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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable JOHN E. WALSH, a Senator from the State of Montana.

PRAYER

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

Let us pray.

Gracious God who brought light out of darkness causing the morning to appear, give to our Senators the vigor needed for today's tasks. Lord, protect them from every evil way, empowering them to live with integrity. Keep their bodies fit and healthy, their thinking straight, and their hearts pure. As they strive to serve You, may they accomplish their daily duties with simplicity, uprightness, and faithfulness. Give them the grace of faith by which they may lay hold of things unseen.

We pray in Your sacred 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, May 1, 2014.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JOHN E. WALSH, a Senator from the State of Montana, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

ENERGY SAVINGS AND INDUSTRIAL COMPETITIVENESS ACT OF 2014—MOTION TO PROCEED

Mr. REID. Mr. President, I move to proceed to Calendar No. 368, S. 2262, the Shaheen-Portman energy efficiency legislation.

The assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 368, S. 2262, a bill to promote energy savings in residential buildings and industry, 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 until 11:15 a.m., with the time equally divided and controlled. At 11:15 a.m. there will be three rollcall votes, cloture on two U.S. district judges from Maryland and cloture on a U.S. circuit judge for the Tenth Circuit.

At 1:45 p.m. there will be up to four rollcall votes on confirmation of the U.S. district judges in Maryland and the circuit judge.

TRIBUTE TO TERRY GAINER

Mr. REID. Mr. President, there are a number of us who have large families. I have five children and lots of grandchildren, but the person about whom I am going to speak has an even larger family than I have. Terry Gainer has a huge family. He and his wife Irene have 6 children and 14 grandchildren, but that is just the beginning because he has 10 siblings himself.

His family extends far beyond the immediate family I just talked about. As

the Sergeant at Arms of the Senate, Terry Gainer has taken care of roughly 6,500 people who work in the Senate and all the facilities around here, but that is not the end of it. He is also someone who is concerned and feels responsible for the thousands and thousands of people who come to this building every day. They are also a part of his family. So he has a huge family, and he has nurtured and taken care of his family, from his wife Irene to the thousands of people whom he has never known and never will know who come into this building, and he has done a wonderful job.

Senators and staffers are oftentimes split along ideological lines, but we all agree on one thing: We are utterly dependent on the Sergeant at Arms office, and we are aware of the wonderful job Terry Gainer has done as Sergeant at Arms.

The daily needs of the world's greatest deliberative body are not few in number, and Chief Gainer has been up to this task. As the Sergeant at Arms, he has been responsible for the enforcement of Senate rules as well as the security of the Capitol and Senate office buildings.

I try not to talk about this often, even though I would like to talk about it more than I do. For a number of years of my life I was a police officer. I was a Capitol policeman. I have my badge in my office across the hall from here, and I am very proud of that. I was a Capitol policeman, but today the Capitol policemen who work in this facility and around this great building and all the office buildings have so many more responsibilities than someone who was a police officer during my day.

Every minute of every day we have evil people trying to do harm to these beautiful buildings and the people who work in them. It is the responsibility of the Sergeant at Arms and the Capitol Police—for whom he is responsible—to take care of us, and he has

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



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done an admirable job. We are confident in him every day.

Under his leadership, the day-to-day operation of the Senate has never been better, even though we have been through some difficult times with the government shutdown, sequestration, and all of those issues that have been very difficult, but none of this is surprising considering that Terry Gainer has been in public service for almost 50 years.

He was a young homicide detective in Chicago. He comes from Chicago. He did a lot of things as a police officer. He is a lawyer. He has been Chief of the Capitol Police. Over the many years I have seen Chief Gainer—that is what I call him, Chief Gainer. I don't call him Mr. Gainer or Terry. I call him Chief because to me he will always be the Chief of Police of the U.S. Capitol Police Force, for whom he did an admirable job.

