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Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr LEAHY)..

PRAYER

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

Let us pray.

Majestic God, forever wise, we are grateful this day and thankful for new mercies. We are invigorated by Your love, patience, and grace. We praise You even for the trials that draw us closer to You.

Help our lawmakers to remember that without You they will labor in vain. As they seek to serve You today, give them Your peace. O God, receive honor, glory, praise, and thanksgiving from our mortal lips, for You are worthy. And, Lord, comfort the families of the five American soldiers killed in Afghanistan.

We pray in Your merciful 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.

BANK ON STUDENTS EMERGENCY LOAN REFINANCING ACT—MOTION TO PROCEED

Mr. REID. Mr. President, I move to proceed to Calendar No. 409, S. 2432, the Warren college affordability legislation.

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

The bill clerk read as follows:

Motion to proceed to the consideration of S. 2432, a bill to amend the Higher Education Act to provide for the refinancing of certain Federal student loans, and for other purposes.

SCHEDULE

Mr. REID. Mr. President, following my remarks and those of the Republican leader, if any, there will be a roll-call vote on the confirmation of Hannah Lauck, who will serve in the State of Virginia. Following that vote the time until noon will be equally divided between the two leaders or their designees.

At noon there will be two rollcall votes on confirmations that come from the Judiciary Committee. One is a judge who will preside in Massachusetts by the name of Sorokin, and one will preside in the State of Nevada by the name of Boulware.

Following the vote on the Boulware nomination, the Senate will recess until 2:15 p.m. for our weekly caucus meetings. At 2:30 p.m. there will be three cloture votes on Federal Reserve nominations: first, cloture on the nomination of Lael Brainard to be a member of the Board of Governors of the Federal Reserve System, then cloture on the nomination of Jerome H. Powell to be a member of the Board of Governors of the Federal Reserve System, and finally, cloture on the nomination of Stanley Fischer, who is already a member of the Federal Reserve but he will be elevated to be Vice Chair of the Board of Governors.

MEASURE PLACED ON THE CALENDAR—S. 2450

Mr. REID. Mr. President, I understand S. 2450 is at the desk and due for a second reading.

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

The bill clerk read as follows:

A bill (S. 2450) to improve the access of veterans to medical services from the Department of Veterans Affairs, and for other purposes.

Mr. REID. Mr. President, I object to any further proceedings at this time.

The PRESIDENT pro tempore. Objection is heard. The bill will be placed on the calendar.

Mr. REID. Mr. President, this is landmark legislation. I so compliment Senators SANDERS and MCCAIN for coming to this agreement. I hope we can move this bill expeditiously.

BOULWARE NOMINATION

Later today the Senate will vote to confirm a man by the name of Richard Boulware to be a district court trial judge for the State of Nevada. A remarkable man he is, extremely smart, and he is a very talented lawyer from Las Vegas. His father was the first neurologist to come to Las Vegas—a fine man—and his mom was very politically active in a lot of matters for so many years.

Richard F. Boulware has impeccable credentials. He grew up in Las Vegas and attended Harvard University. He went out on his own after graduating from Harvard. He had a consultancy, and he was watching the impeachment proceeding that took place of President Clinton and he said to himself: I should be involved in understanding this stuff more. So he applied to Columbia. It wasn't a walk in the park for him to go. It was extremely expensive. But he is so smart. He got scholarships almost all the way. He graduated very high in his class at Columbia.

Upon graduation, he worked at Covington & Burling in New York, one of the premier law firms in the country. He also became a Federal public defender in New York. Since 2007 he has been a Federal public defender in Nevada. If confirmed, Richard Boulware will become the first African American man to serve on the U.S. district court in Nevada.

I had the pleasure and good fortune to put the first woman on the Federal bench in Nevada. She was a black woman. She was so good. Her name is Johnnie Rawlinson. She was so good that in a very short period of time she was elevated to become a member of

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



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the Ninth Circuit. During Obama's presidency, she has always been on the short list.

Richard Boulware will be just as good as any member of that bench we have in Nevada. I am impressed with his dedication to the State of Nevada. He has already distinguished himself as a public servant. So I look forward to his confirmation today.

STUDENT LOANS

Mr. President, we have all seen the old cowboy western movies that saw some unfortunate character getting into quicksand—either pushed or fallen—and they try everything they can to get him out. It is always the same scene in the movies. An unsuspecting person winds up in quicksand, panics, flails around, and each time he does that he gets deeper and deeper into this earthy liquid.

Fortunately, a hero always comes to the rescue. Sometimes it is with a rope or branch or something to pull him out of the quicksand to safety. That happens once in a while but not very often in real life.

In America today millions of Americans are caught in financial quicksand and looking for a helping hand to pull them to safety. About 45 million Americans have student loans. As their debt mounts, they sink deeper and deeper into financial hardship. There is more student debt today than there is credit card debt.

