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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. Eternal God, thank You for not keeping a record of our wrongdoings. As we lift our hearts in prayer, open Your ears to our supplications. Keep our feet on a smooth, straight road so that we will experience Your best for our lives. Lord, walk with our Senators throughout this day. Remind them that they are Your servants, as You keep them alert to Your commands.

Forgive us when we forget to express our gratitude, for without Your help, challenges will overwhelm us. In this season of Thanksgiving we are grateful that You have not left us defenseless but that Your grace and Your mercy continue to prevail in our lives. We pray in Your great 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, November 20, 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.

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 2 p.m. today, with Senators allowed to speak for up to 10 minutes each.

There will be five rollcall votes at 2 p.m. on confirmation of the Pepper, Sannes, Arleo, Beetlestone, and Bolden nominations, all to be district court judges, followed by 11 voice votes on executive nominations.

TRIBUTE TO CHRIS DOBY

Mr. REID. Mr. President, the famous poet Oliver Wendell Holmes said: "Put not your trust in money, but put your money in trust." That is what he said. Since 2005 the Senate has put its money—precious taxpayer dollars—into the trusted hands of a man by the name of Chris Doby. He is the financial clerk of the Senate. He has proven himself to be equal to the task. That is an understatement. Through budget cuts, sequestration, and even a government shutdown, Senators and staff knew that Chris Doby and his team would make it work, no matter what took place.

There is just one story I will share with the Senate. In the midst of the government shutdown, Senate employees had no assurance of when their

next paycheck would come. Staffers with families, mortgages, and student loan payments all hoped the shutdown would not be their personal financial disaster. Missing a check or two can be very difficult for most everyone.

After 16 days, Congress passed legislation funding the government, and the shutdown came to an end. That was October 16, 2013, just 2 days before payday for Senate staffers. It is important to understand that processing payroll for almost 7,000 employees normally takes about a week. But anticipating what a missed paycheck would mean for his fellow Senate employees, Chris Doby calmly pushed them to make it work.

So in less than 48 hours, with a very depleted staff, Chris and the Senate Disbursing Office ensured that every Senate staffer received their paycheck on time. Because of their efforts, mortgage payments were made, groceries were purchased, and working families breathed a sigh of relief.

I was trying to think what I could say today to indicate to this good man and his family and his friends and Senate staffers what a good person he is and what a good professional he is. The comparison I thought I would make is this. When I was a boy, I used to love to listen to the game of the day on radio, Mutual Radio Network in the town I lived in, a little town in Nevada. We, of course, had no TV. But radio reception came in pretty good during the day. I do not remember the station, but we could listen to the radio.

On the game of the day, I focused on some people who were so good and who later became even better than I had imagined. One of those people who is now in the Baseball Hall of Fame was a man by the name of Larry Doby. He was a center fielder for the Cleveland Indians. He was good. He could run fast, jump high. He hit with power. He stole bases. He was very good.

This Doby we have in the Senate, in my opinion, is somebody who, just like Larry Doby, would make the All-Star

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



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team and should be in the Senate Hall of Fame for the good work he has done over these many years.

RESERVATION OF LEADER TIME

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER.

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

PROPOSED EXECUTIVE ACTION

Mr. MCCONNELL. Mr. President, I would like to say a few words this morning about President Obama's proposed Executive action on immigration. I will begin with a quote from the President himself. "Democracy is hard," he said during a commencement speech in Miami 3 years ago. "But it's right. [And] changing our laws means doing the hard work of changing minds and changing votes, one by one."

As somebody who well understands just how difficult the work of changing minds and votes can be, I could not agree more with the President's statement. Americans accept that democracy's blessings are only made possible by the constraints it imposes—both its legal contours and those imposed by popular elections.

We accept democracy's messiness. We accept that we may not always get all of what we want exactly when we want it. Based on more of what the President said in Miami, this is something he seemed to understand as well. He was talking about immigration that day.

