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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.
Eternal God, the fountain of every blessing, we lift our hearts in praise to You for You have done marvelous things. You direct our steps each day, guiding us with Your powerful providence and showering us with undeserved mercies. You hear our prayers and speedily supply our needs. Bless today the work of our lawmakers, empowering them with unceasing awareness and openness of heart. Give them wisdom and courage to glorify You through their work. May their thoughts, words, and actions be acceptable to You for You are our rock and our redeemer. 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.

COMPREHENSIVE VETERANS HEALTH AND BENEFITS AND MILITARY RETIREMENT PAY RESTORATION ACT OF 2014—MOTION TO PROCEED

Mr. REID. I move to proceed to Calendar No. 297.

The PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 297, S. 1950, a bill to improve the provision of medical services and benefits to veterans and for other purposes.

SCHEDULE

Mr. REID. Mr. President, following my remarks and those of the Republican leader, the Senate will resume consideration of the conference report to accompany H.R. 2642, the farm bill. The time until 12:30 p.m. will be equally divided and controlled between the two leaders or their designees.

The Senate will recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly caucus meetings. At approximately 2:35 p.m. there will be a rollcall vote on the adoption of the farm bill conference report.

VISIONARY REMARKS

Mr. REID. While the President pro tempore is here, I want to make a brief comment.

The headlines over the last couple of days have been about the death—in my opinion—of one of the great actors of our time, Philip Seymour Hoffman. He obviously died from a drug overdose of heroin.

The reason I wanted to say a word while the President pro tempore is presiding is because the Governor of Vermont was very visionary in directing his State of the State remarks this year to the scourge of heroin addiction that is sweeping the Nation. It really is a scourge.

According to everything I have been able to learn, it is kind of unique. We have people who start off with some kind of prescription drug and then wind up with this stuff that has been prepared by purveyors of evil. They don't know what is in it. There are some who believe they use baby laxative or other ingredients that look like heroin. It is a terrible shame.

I will send the Governor a letter, but I want to make sure my good friend from Vermont personally tells the Governor what a—I can't find a better word—visionary he was in the remarks he gave a few weeks ago.

The PRESIDING OFFICER (Mr. BOOKER). THE SENATOR FROM VERMONT.

Mr. LEAHY. Mr. President, the RECORD will indicate that I opened the Senate in my role as President pro tempore, and now the distinguished Senator from New Jersey is in the Chair.

I wish to respond to the distinguished senior Senator from Nevada and thank him for what he said.

I was in Montpelier, which is our capital, on Friday, and I spent some time with Governor Peter Shumlin, who did his State of the State message on this subject, as the distinguished Senator from Nevada has said. I talked to him about it. I will call him later this morning and tell him what the leader said. I am also going to wear my hat as chair of the Judiciary Committee and do a hearing on this issue.

Ours is a very special and very precious State, but I think it points out that every State in the Union can face this problem. While on the national news this morning, Governor Shumlin was great and focused the attention of this issue on many States.

I will close by saying to my dear friend from Nevada that I appreciate his comments. He knows how precious Vermont is to me and Governor Shumlin, and I will make sure the Governor knows what he said.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

A MAN OF STATURE

Mr. REID. Mr. President, I had a meeting with a number of Senators this morning, and one of the topics of conversation was the Presiding Officer's first speech—the so-called maiden speech—he gave last night. It was stunningly good, substantive, and it came from the heart. That is what many Senators told me this morning, and I agree. As I told the Presiding Officer last night, I had to go to a quick meeting, so I watched most of it from my office. The Senator's speech was so important. The speech focused on dealing with people who are in need.

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



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This good man, who is presiding over the Senate now, is a man of stature. He is extremely talented academically. He is a Stanford graduate and decided he would do public service. In the process of doing public service, he identified with the people who needed help.

He moved into a neighborhood that you would not think a mayor of the city would live in, but he did that because he wanted to feel the pulse of the people. It is obvious from the speech given last night that the Presiding Officer does understand the pulse of the people of his State.

We all admired him before he got here, and we admire him even more now.

MEASURE PLACED ON THE CALENDAR—S. 1982

Mr. REID. Mr. President, I understand there is a bill at the desk entitled S. 1982 due for a second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

A bill (S. 1982) to improve the provision of medical services and benefits to veterans, and for other purposes.

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

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar.

THE ECONOMY

Mr. REID. Mr. President, last night I had the good fortune to spend some time with the President, along with MICHAEL BENNET and others. It was worth commenting on that meeting with the President about the address he gave a week ago to the Congress and to the Nation.