I check with the officers often and ask: How are things going? I think that during the time he was the Chief of Police, the positive attitude of the police officers has been significant because of his experience with the bad guys and his ability to do such a good job. They felt very confident in his leadership abilities. He has been a wonderful Sergeant at Arms. Only one of his functions is to take care of the Capitol police.

As his time in the Senate comes to an end, Terry leaves his successor with an organization that has weathered a government shutdown, as I mentioned, a crippling sequestration, and is adequately prepared for the challenges of the future.

I try to be as praiseworthy as I feel is appropriate, but having done that, I know I have not done justice to Terry Gainer. I will truly miss him. I will miss him significantly. He is somebody we can all turn to, and he is very direct; whether it is the latest big problem we had with some issues dealing with the Intelligence Committee and their battles with the CIA, whatever it is, he has the ability to step forward and put out the flames.

I say to Terry Gainer: I am going to miss you. I have great affection for you. I have great confidence in your having a wonderful future. You have experience that very few people in the world have, and I wish you the very best in all of your future endeavors and that of your wife Irene and all the kids.

TRIBUTE TO DARYL CHAPPELLE

Mr. President, not everybody knows the next individual I am about to acknowledge. He has a job in a small part of this great Capitol complex. He is retiring after having been a Senate employee for approximately 40 years. His name is Daryl Chappelle.

When I first came to the Senate, all rides to the office building were in an old train. It was, as they still are, old, old, old. They would crunch and bang as they went along the tracks. The handicapped can't get on those trains. But a Republican Senator from Okla-

homa who is now retired and I worked to change that so the train system would not be the old, dilapidated trains, and now all the people coming from Hart and Dirksen are in these beautiful enclosed trains that you can wheel a wheelchair in without any effort whatsoever, and that is wonderful.

There is a person there to help people who travel from the Old Senate Office Building, as it was called when I was there. It is now called the Russell Building. They still have this old train, and Daryl is always there. He is so nice and greets everybody who comes on those trains. We all recognize him when we are trying to get from here to the Russell Building.

He has operated the underground trains that run between the Capitol office buildings for 41 years. He has a smile that covers his whole face. He has a voice that is infectious. You can hear him when he laughs, and we will all miss that.

I join my colleagues in wishing Daryl all the best as he embarks on his much needed and deserved retirement.

RECOGNITION OF THE MINORITY LEADER

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

TRIBUTE TO TERRY GAINER

Mr. McCONNELL. Mr. President, I too want to comment on the great service of Terry Gainer and Daryl Chappelle.

Our departing Sergeant at Arms, Terry Gainer, whose decade-plus period of Senate service has been the capstone to a very long and distinguished career.

Terry is a familiar presence in the halls of the Capitol and always a reassuring one. Whenever you saw Terry, you always had the sense that things were under control around here, even though you knew how much work and preparation went into it. It is the same feeling you might have being around the father of a large family or a veteran big city cop, and I think it is no accident that Terry is both of those as well.

He has the bearing of a guy with long experience who has seen it all. We have all gotten the benefit of that experience over his years here, and that is something that just can't be bought.

Those of you who have watched the majority leader and I spar down here on the floor in the mornings know we don't agree on much, but picking Terry was one decision he got just right.

Terry's resume is pretty well known by now. He spent nearly half a century enforcing the law at the Federal, State, and city levels in a number of very demanding, high-profile posts. He started his law enforcement career in Chicago during the tumultuous year of 1968, making him one of five boys in his family to serve in the Chicago Police Department. That is to say nothing of his extended family. It is a point of pride in the Gainer family that there has been a Gainer on the Chicago PD for more than a century.

Terry volunteered to serve his country in Vietnam and served with distinc-

tion. He spent several years as a homicide detective in Chicago before moving over to the State police. He later served as an official at the Transportation Department, and for a time he was No. 2 in the DC Police Department. Somehow along the way he also got a law degree and helped negotiate Chicago's first-ever labor contract with the police union there.

