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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 PRESIDING OFFICER. Today's prayer will be offered by Dr. Daniel McClure, American Legion national chaplain.

The guest Chaplain offered the following prayer:

Let us pray together.

Our Heavenly Father, Creator and Sustainer of all that we are or will be, thank You for Your care in our daily national concerns. History has revealed Your hand in our national affairs and how much our lawmakers need Your wisdom, courage, and grace. We ask a special endowment of mental strength and physical endurance in these dangerous but exciting times. Grant them the insight to know the path to follow the road of righteousness and the ethics others can admire.

We pray in Your holy 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, March 26, 2014.

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.

PROTECTING VOLUNTEER FIREFIGHTERS AND EMERGENCY RESPONDERS ACT OF 2014—MOTION TO PROCEED

Mr. REID. I now move to proceed to Calendar No. 333.

The ACTING PRESIDENT pro tempore. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 333, H.R. 3979, a bill to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act.

Mr. REID. Mr. President, I will be happy to yield to my friend, the senior Senator from Iowa.

The ACTING PRESIDENT pro tempore. The Senator from Iowa.

THE GUEST CHAPLAIN

Mr. GRASSLEY. I appreciate the majority leader yielding.

It has been a tradition in the U.S. Senate—usually this time of the year, when various veterans organizations come to Washington, DC, to testify for their membership before Congress about issues dealing with the veterans of all of our wars—for a person who is chaplain to be guest Chaplain. This year it is my privilege that person for the American Legion be from the State of Iowa.

We have just heard Dr. Daniel A. McClure give his prayer this morning.

Dr. McClure is a veteran of over 40 years' military service with the U.S. Army, Army Reserve, Air Force and National Guard. He retired from the military in 2005. With Vietnam veteran status, he joined the American Legion in 2001 and has since served as post chaplain, district chaplain, department chaplain, oratorical contest judge, and district chairman of the Americanism Commission and Boys State counselor. He is a member of The American Legion Leon Beatty Post 29 in Washington, IA.

Dr. McClure was ordained by the Heritage Baptist Church, Lakeland, FL, in 1979 and has pastored churches in Washington State, Montana, Florida and Iowa. He earned his doctorate at Luther Rice Seminary, Lithonia, GA in 1993. Though he retired from formal duties in 1999, McClure continues to volunteer in all aspects of the ministry.

Dr. McClure currently serves his country and community in a number of capacities. He is president and treasurer of the All Veterans Association, treasurer of the House of Heroes, board chairman of the Tree of Life Free Clinic, a patron of NRA, past president of the local Community Chest, past president of Kiwanis, works with the Lake Darling Youth Center and is chairman of 1st Baptist Church's deacon board in Yarmouth, IA.

Dr. McClure and his wife Marge have been married 48 years, raising a son and a daughter. The McClures are now the grandparents of three boys and one girl.

I am glad to have the privilege of an Iowan serving as the national chaplain of a great veterans organization—the American Legion.

I thank the majority leader.

SCHEDULE

Mr. REID. Mr. President, following my remarks and those of the Republican leader, the Senate will be in a period of morning business until 11 a.m., with the Republicans controlling the first half and the majority the final half.

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



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Following morning business, the Senate will proceed to executive session. At 11 a.m. there will be a series of votes on U.S. District Court judges. We will have four votes before lunch, and we will have four more votes, or thereabout, starting at 2:30 on confirmation of these nominations.

We will debate the Ukraine bill during today's session and vote on that legislation tomorrow.

MEASURE PLACED ON THE CALENDAR—S. 2157

Mr. REID. Mr. President, S. 2157 is at the desk and due for a second reading.

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

The legislative clerk read as follows:

A bill (S. 2157) to amend titles XVIII and XIX of the Social Security Act to repeal the Medicare sustainable growth rate and to improve Medicare and Medicaid payments, and for other purposes.

Mr. REID. I object to any further proceedings at this time on this legislation.

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

UKRAINE

Mr. REID. Mr. President, the Senate took a step in the right direction yesterday. In response to Russia's destabilizing actions in Ukraine, my colleagues and I came to an agreement to vote on the bipartisan Senate foreign relations bill tomorrow. This important measure not only aids Ukraine but it also punishes President Putin and his cronies for their unlawful aggression. It also sends this message to the world: We, the American people, stand with Ukraine.

