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## Senate

### CHILD CARE AND DEVELOPMENT BLOCK GRANT OF 2014—Continued

Mr. PRYOR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

### MORNING BUSINESS

Mr. PRYOR. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

### UNFINISHED BUSINESS

Mr. LEAHY. Mr. President, as Members of Congress prepare to head back to their home States, it is important to note that the 113th Congress does not end this week, or for that matter, on November 4. We still have a significant amount of unfinished business that must be resolved before the year's end, and the American people expect and deserve our commitment to getting that work done. I strongly support Majority Leader REID's decision to reconvene the Senate shortly after the elections so that we can complete work on a number of bipartisan bills that can and should be enacted this year. We were sent to the Senate by our constituents to do the work of the American people, and those responsibilities will not diminish after the election—no matter what the results.

When the Senate returns in November, I will continue to urge swift consideration and passage of the USA FREEDOM Act of 2014, S.2685. This is a bipartisan bill that makes important reforms to the government's surveillance authorities, while providing the intelligence community the operational flexibility it needs to keep our country safe. That is why the bill is supported not only by the Director of

National Intelligence and the Attorney General but also by a broad coalition of privacy and civil liberties groups, the technology industry, and Members of Congress from across the political spectrum. There is no excuse for not considering it in November. If Senators want to vote against the bill, they have every right to do so, but the American public deserves to know where we stand on the issue of the bulk collection of innocent Americans' phone records, and the intelligence community deserves some measure of predictability and certainty.

I also hope that the Senate will, without further delay, take up and pass the Justice for All Reauthorization Act, S.822, and the Bulletproof Vest Partnership Grant Program Reauthorization Act of 2013, S. 933. Both of these bills are noncontroversial and were reported with overwhelming support by the Judiciary Committee. The Justice for All Reauthorization Act strengthens the rights of crime victims and improves access to postconviction DNA testing to protect the innocent and improve safety in our communities. It is a common sense bill that improves the justice system for everyone involved. That is why Senator CORNYN and Senator MCCONNELL are both cosponsors of the bill and why it has the support of the ranking member of the Judiciary Committee, Senator GRASSLEY. Despite this support from the key Republican leadership in the Senate, legislation to reauthorize the Justice for All Act—originally signed into law by President George W. Bush—is being blocked on the Republican side. Such obstructionism is unwarranted, and the Senate should at least be allowed to bring this bill up for a vote.

Republican obstruction of the Bulletproof Vest Partnership Grant Program Reauthorization Act is similarly unwarranted and must stop. Just this week, we remembered and mourned the senseless killing of 12 people 1 year ago at the Navy Yard, just a few blocks

from the Capitol. Such horrifying acts of violence have become far too common, and each serves as a painful reminder of the perils faced by law enforcement every day. During the brutal firefight at the Navy Yard, a Metropolitan Police Department officer was struck in the chest. His bulletproof vest stopped the bullet. The officer was then able to return fire and take down the gunman, finally bringing an end to the violence.

Members of Congress often speak passionately about the need to stand with law enforcement. It would seem beyond dispute, then, that no officer should have to serve without protective vests. This is why Congress has historically acted in unison to support the Bulletproof Vest Partnership Grant program, which has enabled over 13,000 law enforcement agencies to purchase over 1 million vests. Protective vests are credited with saving the lives of more than 3,000 law enforcement officers since 1987. Today, every Democratic Senator stands ready to reauthorize this lifesaving program. Yet a few Senate Republicans are blocking it. It is past time for our actions to match our rhetoric. If Republicans claim to stand with law enforcement, then surely they should stand with them when it matters most. I urge all Senators to help pass this bill as soon as we return.

There are several additional priorities of law enforcement that have bipartisan support and should receive consideration in the remaining weeks of the year. This morning, the Senate Judiciary Committee favorably reported the Second Chance Reauthorization Act. I thank the broad bipartisan list of cosponsors for working with me to reduce recidivism and make our communities safer with this legislation. Communities of faith are calling on the Senate to move forward and pass this important bill and I hope we will hear their call.

This Congress we also have an opportunity to reduce dangerous prison overcrowding while actually improving

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



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public safety. The relentless growth of our Federal prison population threatens not only the safety of prison staff and inmates but also the budgets of the very law enforcement programs that keep us safe. This growth is driven by inflexible and unfair drug mandatory minimums—a problem that we in Congress created, and only we can fix. The bipartisan Smarter Sentencing Act would modestly reduce some non-violent drug mandatory minimums and help to preserve essential funding for law enforcement agencies and victim services. This bill would save the government money, a fact confirmed by the Congressional Budget Office just this week, and it deserves the Senate's full attention.

By the end of the year, the Senate must consider and pass S. 2454, the Satellite Television Access Reauthorization Act, STELA. This law provides satellite television carriers with the necessary rights to retransmit distant television programming to consumers. If Congress does not act by the end of the year to reauthorize the distant signal license, approximately 1.5 million consumers will lose access to the broadcast television programming that they currently receive. This is particularly important in rural areas like Vermont, where many Americans rely on satellite for their television providers. Congress should act responsibly and prevent serious disruption to these consumers.

Congress also should pass reforms to the Electronic Communications Privacy Act, ECPA, to bring our privacy laws into the 21st century. The Leahy-Lee ECPA Reform Act updates our digital privacy laws to keep pace with new technologies, protect civil liberties, and provide guidance to law enforcement. Congress should act swiftly to pass this bill.