He is the only person ever to serve as both the Chief of the Capitol Police and the Senate Sergeant at Arms. During his tenure as the Senate's top law enforcement officer, he has overseen a dedicated team of 850 professionals. He has presided over major improvements to the physical safety of the Capitol Complex and the Senate's IT infrastructure here and in our State offices. He has kept us all informed during emergencies.

For one night every January, he is the public face of the institution. I know Terry says he tries to get out of camera shot during the State of the Union, but we won't blame a guy with 14 grandkids for sneaking in a little face time on the State of the Union night.

Terry recently admitted to having a few secret signals for the grandkids—sort of like a third base coach. One time, he even got President Obama and the First Lady to pose for a photo with Flat Stanley. It is just one of the fond memories he says he will carry with him into his next chapter, and we wish him all the best.

We will miss his intelligence, his professionalism, and his good humor. Terry's colleagues will tell us that among his many other qualities, he is a lot of fun to be around. We will also miss the wisdom and judgment he brought to the job every morning. Terry leaves a legacy of excellence and a stellar example for his successors.

Let me add on that note that one of the most impressive aspects of Terry's legacy is the fact that despite the incredible demands of a high-pressure, high-profile career, he and Irene managed to raise six wonderful kids. I know they both share a deep and lively faith and would attribute much of their success to that. But it is still impressive, and we are glad the family will get to spend even more time with Terry now.

So, Terry, thanks for your service. You are a credit to your profession, your native Chicago, and to the Senate you have served so well. You have every reason to be proud. Now go enjoy your retirement, at least for awhile.

TRIBUTE TO DARYL CHAPPELLE

Mr. President, I wish to pay tribute to another beloved member of the Senate family, Mr. Daryl Chappelle. Daryl has been here for more than four decades, and this week he takes his final turn at the helm of one of the two subway cars that run from Russell to the Capitol.

Daryl came here right out of Springarn High School, over in northeast Washington, when he was 19 years

old, and by all accounts he has been an exemplary worker. He began his career in the night labor division of the Senate superintendent's office in 1972. Since 1986, he has worked off and on as a mechanic and driver for the subway service. By one estimate, he has taken 130,000 trips between Russell and the Capitol.

But it is not the length of Daryl's tenure that I wish to honor this morning, as impressive as that is. It is the spirit in which Daryl did his job every day. It is literally legendary.

The motto of the Architect of the Capitol is to serve Congress and the Supreme Court, preserve America's Capitol, and to inspire memorable experiences, and I think Daryl Chappelle embodies that motto.

First of all, he is the happiest guy you ever met, and he has a genius for lifting people's spirits. One of the stories I heard about Daryl this week came from a woman on my staff. She told me she met Daryl on her very first day here, more than a decade ago, and still remembers it vividly. She had just moved here from Kentucky for an internship. She didn't know her way around, and she was pretty nervous, and it must have shown too because after giving her directions to the office, Daryl not only gave her a big warm smile, he also left her with a message that she has never forgotten. As she stepped off the train and headed off to her first day on the job, Daryl looked at her and said, "Everything is going to be OK."

It is a great story, because it not only captures Daryl's spirit, it points to the secret of his success: Daryl is the undisputed champion of making the most of a brief encounter.

He showed us all the power of the small gesture. He reminded us that when all is said and done, what really matters is how we deal with each other. If you didn't happen to find yourself down by the trains this week, you missed something special. People were pretty much tripping over each other to say goodbye to Daryl Chappelle: Senators, visitors, colleagues, locals—everybody saying goodbye. It has been like a rolling party down there all week.

Over the years, through all of these trips, Daryl has had a tremendous impact on this place. Today we want to thank him for warming this place every single day, and for helping our image around here, because Congress may not have a very high approval rating these days, but nobody who ever had the pleasure of riding Daryl's train could ever leave Washington without feeling a little bit better about this place.

Now, Daryl, you may not have had any major pieces of legislation named after you during your years here; reporters may not have snapped photographs of you when you walked down the hall, but at the beginning or the end of the day, you lifted our spirits. You brought us all back to Earth. It is

hard to think of this place without you.