I was happy to hear yesterday the assistant Republican leader—the whip—the senior Senator from Texas, talk about the need to do more. And I agree; we need to do more. I, of course, was a fan—as was Senator MENENDEZ, the chair of the committee; the ranking member, Senator CORKER; and our senior policy mentor around here, Senator MCCAIN—of having IMF funding. So I hope we can move beyond what we are going to do tomorrow for the Ukrainian people. Based on what I heard on the Sunday shows, I believe we have bipartisan support to do more for Ukraine, so I invite my friend, the senior Senator from Texas, to work with Democrats to come up with a package of things we can do in the next few weeks to give the people of Ukraine the understanding and the basis for the fact that America will stand with them.

What President Putin did is wrong. It is a violation of international law. I think it is too bad he is homesick over the Soviet Union. He is one of the few who looks back with joy at what took place to build the Soviet Union. Tens of millions of Russians were killed—purposely—by the viciousness of the leaders prior to Putin. So let us hope he does not look back on all that as being good. We all know he was part of the KGB and we would hope he would

return to having Russia become a civilized nation rather than what the Soviet Union used to be.

UNEMPLOYMENT INSURANCE

Mr. President, as the Senate finishes its work on the Ukrainian issue, we will soon have the opportunity to show millions of American families that we also stand by them. It is my sincere hope the bipartisan progress we have just made on the Ukraine legislation will also carry us over to work on unemployment insurance. Certainly we have a bipartisan bill that we have been working on for a long time.

President Lyndon Johnson once said:

The duty of government is to help people who are caught in the tentacles of circumstance.

That is certainly what we have in Nevada with 26,000 people. Around the country more than 2 million people are caught in the circumstance of having lost their job—usually these people are a little bit above 50—and because of the recession they can't find a job. So they need help, and that is what this legislation is all about.

In our country today you will find no greater example of people at the mercy of unfortunate circumstances than the long-term unemployed. In the 3 months since the Republicans first filibustered a bill to restore emergency benefits, more than 1 million Americans have lost their benefits. Considering that in the time that was wasted by our Republican filibuster, almost 1 million people in America, in dire need of help, have been told that no help is coming, we are here to deliver a message on a bipartisan basis that help is coming. For people who have worked hard all their lives, worrying about how to pay their rent, put gas in the car, and buy groceries while they search for a new job can be demoralizing, especially when they see nothing good over the horizon. For the long-term unemployed, losing a \$300-per-week employment benefit can be the difference between keeping a roof over their children's heads and, as we have heard—because I have read into the record on a number of occasions letters from Nevadans saying they are going to become homeless—going out of business as a family, literally.

Here is what one Nevada man wrote to me this month as he begged us to act. His wife had been out of work for months. With resources scarce, the family will be forced to choose between paying their rent or paying for cancer treatments for their 2-year-old son. But here is what he wrote:

We keep praying you will do everything in your power to bring back emergency benefits to help us in our most difficult time.

This man, and millions of Americans just like him, have waited too long for action. But the Senate has another opportunity to do our job and help those struggling Americans. In the upcoming days the Senate will consider an agreement, negotiated in good faith by a bipartisan group of Senators, including my colleague from Nevada Senator

HELLER. This agreement will restore benefits to millions of long-term unemployed Americans looking for work.

I urge all my colleagues to put philosophical differences aside and help struggling families get the support they need and deserve. All we have to do is work together, Democrats and Republicans, to do what is right for our constituents in their hour of need.

RECOGNITION OF THE MINORITY LEADER

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

TRIBUTE TO ROCHELLE EUBANKS

Mr. MCCONNELL. Mr. President, here on the Senate floor we often speak about numbers of great magnitude. Whether we are speaking of the national debt, jobs, or tax dollars, the numbers can be in the thousands, millions, or even billions. Sometimes these numbers are enough to numb even the most policy minded to the sheer volume and amount of people and resources that go into running the Nation's Capital City.

Today, as I bid farewell to Rochelle Eubanks, a diligent, beloved, and loyal staffer for 25 years, there is one number in particular I want to bring to my colleagues' attention. That number is 1,807,181.

For a quarter of a century, Rochelle has been the backbone of my office, in charge of the one critical task that all of us honored enough to be elected to Congress are charged with: to listen, to respond to, and to act on behalf of our constituents.

First as my correspondence mail system, or CMS, operator; and since 1994, as my CMS production manager, Rochelle has been at the front lines of communicating with Kentuckians. CMS is the computerized system Senate offices use to keep track of their letters to constituents. And that number—1,807,181—is the number of letters to the Bluegrass State Rochelle has sent out in her 25 years of service.