Finally, the Senate is not the only Chamber that needs to get right back to work after the election. I have spoken at length before about the need for the House to allow a vote on the Senate-passed immigration bill. I hope that once they return to Washington, the House Republican leadership will finally put election year politicking and pandering aside and simply allow a vote on S. 744, the Border Security, Economic Opportunity, and Immigration Modernization Act. That bill passed the Senate more than a year ago on a strong bipartisan vote, and the urgent need to pass this practical legislative fix for our broken immigration system increases with every passing day. It would immediately spur our economy and take away the pressing need for the President to act through Executive order.

The House should also consider and pass S. 42, the Criminal Antitrust Anti-Retaliation Act of 2013, which passed the Senate by unanimous consent almost a year ago. Senator GRASSLEY and I came together to draft the bipartisan Criminal Antitrust Anti-Retaliation Act to improve the enforcement of

our Nation's antitrust laws and extend whistleblower protections to employees who report criminal violations of the antitrust laws. These include violations that are particularly harmful to consumers, such as price fixing. Again, this is a noncontroversial, bipartisan bill that can and should be passed overwhelmingly. There is no reason—political or otherwise—for the House of Representatives to delay its enactment.

After the upcoming elections, I plan to return to Washington to get back to the work of the people. That is why the voters of Vermont elected me, and that is what I swore an oath to do. As chairman of the Judiciary Committee, I intend to continue our work on nominations and oversight, as well as the legislative business pending before the Committee. I hope that the full Senate and the House will similarly press forward without delay to complete work on the array of bipartisan bills that are ripe for consideration and passage. There is simply no reason to delay or obstruct action on these bills, and no reason to further exacerbate the perception held by many Americans that Congress cannot work together to accomplish anything. I know that we can work together to pass these bills, but it will require the cooperation and commitment of all Senators. I know that Vermonters—and all Americans—are counting on us to get the work done.

#### JUDICIAL NOMINATIONS

Mr. LEAHY. Mr. President, as the Senate prepares to go into recess, Senate Republicans are refusing to allow confirmation votes on the more than 20 judicial nominees who will now be stuck in limbo for months. There is no good reason why the Senate cannot confirm these nominees before the recess other than wholesale obstruction of a co-equal branch of government's nominees.

The Senate Republicans' baseless obstruction includes blocking from consideration nominations made to their home States. Right now, there are five nominations pending to fill judicial emergency vacancies in Kentucky and Georgia, which have gone unfilled for years. The Republican Senators from these States have come out in strong support for the nominees from their respective States. Yet the Republican leadership refuses to agree to schedule votes on these or any other nominations. This is simply delay for delay's sake.

Currently on the Senate Executive Calendar are qualified nominees to fill Federal trial court vacancies in Kentucky, Georgia, the District of Columbia, Wisconsin, New York, New Jersey, Pennsylvania, Connecticut, and Missouri. All but two of the nominees were reported by the Senate Judiciary Committee with bipartisan support. I wonder what the constituents of these States think is causing this delay? I can assure you it is not Senate Democrats.

This Republican pattern of refusing to confirm noncontroversial, consensus nominees has gone on for the duration of this Presidency. I have sought to remind my fellow Senators that their refusal to confirm these nominations prior to an extended recess is an unfortunate departure from Senate tradition. Time and again I have urged Senate Republicans to stop their obstructive practices and delay tactics. And once again, I am disappointed to see partisanship and senseless obstruction continue to keep the Senate from fulfilling its constitutional duty of advice and consent.

It is true that since the beginning of this year we have reduced the vacancies on our Federal courts from 92 to 59, but no Senator should believe that our work is done. Even if we were to confirm the more than 20 judicial nominees currently pending on the Senate floor, the Federal judiciary remains significantly understaffed. The Judicial Conference has identified the need for 91 new judgeships in some of America's judicial districts and circuits with the highest caseloads. Last year, Senator COONS and I introduced the Federal Judgeship Act of 2013 to enact these recommendations into law. The timely administration of justice should not be a partisan issue. It is an issue that affects all Americans, and the Senate should take it seriously by passing this bill.

The recommendations of the Judicial Conference underscore the need for the Senate to fulfill its obligations to the Federal judiciary and the American people. I have heard some Republican Senators claim the opposite by citing the total number of judicial confirmation under this President. It is true that the Senate has now confirmed 278 of President Obama's circuit, district, and U.S. Court of International Trade nominees, compared to 254 confirmations at the same point in the last administration. Yet these numbers are meaningless without providing their proper context. These confirmations were sorely needed. There remain 59 vacancies on the Federal bench—far more than the 45 vacancies at this point during the Bush administration. There are an additional 25 announced future judicial vacancies on our Federal courts that will also need to be filled in the coming months. If you care about providing our co-equal branch of government with the resources it needs to serve its constitutional role, then it is important to look at the number of vacancies that still exist and how long some of them have remained empty.

Vacancies remain high not because of a failure of Senate Democrats or President Obama to make judicial confirmations a priority. These vacancies persist because of the endless obstruction of partisan Republicans who take every opportunity they can to shut down the important work of the Senate. Last year, no longer content to block individual judges, Senate Republicans attempted a wholesale filibuster of three