Here is something else he said on that topic. "I know [that] some . . . wish that I could just bypass Congress and change the law myself. But that's not how democracy works." Indeed, it is not—all of which makes the President's planned Executive action on immigration even more jarring.

If the President truly follows through on this attempt to impose his will unilaterally, he will have issued a rebuke to his own stated view of democracy. He will have contradicted his past statements on this very issue. The instances of President Obama saying that he does not have the power to do the kinds of things he now plans to do are almost too numerous to list.

He tried to suggest otherwise last weekend. But a prominent fact checker panned the spin as "Pinocchio-laden" and clarified that the President has been asked specifically about the source of actions that he is contemplating now. The President's previous answers seemed to be unequivocal: He lacked the legal authority to act, according to the President himself.

As one example, President Obama said last year that Executive action was "not an option," because "[he] would be ignoring the law. 'There is a path to get this done,' he said, 'and that is through Congress.'" He is right. The action he has proposed would ignore the law, would reject the voice of the voters, and would impose new unfairness on law-abiding immigrants, all without solving the problem.

In fact, his action is more likely to make it even worse. We have already seen the consequences of Deferred Action for Childhood Arrivals, or DACA, his most recent action in this area. It was a factor in encouraging young people to risk their lives on a perilous journey some would never have even contemplated and some would never complete.

The effect of this action could be just as tragic. Just as the Affordable Care Act had little to do with making health care more affordable, slapping the term "immigration reform" on something does not make it actually immigration reform. Just as with ObamaCare, the action the President is proposing is not about solutions, it is not about compassion, it seems to be about what a political party thinks would make for good politics.

It seems to be about what the President thinks would be good for his legacy. Those are not the motivations that should be driving such sweeping action, and I think the President will come to regret the chapter history writes if he does move forward because the plan he is presenting is more than just—as the President himself has acknowledged—an overreach, it is also unfair. What does the President have to say to the countless aspiring immigrants who spent literally years waiting patiently in line, to the people who played by all the rules? Where is his compassion for them? What does the President have to say to the millions of Americans who still can't find work in this economy? The President can't reach across the aisle to secure a serious jobs plan for them, but he is willing to put everything he has into one Executive action? Where is the justice?

There is a larger point too. Some people seem to have forgotten this already, but we just had an election. Before that election the President told us about his plan to act unilaterally on immigration. He reminded us that his policies were on the ballot. And then the people spoke. The President doesn't have to like the result, but he has a duty to respect it. The American people clearly sent a message. Nobody missed it. They said they want to see

us working together. They said they want to see more serious ideas pass through Congress. What they didn't say they wanted to see was the President sidestepping the very representatives they just elected. That is why so many Kentuckians have been calling my office in opposition to this plan. I know phones have continued to ring off the hook all week in our offices across Capitol Hill. Our constituents want to be heard. President Obama needs to listen to their voices.

If nothing else, perhaps the President will at least consider the views of Democratic Senators and Members of Congress who have urged him not to do this. These Democrats understand the consequences of a President from a different political party citing this precedent in the future.

Either way, he needs to understand something: If President Obama acts in defiance of the people and imposes his will on the country, Congress will act. We are considering a variety of options, but make no mistake—when the newly elected representatives of the people take their seats, they will act.

Look, as the President has said, democracy is hard. Imposing his will unilaterally may seem tempting. It may serve him politically in the short term. But he knows it will make an already broken system even more broken, and he knows this is not how democracy is supposed to work because he told us so himself.

I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 2 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Maryland.

TRAGIC SYNAGOGUE SLAYINGS

Mr. CARDIN. Mr. President, I know I express the sentiments and outrage of every Member of this body about the tragic events in Israel this past Tuesday where those in a synagogue were brutally slain. It was a shock to all of us—in a synagogue, in a place of worship, people there praying and studying, and their lives were brutally ended.

Let me just mention the victims. Rabbi Moshe Twersky, Rabbi Aryeh Kupinsky, Rabbi Kalman Levine, Avraham Goldberg, and Zidan Saif, a police officer.

I particularly want to mention Rabbi Kupinsky because there is a connection