It is truly remarkable. If every letter were to go to a different person, then Rochelle has mailed a letter to nearly half the State. No one else on my staff has had more contact with the voters back home than she has. After her retirement on April 4, she will be very much missed by myself and by all of her colleagues in my office.

Rochelle started back in March of 1989. But her Senate service extends back to April of 1982, when she began work as a mail manager for the Republican Conference. She also worked with Senators John East and Jim Broyhill, both of North Carolina, before moving to the House side in 1987. I am very glad we were able to lure her back over to the Senate side to work in my office beginning in 1989.

Most staff offices have two or three staffers working on CMS. But for the majority of her tenure with my office, Rochelle has handled CMS duties on her own. How in the world does she do it? Well, "I just do what I do," Rochelle says, in her usual modest fashion. Perhaps the key to how she does it

is that Rochelle is always the first to arrive in the office, often by 5:30 in the morning. I know for a fact Rochelle can be counted on as the first to arrive at work, because I can recall a time or two when she had to let me in my own office.

I knew I could always count on, as I have called her, the early bird. In fact, that is how I introduced Rochelle to my wife Elaine: This is my early bird. Rochelle could always be counted on to be there.

Because of her long tenure, Rochelle has become almost a den mother of sorts to many of the younger staff members and interns in my office. Rochelle has been with us in three different office locations, all in the Russell Building, and every time her desk has been located near the mailroom and the office interns.

When new interns or mailroom staffers start their first day, they already know who is looking out for them. "You must be Rochelle," many have been heard to say. "I've heard so much about you."

One of my longtime staffers who worked with Rochelle for nearly 20 years remembers her fondly.

She interacted with me the same day I came as a staff assistant, to the day I left as chief of staff. It was the same way she treated everybody. It didn't matter if you were a senator or an intern. She was always sweet and pleasant and positive.

Another longtime staffer recalls:

Rochelle has long been the master of mass mail. Regardless of how many bins I brought her, she always had a bright smile, a kind word, a listening ear, and a delightful laugh. All the things that make a colleague a dear friend—that's what Rochelle is truly the master of.

Yet another former longtime time staffer says in tribute to her:

Rochelle . . . you were always the sounding board, the moral compass and the reality check for the people you worked with, some of whom you may have forgotten, but who will always count you as a friend. And while your work over the years was excellent, please know that those you have worked with will remember you for much more.

The fidelity and loyalty Rochelle has shown to my office is exceeded only by her fidelity and loyalty to her family. Rochelle has two daughters: Rochelle and Endyia, and six granddaughters: Nyla, Jermany, Albany, Liberti, Milini, and little Marlei, who was born just this March 9.

Everyone in the office knows how cute Rochelle's granddaughters are because she proudly displays several pictures of them at her desk. Some former staffers recall years ago when Rochelle would occasionally bring her then-school-aged daughters into the office and they would show off their cartwheels. The tradition continues today with Rochelle's granddaughters. "Granny, can we come work with you?" they ask.

Family is also the reason that after 25 years, Rochelle is taking her well-earned retirement and moving into the next phase of her life. I was thrilled to

learn Rochelle will be marrying her fiancé Kevin Perry. They will soon be moving to New York. Of course, she will be missed by her family here in the District as well as by everyone in the McConnell office, but our loss is Mr. Perry's gain, and I wish the two of them great happiness in their marriage.

Kevin is a professional musician who plays the guitar, and his genre of choice is R&B and funk music. He and Rochelle have known each other since high school and after 30 years recently reconnected. Now they are back in each other's lives and looking forward to starting a new life in Queens—"not Manhattan," as Rochelle is quick to point out.

Rochelle is a native Washingtonian, and of course Rochelle's daughters, granddaughters, and other family here will miss her terribly, but Rochelle is reassuring. "I'm only 4 hours away. And we'll do a lot of Skype," she says. "They don't want me to stop [working] and they don't want me to leave DC. But I'm ready for a change."

Quite a change it will be. It is hard to imagine the McConnell office without Rochelle. She is the fourth longest serving staffer in the history of my office. When she retires next Friday, she will have 9,140 days of continuous service. In fact, the three longest serving staffers still in my office are all women who have more than 25 years of service each; field assistant Sue Tharp, archivist Nan Mosher, and Rochelle.

