a strong middle class. That is why, rather than having an honest and fair debate, they are pouring hundreds of millions of dollars into a massive campaign of deception. They manufacture stories. They make up facts. They are angry that I am calling attention to their campaign of distortion and deceit.

I am not oblivious that my comments about the Koch brothers have caused some controversy. Anyone who has turned on FOX News knows that I have gotten under their skin. But I will continue to shine a light on their subversion of democracy.

When I hear my Republican colleagues defending the Koch brothers as they have, I recall the words of Adlai Stevenson:

I have been thinking that I would make a proposition to my Republican friends . . . that if they will stop telling lies about the Democrats, we will stop telling the truth about them.

As long as the Koch brothers continue to spend hundreds of millions of dollars buying elections, I will continue to do all I can to expose their intentions.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

POLITICAL PARTICIPATION

Mr. McCONNELL. I noted with interest that the majority leader was hammering the Koch brothers again today, and I wondered why he left out billionaire Tom Steyer, who plans to spend as much as \$100 million pushing the issue of climate change in the 2014 election and "appears primed to rival the deep-pocketed and conservative Koch brothers," according to the New York Times. The truth is that these American citizens have a constitutional right to participate in the political process.

It strikes me as curious that if we are going to demonize people for exercising their constitutional rights to go

out, speak, and participate in the political process, we would just pick out the people who are opposed to us and leave out the people who are in favor of us. The truth is that there are many wealthy Americans who feel deeply about the country, who are committed to one side or the other, and who are trying to have an impact on the country—as many on the left as on the right.

So we ought not to leave out Tom Steyer. I believe he also has a brother, who is also a billionaire, who has similar views and will probably try to impact the fall's election in one way or another beneficial to the things he advocates.

#### THE BUDGET

The release of a President's budget is usually a pretty big deal, but President Obama's latest budget, released only this morning, hasn't even ginned up much excitement. Folks just aren't taking it very seriously because it is not a very serious document.

First, it could probably never even pass the Democratic-led Senate, and in some sense that is the point. Rather than put together a constructive blueprint that the two parties could use as a jumping-off point to get our economy moving and our fiscal house in order, the President has once again opted for the political stunt—for a budget that is more about firing up the base in an election year than about solving the Nation's biggest and most persistent long-term challenges.

It would increase taxes by well over \$1 trillion in the worst economic slowdown nearly anyone can remember. It would explode spending by \$790 billion, forcing us to borrow more money from places such as China. As I indicated, it would do almost nothing to address the most serious threats facing our children's future, and it doesn't even come close to balancing this year. No wonder the President thought the left would love it.

But this is my question for the President: What about the middle class? What is in it for them? It seems as though the President has just about given up on helping folks who are in the middle, folks who feel as if Washington doesn't take their concerns and anxieties into consideration anymore. What hope is he giving them that their medical bills won't be as high, that their wages will start going up instead of down? What is in this budget for them except for this nagging feeling that they will just keep getting squeezed?

The President is well into his sixth year of trying to fix this economy, his sixth year of trying to tax, spend, and regulate our way to prosperity—just as his ideology demands. But this much has to be clear by now: This doesn't work. Since 2009 the government has spent almost \$18 trillion. Yet millions of middle-class Americans continue to suffer, whether in the unemployment line or in jobs that barely allow them to get by.

It is time the President realized that doubling down on the same failed policies is simply not going to work. Yet that is just what this budget proposes to do. We do not need any more election-year gimmicks. What is needed is a new approach, a positive strategy that focuses on helping the middle class instead of appeasing the far left.

President Obama still has 2 years in his Presidency. It is not too late for him to try to make a positive difference for folks struggling to pay their bills, but he has to let go of the left and reach to the middle. He has to decide that bipartisan solutions are worth fighting for. If he does he is going to find significant support on this side of the aisle. We want to work with him to get important legislation done for our country. We always have. We are eager to expand opportunity for the middle class and to build more ladders of opportunity for those who aspire to it. We are eager to enact policies that can create American jobs—improving things such as the Keystone Pipeline, medical device tax repeal, and important new trade legislation, just to name a few we could do together. We are eager to find ways to control spending and put the debt on a path to elimination. We are eager to reform the regulatory state so that the rules coming out of Washington actually work for people other than the bureaucratic class who writes them.

There are bipartisan solutions to be had on these types of issues if only the President could put the politics aside for a few minutes and actually work with us, really work with us, because the kind of unserious budget he put out today is just the type of silly politicking we need to get past. After all, why would we want a budget that grows the Federal Government while the middle class continues to shrink? Washington is doing just fine in the ObamaCare economy, but real Americans deserve a lot better. We can give it to them if we work together.

What I am saying is this: Mr. President, you have 2 years remaining in office. Work with us to make them count.

I yield the floor.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

#### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business for debate only, with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Connecticut.

#### POLITICAL SPENDING

Mr. MURPHY. First, I associate myself with the remarks of the majority leader. I certainly understand the con-

cerns of those on the Republican side about the individual who has proposed to spend a certain amount of money supporting the global warming cause, but it pales in comparison to the money that has already been spent by the Koch brothers, who have poured hundreds of millions of dollars and will continue to pour hundreds of millions of dollars into these races, completely dwarfing any amount of money that is spent on the other side.

#### UKRAINE

Mr. MURPHY. Madam President, I am on the floor to talk about the ongoing crisis in Ukraine. I am pleased to have Senator MCCAIN on the floor because it is very hard to describe the sensation both he and I felt at the end of the last year when we got the chance to travel to the Maidan—Independence Square—in Kiev and speak to about 1 million people. It is even harder to describe the sensation of hearing that group of people yelling back to us in unison:

Thank you, U.S.A. Thank you, U.S.A.

But that was the reality we were able to experience.

It is important to note that Senator MCCAIN and I didn't go to the Maidan that day to advocate for President Yanukovich's removal even though the end of that process resulted in that fact. In actuality we spent 2 hours that night meeting with Yanukovich, pleading with him to reverse course on his decision to abandon plans to join the EU so that he could win back the support of the hundreds of thousands of people who had gathered on that square to support our European integration and domestic political reforms. But President Yanukovich didn't listen, and instead he lost his legitimacy as a ruler when he turned his security service on his own people, resulting in the murder of over 100 Ukrainians who simply wanted to compel their leader to follow the wishes of the Ukrainian people.

I was proud to author a resolution that passed unanimously in this body that declared our support for the ability of Ukrainians to peacefully air their grievances against their government and to oppose the use of force against them. Then, I was equally proud to join Senator MCCAIN and some others in a bipartisan call for sanctions against Yanukovich when he began his murderous crusade against the protesters. I was even prouder of President Obama, who through the State Department sent a clear, unwavering message to the Ukrainian people that the United States stood with them in their desire to see a better future for Ukraine, aligned with Europe and the West.

This strong bipartisan approach here in America to the Maidan movement helped the people of Ukraine as they charted their own path toward a new government. We didn't dictate the