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Senate

The Senate met at 10 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.

O God, You are our God. We earnestly search for You, the source of our hope and the center of our joy. Enable our Senators to gaze upon Your power and experience Your glory. Lord, encourage them with Your precepts that provide light for the dark road ahead. Answer their prayers and arm our lawmakers with Your might, giving them reverential awe that will keep them from evil. Strengthen them to be faithful during life's crises as well as the routine of daily duties. O God, we belong to You. Crown our years with the bountiful harvest that Your mercy provides.

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, July 10, 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.

TERRORISM RISK INSURANCE PROGRAM REAUTHORIZATION ACT OF 2014—MOTION TO PROCEED

Mr. REID. Mr. President, I move to proceed to Calendar No. 438, S. 2244, the Terrorism Risk Insurance Act.

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

The legislative clerk read as follows:

Motion to proceed to Calendar No. 438, S. 2244, a bill to extend the termination date of the Terrorism Insurance Program established under the Terrorism Risk Insurance Act of 2002, and for other purposes.

ORDER OF PROCEDURE

Mr. REID. Mr. President, I ask unanimous consent that at 11:45 a.m., the Senate resume consideration of S. 2363, the Bipartisan Sportsmen's Act, and the Senate proceed to vote on the motion to invoke cloture on the bill; further, that notwithstanding rule XXII, following the cloture vote, the Senate proceed to executive session, as provided under the previous order.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SCHEDULE

Mr. REID. Mr. President, following my remarks and those of the Republican leader, there will be a period of morning business until 11:45 a.m. today, with Senators permitted to speak for up to 10 minutes each during that time, with the time equally divided and controlled between the two

leaders or their designees. At 11:45 a.m. there will be a cloture vote on the Bipartisan Sportsmen's Act, as we just had approved by the Chair. The filing deadline for all first-degree amendments to S. 2363 is 10:30 a.m. this morning and the deadline for second-degree amendments is 11:30 a.m. this morning.

Following the vote, the Senate will turn to executive session to consider the nominations of Shaun Donovan to be Director of the Office of Management and Budget, Douglas Silliman to be Ambassador to the State of Kuwait, and Dana Smith to be Ambassador to the State of Qatar. At 2 p.m. the Senate will proceed to vote on confirmation of the nominations in the order listed. I expect a rollcall vote on the Donovan nomination and voice votes on the Silliman and Smith nominations.

NOMINATIONS

Mr. President, I was late coming in here today because I just completed a conversation with John Kerry, the Secretary of State of our country. Because of his travel schedule and my schedule and the time difference, it has been difficult for us to talk the last 24 hours, but we were able to speak as he was rushing to an airplane, going from China to Afghanistan. He called me to lament what is going on in the U.S. Senate about these nominations. He has 53 State Department nominations pending—53.

We have problems all over the world. We have the Afghan war. We have the problems with Pakistan. We have the Middle East, which every country there is in some form of difficulty. We have a problem in the Far East—all kinds of problems there. It is all over the news today. We have the situation in Israel. The Palestinians—rocket fire coming from Palestine; nondirected missiles, similar to the Fourth of July. They set them off. They don't know or care where they go. And we are being held up here as a country from doing the

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



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country's work as a result of this stalling, this obstruction, the constant filibusters we have in the Senate.

We have these Ambassadors who have worked their entire lives. They are brilliant. It is hard to be a Foreign Service officer, but these men and women work very hard all over the world. They dignify our country. Then they work their way up to make it to this "Super Bowl." They are selected to be an ambassador, and do you know what happens? They get stalled here—stalled. Who are the Republicans hurting? They are not hurting me. Is this some payback for me? What about the President? He has a country to run, a world to take care of, and we are being held up here. I truly appreciate today. We get two ambassadors. We only have 27 more to go, plus all the other State Department people.

The Secretary of State is a very busy man. He has been trying for 24 hours to tell me how bad the situation is around the world. He does not have people to do this country's work. Twenty-five percent of the Ambassadors in Africa are not there.

So I do not understand this. They want to hold up some of the President's nominations to be Assistant Secretary of this or Deputy Secretary of that. It is unfair. But that is fine. What they are doing to these Ambassadors is outrageous.

MEASURES PLACED ON THE CALENDAR—S. 2578
AND S. 2579

Mr. REID. Mr. President, I understand there are two bills at the desk due for a second reading.

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

The legislative clerk read as follows:

A bill (S. 2578) to ensure that employers cannot interfere in their employees' birth control and other health care decisions.

A bill (S. 2579) to require the Secretary of State to offer rewards totaling up to \$5,000,000 for information on the kidnapping and murder of Naftali Fraenkel, a dual United States-Israeli citizen, that began on June 12, 2014.

Mr. REID. Mr. President, what is the name of the legislation S. 2578?

The ACTING PRESIDENT pro tempore. "To ensure that employers cannot interfere in their employees' birth control and other health care decisions."

Mr. REID. Mr. President, I object to any further proceedings with respect to both of these bills.

The ACTING PRESIDENT pro tempore. Objection is heard.

The bills will be placed on the Calendar.