He addressed Congress and the Nation and described the challenges facing families in America. Wages are far too low, the cost of education is far too high, and there are simply far too few jobs.

Each of these challenges places another stumbling block in front of Americans striving to enter the middle class, as well as the middle class trying to do their best to hang on to their status as part of the middle class. The middle class is being squeezed. The rich are getting richer, the poor are getting poorer, and the middle class is being squeezed really hard.

Unless we open the doors of opportunity, every child in this Nation—our grandchildren—will no longer be able to do what we expect our grandchildren to be able to accomplish. Every child in this Nation—our grandchildren—will have to work longer and harder than we did just to get by, let alone just to get ahead.

Yesterday I read a story with interest. It was a long, well-researched story in the New York Times. It was in the business section. That piece argued that the richest families and the most successful corporations in America should be just as worried about these trends—the shrinking middle class—as the Presiding Officer and I are.

The article described the widespread failure of businesses that cater to the middle class. I repeat that: The widespread failure of businesses that cater to the middle class. Why? Because the middle class is going away.

While high-end retailers such as Barneys and Nordstrom flourish, mid-priced retailers such as JCPenney and Loehmann's stumble. Loehmann's actually filed bankruptcy. While posh restaurant chains such as Capital Grille prosper, more modest eateries such as Red Lobster are sinking.

The Times wrote:

As politicians and pundits in Washington continue to spar over whether economic inequality is in fact deepening, in corporate America there really is no debate at all. The post-recession reality is that the customer base for businesses that appeal to the middle class is shrinking as the top tier pulls even farther away.

Industry analysis says businesses that sell luxury goods to the top 1 percent are booming. Over the past 30 years, the top 1 percent has had their wealth increase three times while during that same 30-year period of time the earning capacity of the middle class has been cut by 10 percent.

Sadly, businesses such as Family Dollar, which caters to the growing ranks of working families barely scraping by, are also thriving. Why? Nordstrom is a great place. I love Nordstrom. They have a great return policy. I am glad they are doing well. But Family Dollar is thriving because many people who were middle class are now poor.

Families are not going out for spaghetti and meatballs. They are not even going out for hamburgers like they used to. They are not buying their kids new jeans or backpacks. They pass them down from child to child.

I can remember—it has been over a year ago—when I went to this program in North Las Vegas, NV. There are a lot of poor people in North Las Vegas. They were giving away backpacks with some pencils and paper. It was before school started. Those backpacks were so—I don't want to denigrate the wonderful things that people did—cheap. The backpacks had names of businesses on them.

These children lined up with their parents for as far as you could see. They were desperate for a backpack. It was not a very good one, but they didn't have one. So they are not buying their kids backpacks like they used to. Purchases that once seemed to be modest treats have become unaffordable luxuries.

While the economy is growing in spite of this trend, economists worry that the growth is unsustainable. One economist told the Times:

It's going to be hard to maintain strong economic growth with such a large proportion of the population falling behind. We might be able to muddle along—but can we really recover?

That is the question.

In other words, our fortunes are bound together. A shrinking middle

class isn't just a problem for families in the middle; it is a problem for businesses, large and small. It is a problem that should worry the top 1 percent of wealthy Americans as much as it worries the 99 percent who are under that 1 percent. Can we really recover when so many of us are falling behind? It is a fair question and an extremely troubling question. Our entire economy is at risk unless we act now to protect and grow the middle class whose purchase power is the backbone of our economy.

How can we do that? We can create some jobs which we as a Congress have not done because every time we try, there is obstruction from the Republicans. But to achieve this goal of protecting and growing the middle class, President Obama called for common-sense investments in our future. He has called for investments in 21st century infrastructure—those old-fashioned structures such as roads and bridges and dams—as well as the new, including renewable energy projects such as solar, wind, and geothermal, which would create lots and lots of jobs; then cutting-edge technology such as the new Tesla vehicle, an all-electric vehicle. I have spoken with Elon Musk who is talking about building another big factory someplace in the West.

Investment in universal preschool is so important. Other countries are doing it. Why don't we have it mandatory for every 4-year-old?

And affordable college. Seated next to me is the assistant leader. He identified a problem years ago which is that kids are being burdened with debt, trying to go to college. Frankly, a lot of the money these young men and women borrow goes to schools that don't produce anything.

Investments in medical research. My colleagues heard me cough. I, for the first time in my life, a couple of weeks ago got the flu. I never had the flu before. I wasn't very sympathetic with people who missed work because of the flu. I am now sympathetic. The flu is devastating. I was so sick. At my home in Searchlight, we didn't have a thermometer. By the time we had someone bring one over from Vegas, my fever was very high. I started the medication Tamiflu not as early as I should have, and it turned into bronchitis.