For Rochelle it all comes down to family—her own family and the McConnell family which she has formed and grown close to in her time with us. So it is fitting that she is retiring to start a new chapter with her family.

"It's a very close-knit office," Rochelle says of her tenure. "Everybody cares. Everybody helps each other out." I am glad Rochelle feels that way, and I couldn't agree more.

Another longtime staffer and longtime friend of Rochelle's sums up the special place she holds in our hearts this way:

For Rochelle, it comes down to family. To her, that's the unifier. My nephew is 20 years old; she still asks what he's up to. She's that way with everybody. She's the glue.

Now the McConnell office is going to have to soldier on without the vital glue Rochelle Eubanks has provided for 25 years. It is a great loss not only for us but for the people of Kentucky—for all of my constituents she reached out to, for the recipients of 1,807,181 letters, each letter representing a vital link between them and their elected representative.

So farewell, Rochelle, my friend, and thank you ever so much for two and one-half decades of tireless service. It is going to be a very different office without your welcoming smile and easy laugh.

Congratulations and best wishes on your marriage and the wonderful new life you will begin with your husband. You certainly deserve every happiness.

It would be such a remarkable turn of events and a genuine pleasure to receive a letter from you for a change. I would even settle for a postcard. I hope you will send us one from New York.

UKRAINE

Mr. President, I wish to start by acknowledging the majority leader's decision to remove extraneous IMF provisions from the Ukraine bill. As I noted yesterday, no legislation could have passed with those provisions included. So I think it is a positive step forward. We are glad he took our advice, and now Congress will be able to pass an effective bill on Ukraine very soon.

THE ECONOMY

Mr. President, President Obama and his Washington Democratic allies are well into their sixth year of presiding over our economy. Yet the jobs recovery they keep promising us just never seems to materialize.

We have to give Washington Democrats at least some credit though. They have tried regulating, taxing, spending, stimulating, just about everything their ideology will allow. The problem is their ideology just simply doesn't work. Many of their policies just end up making things worse. Of course, the best example is ObamaCare.

They promised the Sun and the Moon to sell this thing. They said it would create jobs. They also said it would improve the economy, lower premiums, insure the uninsured, without causing Americans to lose their insurance, their doctors or their hospitals—the kind of claims which would have made Billy Mays blush.

But now Americans know better. Evidence shows that not only will ObamaCare encourage less job creation, but it is also making the economy worse, that it is driving premiums higher, and it will not come anywhere near insuring all the uninsured, while causing millions of Americans to lose the insurance and the doctors they were promised they could keep.

It is also a law which is unraveling before our very eyes. As we read this week, the administration has now handed out so many waivers, special favors, and exemptions to help out Democrats politically that the heart of the law—the individual mandate—may actually no longer even be viable. It has basically become the legal equivalent of Swiss cheese.

There is a broader point. If Washington Democrats think ObamaCare is so bad they need to exempt that many people from its mandates, then why shouldn't we remove the hardship for everyone? Doesn't the middle class deserve a break too?

Why shouldn't we repeal the 30-hour workweek created by ObamaCare, the provision which reduces take-home pay for the middle class.

Why shouldn't we do away with ObamaCare's job-killing medical device tax, something even many Democrats would vote to abolish if the majority leader would allow the vote.

What I am saying is if Washington Democrats are actually serious about

job creation, then it is time to actually show it. Work with us to eliminate the things that hurt jobs, that hold Americans back from a real recovery—such as these job-killing ObamaCare mandates—and work with us to enact things which can actually create jobs.

Approving the Keystone Pipeline would create thousands of jobs right away. Passing trade legislation—legislation President Obama has already endorsed—would help create even more, but Washington Democrats need to work collaboratively with us to make those things happen. Yet this morning's New York Times highlights their strategy for the rest of the year. Here it is summed up in three words, "political show votes."

Get this. Their plan is not to pass legislation but to time show votes to "coincide with campaign-style trips by President Obama." Rather than take up House-passed jobs bills which would actually help middle-class Americans, they plan for yet another year of turning the Senate floor into a campaign studio.

I am asking Washington Democrats to put the ideology and political show votes aside for once and finally join us, join us to give the American people what they have been asking for all along—more jobs, more opportunity, and an economy which works for the middle class once again.

I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Ms. HEITKAMP). 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 until 11 a.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half.

The Senator from Wyoming.