RECOGNITION OF THE MINORITY LEADER

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

HELPING THE MIDDLE CLASS

Mr. MCCONNELL. Mr. President, the ongoing humanitarian crisis at the border seems to be getting worse by the day. Large numbers of foreign nationals are unlawfully entering our coun-

try, and it is mainly due to the administration's failure to enforce immigration laws and secure the border.

This is a real crisis. So we are taking a hard look at the proposal the President sent over, but we want to make sure we actually get the right tools to fix the problem, and that is not what we have seen so far from the President. What he appears to be asking for is a blank check—one that would allow him to sustain his current failed policy.

Last night in a speech that attempted to shift the blame from his failed approach, he doubled down on a blank check, which is what he has asked for. He led Americans to believe that the problem could be solved if only Congress would pass his last-minute request, but it is not that simple. Much more needs to be done, and the President certainly knows it. His original letter to Congress called for reforms we all know are needed to address the crisis. Under pressure from the left, he has since backed away from these critical reforms, but lawmakers in both parties have not. So he needs to work with us to get the right policy into effect, not just throw money at the problem—get the right policy into effect.

He needs to halt this endless campaigning, at least for a moment. With the President actually in the region right now, one would think he would be able to carve out just a few minutes to view the situation on the border for himself. Apparently, though, he has decided there are more important things to do—such as campaigning with Gary Hart and practicing his bank shot.

All this continues to make the President look detached from the ongoing crisis on the border. Even a Democratic Congressman has called it "bizarre." Honestly, this is just the latest example of a much broader pattern he has displayed, a pattern that makes him appear disconnected from the day-to-day concerns of most Americans.

The fact is on issue after issue—but especially on issues affecting the middle class—instead of addressing the huge problems his policies have created, the President keeps retreating into the bubble with his favorite left-wing pals—the kind of folks who always tell him what a great job he is doing, and of course that is what they do. Unlike most Americans, these are not generally the kinds of people who worry about car payments or utility bills or tuition or medical costs.

When the President does try to prove he is willing to listen to the concerns of average Americans—as he did this week—it is usually little more than a photo-op. But if the President is truly serious about helping the middle class, he will stop trying to convince everyone of that. He will join Republicans to actually do something about it because we have been asking him to join us for a long time now. It is about time he took us up on the offer.

We have already introduced a number of bills aimed squarely at addressing

the squeeze our constituents are feeling. One of our bills would restore the 40-hour workweek and reverse a pay cut that is built into ObamaCare. Others would do things such as increase educational opportunities and put an end to policies that prevent women from getting pay raises when they outperform their male colleagues.

One bill I introduced with Senator AYOTTE—the Family Friendly and Workplace Flexibility Act—would allow workers to take time off as a form of overtime compensation. It is an idea that is tailored to the needs of our modern workforce. It is something a lot of working men and women say they want, and there is no reason not to provide a little more flexibility to working families.

Another bill I introduced would reduce the cost and hassle of childcare for working parents by allowing them to write off a home office, even if they happen to have a crib in the room. Current law prevents working moms and dads from taking that deduction if they care for a child while working at home. This is simply unfair.

Making that change is just common sense, and so are all of the bills we have introduced.

Our middle-class agenda is not built around creating massive government bureaucracies or taking from one struggling neighbor to give to another. It is about identifying smart, commonsense fixes that can have a significant impact on the lives of the people we represent—middle-class Americans who have never felt more squeezed.

There is no reason the President and his Democratic allies should not be able to embrace such commonsense ideas too. Unfortunately, President Obama's Democratic majority in the Senate has blocked just about everything we have proposed—just as they blocked the dozens of bills that have already passed the House of Representatives.

As just about everyone acknowledges at this point, the Democratic-run Senate has become the place where good ideas go to die. The Democratic leadership will not even listen to its own Members anymore. So it is no wonder that one Democratic Senator remarked that he has never experienced a less productive time in his life than right now in the Senate. That was a Democratic Senator saying that—never experienced a less productive time in his life than right now in the Senate.

Well, it is time for Washington Democrats to stop obstructing jobs and opportunity for the middle class. They need to understand that their powerful pals on the left will continue doing just fine in the Obama economy. It is time to stop worrying so much about them and to start paying more attention to the vast American middle class, to the people who feel Washington has not been listening to them over the past few years.

I am talking about people whose wages are stagnant, people who are either unemployed or cannot find work

to match their skills, and people who feel the burden of outdated policies that are diminishing opportunities in the workplace and leaving them torn between the demands of work and family.

Republicans are committed to doing everything we can to deliver relief and innovative new ideas to help these Americans. I hope President Obama and Washington Democrats will at some point here finally join us in the effort.

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 11:45 a.m. with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided between the two leaders or their designees.

Mr. McCONNELL. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ENZI. I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SPORTSMEN'S AMENDMENTS

Mr. ENZI. Mr. President, we are back for another week of work, but the playbook hasn't changed.

Once again the majority leader has prevented 98 Senators from offering amendments to improve a bill he chose for us to debate. I would like to speak for a few moments about some of the amendments the Democratic leader prevented us from voting on this week.