We wish you and Pat all the best in your retirement. I know you have been looking forward to spending more time with your bride. Thank you for your service, my friend, and thank you for your wonderful example.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 11:15 a.m. with the time equally divided and controlled between the two leaders or their designees, and with Senators permitted to speak therein for up to 10 minutes each.

The assistant majority leader.

HONORING SENATE RETIREES

Mr. DURBIN. Mr. President, in the history of the United States of America, we estimate some 500 million people have lived in this great Nation—60 percent of them as of today. But in the history of America, with 500 million people, only 1,950 men and women have been given the opportunity to serve in the Senate, including the Presiding Officer, our newest Senator, from the State of Montana. So 1,950 men and women who have occupied this Chamber in the previous Senate, becoming part of the history of this Nation and contributing to this great institution. I have been fortunate enough to have served with some of the greatest, and I have noted their presence, their impact, and I have noticed their absence too.

When we take stock of the Senate and what it has done for America, what it means to America, it goes way beyond the men and women who occupy these desks. It includes a lot of people who make a contribution to this institution who may never be recognized for it, but, nevertheless, make this the great institution it is, serving this great Nation. Today we honor two of those people.

TRIBUTE TO DARYL CHAPPELLE

First I wish to join in honoring Daryl Chappelle. Daryl, thank you so much for 41 years of service in the Senate. His legendary smile has warmed my spirits on days when I was really down in the dumps. He always had that happy smile, wishing me well. He was always making a person's day a little bit better. Daryl, I want to thank you. Time and time again, I am sure even on days when you weren't so up, you made a point of adding to a positive feeling for everyone—not just Senators and staff but visitors as well. You have been a great part of our Senate family. I wish you the very best in your retirement. We are going to miss you on that rickety old train that runs back and

forth between the Russell Building and the Capitol. I wish you the very best.

TRIBUTE TO TERRY GAINER

Mr. DURBIN. Mr. President, I also come to the floor to give special tribute to our Sergeant at Arms, Terry Gainer, who is retiring. If one is not from Chicago and one doesn't know the scene very well, one may not understand what I am about to say. Let me make it clear. When one asks where Terry Gainer is from and someone says Chicago, one would then say: And?

He would add: The South Side.

And?

Beverly.

And?

Saint Barnabas.

When a person reports their parish in that section of Chicago, they have really identified themselves as being part of that great city and part of a great American Catholic tradition—Irish Catholic tradition in many respects—that Terry Gainer represents.

I think about him today and what his life has meant, but first I think of his family name. There aren't many names like the Gainer family name that carry with it so much respect in the city of Chicago. I think of his relatives I have worked with, the families who are related to him that I know, neighbors to staffers—the list goes on and on of the Gainers who have made an impact on the city of Chicago and the State of Illinois. Few can make the claim Terry can make in terms of what he has given to the city, the State of Illinois, and to our Nation.

Terry Gainer, of course, is the Sergeant at Arms today and has announced his retirement soon, after 7½ years serving in that capacity, or at least serving in the Senate with the Capitol Police and with the Sergeant at Arms office. He has served longer than any Sergeant at Arms since World War II. Terry served as Sergeant at Arms and Doorkeeper since January of 2007. His accomplishments are so many.

Do not underestimate the responsibility that has been given to him and the men and women who work with him. This building is a target for people who would bring destruction to this building and death to those who visit. Sadly, we have seen graphic examples of that in recent years past. It has been Terry's job, both with the Capitol Police and now with the Sergeant at Arms office, to keep us safe and to keep the business of the Senate working every single day.

Terry had the background to achieve it. He volunteered to serve our Nation in Vietnam. After his service, he retired as a captain in the Naval Reserves in the year 2000. He earned his bachelor's degree from St. Benedict's College. He continued his family's proud tradition of law enforcement by serving in the Chicago Police Department for nearly two decades. As Senator MCCONNELL mentioned earlier, over a century of service by the Gainer family to the Chicago Police Department was carried on by Terry. He obtained a master's of science degree and