The reason I mention this—again, speaking about my friend, the senior Senator from Illinois—he went yesterday to NIH, the National Institutes of Health. I went there a couple of months ago. We should be embarrassed by what we have done as a Congress to NIH. We have cut them. And the reason I mention my flu is because when I went there, I learned they are so close to having a flu shot that covers all flu—everything. They are so close. What do they need to go the extra mile? More money. The devastation of sequestration has hurt the National Institutes of Health significantly. Chairman MURRAY did some good work to help in the future, but money we have

lost because of sequestration is gone. We have not been fair to the National Institutes of Health. They are doing lifesaving work there, and other countries are trying to match what we have done with the National Institutes of Health. They can't; we are way ahead, but we will not remain ahead unless we put some money into the National Institutes of Health.

We need to help companies that build their products here in America. I go out of my way to buy New Balance shoes, running shoes. Why? They are made in America. The suit I am wearing, Hickey Freeman, is made in America, and I am proud of that.

The President also called on Congress to increase the Federal minimum wage to \$10.10 an hour—a huge step forward guaranteeing that no American working full time lives in poverty as they now do, as the Presiding Officer so well illustrated last night. This proposal of raising the minimum wage has been endorsed by seven Nobel Prize-winning economists. I don't know the political persuasion of these Nobel Prize-winning economists, but they are all persuaded that what we have done to the working poor is wrong and we have to do something about it. The proposal would raise millions of families out of poverty and give tens of millions of children a shot at graduating from college, securing high-paying jobs, and joining the middle class.

There is something else Congress should do to prevent hundreds of thousands of Americans from descending into poverty: Extend unemployment benefits. In the month we have cut off these benefits because of obstruction by my Republican colleagues the country has lost more than \$2 billion in purchasing; the State of Nevada \$30 million. So we could do something now to prevent hundreds of thousands of Americans from descending into poverty. A 57-year-old woman—I read a part of her letter yesterday—said: How do you think I feel going from friend to friend to sleep on their couch? Couch surfing we call it. She said: That only lasts so long. I am selling everything I have. I don't have a home. I am trying to sell everything I have so if I get an opportunity for a job interview, I can buy gas for my car.

We must extend unemployment benefits because 1.6 million people have been out of work for months. These benefits will ensure that more than 2.3 million children have nutritious meals and a safe place to sleep while their parents hunt for jobs. Renewing emergency unemployment insurance would prevent Americans who have worked hard to get ahead from losing their grip on the ladder of success. Restoring unemployment benefits is by no means enough to secure our shrinking middle class, but it certainly is a good first step.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

EPA OVERREGULATION

Mr. MCCONNELL. Mr. President, over the past several years, I have often come to the floor of the Senate to draw attention to the Obama administration's radical environmental agenda and the deeply harmful effects it is having on the people of Kentucky. The Environmental Protection Agency's war on coal is the most obvious and tragic example.

Today I wish to highlight this administration's environmental agenda at perhaps its most absurd. At the heart of our story is a 2½ inch minnow—a 2½ inch minnow called the duskytail darter—a 2½ inch minnow called the duskytail darter.

Last week, the Obama administration sided with this minnow over the economic well-being of thousands of people in southeastern Kentucky who live near or depend on Lake Cumberland as a major driver of commerce, tourism, and recreation. The Obama administration did this by determining that the presence of the darter in the lake's tributaries meant that the raising of the lake's water level must be further delayed.

Lake Cumberland is a signature tourist destination in my State and one of the economic pillars of McCreary, Clinton, Laurel, Russell, Pulaski, and Wayne Counties. The water level of the lake was lowered back in January of 2007 due to problems with the dam which feeds the lake.

The past 7 years of reduced water levels have not only hurt small businesses that rely on tourism but have also strained local governments, as local towns have had to lower their water intake. Marinas have had to spend valuable dollars on both ramp upgrades and dock relocations—dollars that could have been spent on growing businesses, hiring new workers, and enhancing local commerce.

In addition, the drawdown of water has deterred tourism, as a misperception has been created among potential visitors that the lake is no longer suitable for boating, fishing, and water sports.

Every year, Lake Cumberland brings to the local community \$200 million in economic activity and employs, on average, 6,000 people. Understandably, those in the local community have been anxious to see the water levels returned to their normal level, after 7 years of reduced water level.