HEALTH CARE

Mr. BARRASSO. Madam President, this past Sunday was the fourth anniversary of President Obama's health care law.

Four years ago Democrats in Washington were confident the law they forced through Congress would be extremely popular today. Instead, the law has broken almost every significant promise President Obama made about the law itself, and Americans regrettably have been left to deal with the consequences.

The actual law doesn't even look the same as it did 4 years ago because President Obama has lawlessly rewritten so much of it. Last night word leaked about the latest change. Now the administration is getting rid of the March 31 deadline for some people to

sign up for insurance in the government exchange.

According to this morning's Washington Post, if people just check a box on the Web site saying they are having trouble signing up, they will get an extension until at least mid-April—and I wouldn't be surprised if another extension after that and then again beyond.

Remember, the Obama administration said 7 million people would have to sign up by March 31 in order for this open enrollment period to be a success. Those are the administration's words. But with less than 1 week to go, they are 2 million short of their goal. That is why they are allowing this extension because they are in a panic, a panic not enough people are signing up.

The White House may come out and say they have come close to their 7 million target. They may even claim they were somehow able to find all of the 2 million people they needed to buy insurance on the exchanges, but looking at some of the dubious numbers the administration has released so far, we can predict there will be many unanswered questions about the numbers—whatever numbers the White House claims to now be the new numbers.

The first question we should ask about the numbers is, how many of the people signing up actually have insurance?

Apparently, it doesn't seem to matter much to the administration how many people who go to the Web site actually have insurance. The Obama administration released a report showing how many people went through the signup process on the Web site through the exchanges. Those people don't actually have insurance until they write a check, pay their premiums, and make sure they do have insurance.

Secretary of Health and Human Services Kathleen Sebelius said recently she had no idea in the world—no idea at all—about how many people had paid and how many had not paid, and she is the President's Secretary of Health and Human Services—no idea.

Insurance companies say they have given Washington plenty of information to know the answer to that question, but the person in charge has no idea.

One industry official told Politico:

If they have not processed those yet and compiled the data, that is a choice they are making. But they have that data now.

The White House can say whatever they want—and they tend to do that—but they have the data. They are not admitting the truth.

Why isn't the administration playing it straight with these numbers? The point of ObamaCare was to get people insurance, not just register them on a Web site. A recent survey by McKinsey & Company found that only 53 percent of the previously uninsured people who had selected a plan actually then went and paid the first month's premium. So only about half of the people that didn't have insurance before, who signed up on the Web site, actually

went to pay for and buy the insurance. That is question number one.

Question No. 2 is: How many people are newly insured? That was the major goal of the Obama health care legislation. Washington Democrats said time and time again that we needed a massive overall of the entire health care system of this country in order to cover the uninsured. Many of the people who are signing up today and people who have signed up are doing so because the insurance they had, that they liked, that worked for them, that they could afford, under the health care law was canceled. The President's health care law forced them to switch.

How many people? We don't know that either. One Health and Human Services official admitted as much. He said: "That is not a data point that we are really collecting in any sort of systemic way."

The government officials overseeing this part of the Web site are not even collecting the data. The goal of the whole policy plan was to get people that didn't have insurance on insurance. They are not collecting that data point at all. It turns out that the paper application for ObamaCare included a question—reasonably so—as to whether that person already had insurance because it is information we want to know. But the bureaucrats and the contractors who were apparently overseen by the President of the United States, who created the healthcare.gov Web site—the Web site that the President said was going to be easier to use than Amazon for insurance and cheaper than your cell phone bill—apparently they just dropped the question. Why did they do that? Why did they drop the question that was on the paper form and leave it off of the Web site to ask if somebody had actually had insurance before? That is what they did.

Isn't it something the Obama administration would want to know if they wanted to be honest with the American people. The best estimate has been from this McKinsey survey. They figure that by early February only about a quarter of the people who signed up for ObamaCare insurance were actually newly insured. Three-fourths of them were just changing out insurance, many of whom had their insurance canceled. If that number holds, the exchanges might end up covering fewer than 2 million previously uninsured Americans this year—fewer than 2 million people who didn't have insurance before covered on the exchange. Think about how much simpler, how much more cost effective health care could have been while still covering that same number of people.

Here is the third important question. Who exactly is signing up? The administration is pushing young adults between the ages of 18 and 34 to buy insurance. It is not happening the way the administration wants it to happen. Through February, less than 10 percent—less than 1 in 10—of the young adults who potentially could enroll