First, I have been working on amendments with Senators BENNET, FLAKE, RISCH, SESSIONS, and THUNE to allow bows and archery equipment to be transported through the national parks. This bipartisan effort is necessary because some bow hunters need to travel across national parks to get to land where they intend to hunt.

It is also important for our archery competitors who currently have to go out of their way to avoid national parks to get to their tournaments. A lot of people don't realize that Yellowstone National Park, which is in the upper left-hand corner of Wyoming, is about the size of Connecticut. To get to Idaho, sometimes you have to go 250 miles out of your way if you can't go through the park. There is a lot of competition between Wyoming and Idaho when it comes to archery and

vice versa. The same can happen getting into Montana.

This is just a commonsense amendment because it provides parity for bows and firearms. In 2009 Congress passed a law to prevent the right of individuals to bear arms in units of the national park system and the National Wildlife Refuge System. This body considered it a commonsense provision before. Language on this issue was included in the Sportsmen's Act of 2012, S. 3525, but now the Senate won't even get a chance to vote on whether to add this language to the Bipartisan Sportsmen's Act of 2014. This is the appropriate place for sportsmen's issues to be brought up.

Second, I offered an amendment with Senators LEE and THUNE to ensure that those traveling with a properly secured knife are not prosecuted under local or State laws which banned certain knives. This amendment is necessary because there is a broad patchwork of State and local laws regulating knife possession.

For example, 36 States allow civilian possession of automatic knives to varying degrees. But there are no restrictions at all in 22 States, and in some States possession is a serious crime. This can be incidental, again, just passing through a State.

The current situation with knives is similar to the circumstances that existed for gun owners before the passage of the Firearm Owners Protection Act of 1986. That law protects law-abiding gun owners from an inconsistent patchwork of laws, and my amendment provides parity between knife and gun owner. This commonsense amendment uses language similar to that used in the 1986 law.

I have also filed an amendment with Senators BARRASSO, CRAPO, HATCH, LEE, MURKOWSKI, and RISCH to require the Department of Interior to suspend for 10 years the listing decision in States with approved or endorsed sage-grouse management plans. Wyoming has an endorsed and an approved plan, and sage-grouse is coming back. A new report on numbers just showed an increase. The amendment allows States to manage and conserve sage-grouse in a manner that protects their jurisdiction over State wildlife and takes into account local stakeholders.

I believe it is related to the underlying bill because of the substantial impact a sage-grouse listing would have on sporting and recreation in Western States. Incidentally, even though they say there is a sage-grouse problem, the bag limits for hunting them have not gone down.

I have also cosponsored some amendments that would improve this bill. One of these amendments by Senator BARRASSO would prevent the EPA from regulating all bodies of water—even ones that are dried up, even ones that are seasonal—no matter how small and regardless of whether the water is on public or on private property.

Mark Twain once said: "[In the West] Whiskey is for drinking; Water is for fighting over."

So for States such as Wyoming, water is scarce, and we try to save every drop. One-size-fits-all Federal control like the EPA wants to impose won't work, but Senator BARRASSO won't get a vote on his amendment.

Another amendment by Senator WICKER, which I have cosponsored, would allow folks to carry firearms on Corps of Engineers recreational property. This is another parity amendment. But in this case, we would allow law-abiding gun owners to carry firearms on Corps land just as they can carry firearms on national park and National Wildlife Refuge lands, but Senator WICKER won't get a vote on his amendment.

I am also supporting an amendment from Senator TESTER to make cabin user fees more affordable and predictable, allowing families to keep their cabins on Forest Service land on which some have been for generations. Wyoming cabin owners shouldn't have to worry about the Forest Service trying to drive them off with ever-increasing fees—sometimes a 300-percent increase in a single year.

Incidentally, the Federal Government pays taxes in lieu of private ownership of the land. Those don't go up by 300 percent. It seems to me that if the value of the land went up by 300 percent, the Federal Government's payment in lieu of taxes would go up by the same amount. It doesn't happen. Wyoming cabin owners shouldn't have to worry about the Forest Service trying to drive them off with ever-increasing fees.

This amendment provides a consistent, fiscally responsible formula for how the fees are calculated so families can spend more time enjoying the outdoors instead of worrying about the uncertainty of next year's fees, but Senator TESTER won't get a vote on his amendment.

These aren't the only good amendments to this bill. There have been 80 amendments filed on this bill—about a third filed by the majority party. Many of the amendments are bipartisan, but it sounds as if only the one chosen by the majority leader is going to get a vote.

I am sad to say no one should be surprised by this because it has become par for the course. In 2005 and 2006 the Senate voted on almost 700 amendments on the Senate floor. In 2011 and 2012 it was about half that, around 350 amendments. In the past year the majority leader has allowed only 11 Senate Republican amendments. Let me repeat that. In the past year the majority leader has allowed votes on only 11 Senate Republican amendments. Over that same period of time the House has voted on 169 Democratic amendments. How can the House, which has more constraint than the Senate, have that many more votes for the minority party—169 to our 11? The majority