2014 was supposed to be a great year for Lake Cumberland, as Kentuckians would mark the end of 7 years' worth of repairs to the dam and, therefore, reduced water levels and fewer visitors. Now, suddenly, the Obama administration has announced that the water level cannot be raised because it could potentially have a harmful effect on this minnow, the duskytail darter, which is on the endangered species list.

The absurdity of the Obama administration's posture on this issue is manifest. First, the administration is protecting a fish from water. Let me get

this straight: Protecting a fish from water? The radical environmentalists in the Obama administration don't want this fish to be exposed to too much water? What is next, protecting birds from too much sky?

Second, the administration took this action because raising the water could—could, not would—potentially—potentially—have an adverse effect on this poor little minnow. Of course, anything in the universe could have an adverse effect on this minnow. To the people of southeastern Kentucky, the President's year of action is apparently beneficial only if you have gills.

The story of the darter would be humorous if it weren't so harmful to the economic well-being of thousands of southeastern Kentuckians. This misguided policy will have deeply harmful consequences for this region of Kentucky.

Carolyn Mounce, who is responsible for promoting tourism at Lake Cumberland at the Somerset/Pulaski Convention and Visitors Bureau, put it best when she said: "[This is] bureaucracy run amok!" Bureaucracy run amok, said Carolyn Mounce. She just returned from attending travel and tourism shows in Cincinnati and Louisville 2 weeks ago.

She said:

The shows were crowded . . . people wanted to talk about Lake Cumberland. They were excited about returning the lake to normal operation. And now this.

J.D. Hamilton, who operates Lee's Ford Resort Marina in Lake Cumberland in Nancy, KY, was also disappointed to learn of this announcement. Disappointed is an understatement, as his business has been stifled by the lowering of water over the last 7 years. In response to this announcement, he said, "The Corps is keeping its word to the fish but not to the economy."

So, yesterday, my friend and colleague Senator RAND PAUL and I, along with our colleagues in the House, Congressman ROGERS and Congressman WHITFIELD, wrote the administration calling for an end to this intolerable further delay. I hope the Obama administration will take heed and concern itself more with endangered jobs and endangered livelihoods of actual Kentuckians and Americans than with the possible endangerment of this apparently water-averse minnow.

HONORING OUR ARMED FORCES

LANCE CORPORAL ADAM D. PEAK

Mr. President, I wish to speak about a young man from my State who gave his life while serving this Nation in uniform. LCpl Adam D. Peak of Florence, KY, was tragically killed by an improvised explosive device in Helmand Province, Afghanistan, on February 21, 2010. A member of the U.S. Marine Corps, he was 25 years old.

For his service in uniform, Lance Corporal Peak received many medals,

awards, and decorations, including the Afghanistan Campaign Medal, the Iraq Campaign Medal, the National Defense Service Medal, the Global War on Terrorism Service Medal, and the NATO International Security Assistance Force Medal.

Born on August 30, 1984, Adam was a native of Florence, where he grew up with a reputation as a performer who made his friends and family laugh with his quick wit. He and his older sister Sara would quote movie lines back and forth to each other in a blink of an eye, and Adam especially liked to entertain his younger sister Angela. "Adam was sarcastic with a dry sense of humor, and could get people to laugh all the time," says Adam's mother Diana. "I guess what I loved most about him was his love for his sister, who was born with Down Syndrome. He had unlimited patience with her, and I knew that when his dad and I were gone, he would take care of Angela."

Although Adam did not get a chance to have a family of his own, he loved kids. "He was like a second father to a lot of the other Marines' kids," says his sister Sara. Adam's mother certainly agrees. "He loved kids and thought that someday he would have a large family," she says. "He played Santa every year for his friend's family, and the kids loved him."

Adam attended Boone County High School, where he graduated in 2002. He then attended Thomas More College in Crestview Hills, KY. In school, he was active in the Alpha Delta Gamma fraternity, the Saints Club, the Education Club, and the Villa Players Theater Club. His mother Diana particularly remembers Adam's interest in theater. "He developed a love for the stage while in college at Thomas More," she says. "He started out behind the scenes, but his friends got him on stage for a play and he loved it. He appeared in many productions while at school."

Richard Shuey, a business administration professor at Thomas More, taught Adam in three classes. Adam "was one of those really nice, clean-cut northern Kentucky kids," Richard says. "Always polite and interested in doing well, and obviously a true patriot."

One of Adam's fraternity brothers, Caleb Finch, remembers him as "a big-hearted, free-spirited, fun-loving guy who would do anything for anybody."