These Americans who have these loans are trying their best to make good on their student loans. They are working multiple jobs, pinching pennies. But even the slightest hiccup can plunge them into financial ruin.

The Bank on Student Emergency Loan Refinancing Act, introduced by Senators ELIZABETH WARREN and AL FRANKEN, is a lifeline. Just like people being stuck in the quicksand in those movies, people are stuck in the quicksand in real life with student debt. The bill would provide graduates who are now beholden to higher interest rates with a 2-year period to refinance current student loans at 3.86 percent.

This legislation would allow more than 25 million Americans to refinance expensive student loans. In Nevada, more than 250,000 student loan borrowers would save thousands and thousands of dollars in interest rate fees by refinancing at current rates.

But the problem of mounting student loans is not limited to individual borrowers. It is a problem that threatens our entire economy. I had a call yesterday with a bunch of college students in Nevada. They can't get married, they are living with their parents, and they are struggling. Is it worth it for me to go to college? I spent time trying to convince them that it was and it is.

Student loan debt now exceeds far more than \$1 trillion—approaching \$1.3 trillion. That is more than credit card or auto loan debt. As of last September, 40 percent of student loan borrowers were in default, forbearance or deferment. Yet even as many Ameri-

cans make loan payments on time, the staggering amount of those installments precludes young Americans from buying houses, beginning families or going into business. The legislation before the Senate will give borrowers a fair shot in investing in their families and their financial well-being. As young Americans are able to purchase new homes and invest in their futures, it will inject much-needed capital into our economy.

Unfortunately, not all Senators agree that allowing borrowers to refinance their student loans is a good idea. I was disappointed to learn my colleague the Republican leader doesn't support this legislation. It wasn't long ago that he referred to this proposal we are taking up here today dealing with student loan debt—\$1.2 trillion or \$1.3 trillion debt and 45 million people it affects—he called it a fake fight.

For 25 million Americans, or even more, who stand to benefit from this bill, I assure my friend there is nothing fake about helping working families pay off debt and save money.

I so admire what the President did yesterday. He said that if you are continuing to refuse to legislate—and we know there has been obstruction after filibuster after obstruction after filibuster. The President said before the American people he was going to do everything he could administratively. Yesterday he did. What he did isn't as good as what we are doing, but he did what he could to help 5 million students with their debt. So to a single mother working two jobs just to take care of her family, make a student loan payment on time, this legislation is real. But instead, the Republican leader has reaffirmed his commitment to the status quo. Why reform today when he and his tea party-driven members said they will reform next year or maybe the next year?

We Democrats aren't standing around waiting for a new year or a new Congress to tackle the problem of student loan debt. It is real. We are anxious to extend a helping hand to the more than 40 million Americans who are fighting to keep their heads above water, trying to get out of the quicksand.

So let's come to the aid of those individuals struggling with student loan debt and keep them from sinking deeper and deeper into financial quicksand.

RESERVATION OF LEADER TIME

Mr. President, would the Chair note the business of the day.

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

EXECUTIVE SESSION

NOMINATION OF M. HANNAH LAUCK TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF VIRGINIA

NOMINATION OF LEO T. SOROKIN TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MASSACHUSETTS

NOMINATION OF RICHARD FRANKLIN BOULWARE II TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEVADA

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nominations, which the clerk will now report.

The bill clerk read the nominations of M. Hannah Lauck, of Virginia, to be United States District Judge for the Eastern District of Virginia, Leo T. Sorokin, of Massachusetts, to be United States District Judge for the District of Massachusetts, and Richard Franklin Boulware II, of Nevada, to be United States District Judge for the District of Nevada.

Mr. GRASSLEY. Mr. President, today we vote to confirm nominees to District Courts in Virginia, Massachusetts, and Nevada.

Although I will be supporting the nominees from Virginia and Massachusetts, unfortunately I will be unable to support the nomination of Richard Boulware II when the Senate considers his nomination and wanted to explain the reasons for my vote. As an initial matter, Mr. Boulware received a partially "not qualified" rating from the American Bar Association. Some of us on this side of the aisle have raised concerns over the years with what we view as an inconsistent application of the ABA's rating system. I have viewed the ABA's ratings with suspicion for many years. They always seemed to be harder on Republican Presidents than Democrats. Because of that, I tend to consider their ratings with a grain of salt. On the other hand, given their history, in my view, of treating Republican nominees more harshly, it gives me pause when I see a partial "not qualified" rating from the ABA for a nominee from an administration the ABA has been so aligned with on many issues.

Of course, ABA ratings are only one factor in my assessments of nominees. Unfortunately, there are other aspects of Mr. Boulware's record that concern me.

He has limited legal experience, especially in comparison to other nominees. He has only been practicing law since 2002, and that includes a clerkship. Additionally, his entire career has been in criminal law. He has no experience in any of the complex civil matters that would come before him if he is confirmed.