After graduation from Thomas More, Adam enlisted in the Marine Corps in July of 2007. By December of that year he had been promoted to the rank of lance corporal. Adam's younger brother Sean enlisted in the Marines as well, and the two brothers served together in the same unit in Iraq in 2008. "Their personalities were night and day," says Robin Peak, Adam's sister-in-law. "But they always had each other's backs and were there together." In October 2009, Adam and Sean were deployed to Afghanistan, both as members of the 2nd Battalion, 2nd Marine Division, Two Marine Expeditionary Force, based out

of Camp Lejeune, NC. Sean accompanied his brother back home for burial, and Adam was laid to rest with full military honors in Taylor Mill, KY.

Mr. President, we are thinking of Adam's loved ones today, including his parents Bruce and Diana, his brother Sean, his sisters Sara and Angela, his sister-in-law Robin, and many other beloved family members and friends.

The loss of LCpl Adam D. Peak is tragic. Indeed, it is only appropriate that this Senate pause to honor his service and recognize his sacrifice.

I hope his family can take some comfort from the fact that both the Commonwealth of Kentucky and the country as a whole are grateful for and honored by the heroism and courage Adam displayed in his entirely too short life. The example he set for his loved ones and his country will not be forgotten.

I yield the floor.

RESERVATION OF LEADER TIME

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

AGRICULTURAL ACT OF 2014— CONFERENCE REPORT

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the conference report to accompany H.R. 2642, which the clerk will report.

The legislative clerk read as follows:

Conference report to accompany H.R. 2642, a bill to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2018, and for other purposes.

The PRESIDING OFFICER. Under the previous order, the time until 12:30 p.m. will be equally divided and controlled between the two leaders or their designees.

The assistant majority leader.

COMMENDING SENATOR BOOKER

Mr. DURBIN. Mr. President, before I address the farm bill, I would like to make two other points. The first is to commend the Presiding Officer. Yesterday he gave his first speech on the floor of the U.S. Senate. About 20 of us were here and listened carefully. I am glad I did. It was time well spent. It was a speech which the Presiding Officer clearly not only worked on but believes in, and it showed. He addressed the plight of working Americans, and particularly those who have lost their jobs, and the responsibility of this Congress and this Nation to stand by these families while they are in transition looking for new opportunities.

I sat here and listened and watched as the Presiding Officer spoke to this subject, addressing specific people he has met in his State who told him their stories. I thought to myself: I have met quite a few in Illinois in like circumstances. I wish every Member of the Senate would do what the Presiding Officer has done—visit the towns, the restaurants, the veterans centers, and other places where unem-

ployed people gather and listen to them.

The point the Presiding Officer made so convincingly was those who dismiss the unemployed as just lazy people have never met them. They are not lazy. They are workers who want to work again. What they are asking for is a helping hand, and the Presiding Officer made that point so eloquently yesterday.

What was particularly good for me, having served in the Senate for a number of years, was to hear a new Member of the Senate, in his first speech, really reach back to the values that inspired many of us to run for this position. It is easy to become jaded after you have been here for a while and been engaged in the petty political fights that take place here with some frequency. It is easy to forget why you asked your family to stand behind you when you ran, why you sacrificed to try to come to this place, and why each of us—some 1,200 or so who have had this distinct honor to serve in the Senate—should not miss the opportunity to bring our values and passion to the floor every single day.

So I thank the Senator from New Jersey, our Presiding Officer, for an extraordinary maiden speech, first speech on the floor of the U.S. Senate. It was one of the best.

ENVIRONMENTAL PROTECTION AGENCY

Secondly, I would like to address the issue that was raised by my colleague from the State of Kentucky. The State of Kentucky is just south of Illinois. We have coalfields too. Almost 75 percent of our State has coal under the ground. We mine that coal—not like we used to, but we still mine it and use it, and we have coal miners and coal companies, and coal is an important part of the Illinois economy.

The Senator from Kentucky came to the floor today to really take exception to a decision by the Environmental Protection Agency as it affected coal country in Kentucky. I do not know anything about the particulars of his complaint involving the Cumberland Lake and the Endangered Species Act, so I will not address that, but I would like to address one, more general topic.

To argue that the Environmental Protection Agency is the enemy of coal country is to completely ignore what has been in the newspapers for the last several weeks. There are 300,000 people in the State of West Virginia who are afraid to drink the water because of a leak from a tank that had a chemical solution used for cleaning coal. These people worry that drinking this water, cooking with this water, even bathing in this water is a danger to them. And where did they turn for some indication of safety for their families? This part of America—West Virginia, coal country, just like Kentucky and Illinois—turned to the Environmental Protection Agency. Of course they did. Is it safe? Can my child drink this water safely? Can I use it for cooking?