



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 114th CONGRESS, FIRST SESSION

Vol. 161

WASHINGTON, MONDAY, MARCH 16, 2015

No. 44

Senate

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

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

Let us pray.

Eternal God, our conquering King, thank You for providing us with wings of faith to soar above life's challenges and vicissitudes. Empower our lawmakers to use faith's wings to live lives that are lofty and laudable. May they stand for right and be willing to accept the consequences as they strive to please You in all that they think, say, and do. Lord, give them the wisdom to follow Your unfailing guidance, seeking to be patient even with difficult people. Open their minds to discern Your will as You give them the courage to obey You.

We pray in Your great 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 MINORITY LEADER

The PRESIDING OFFICER (Mrs. ERNST). The Democratic leader is recognized.

HUMAN TRAFFICKING LEGISLATION AND LYNCH NOMINATION

Mr. REID. Madam President, Confucius said, "Life is very simple, but we insist on making it complicated." That is true.

Right now, the Republican Senate leadership is insisting on making a good piece of legislation far more com-

plicated than it should be. This human trafficking and child pornography bill before the Senate has wide bipartisan support. Unfortunately, it also includes a previously unreported abortion provision that has brought us to a screeching halt in this legislation.

But there is a quick and very easy solution to this dilemma: Take the abortion language out of the bill. The Republican leadership doesn't seem to be interested in a solution.

The Senate Republican leadership is anxious to shut down debate without fixing the problem. We can stand here all week and question how the abortion language got in the legislation. Many believe it was by sleight of hand, but it doesn't matter. It is a fact that Republicans included abortion language in this bill that is completely unrelated to human trafficking, and by doing so Republicans turned a bipartisan bill into a political fight.

Republican Congressman ERIK PAULSEN of Minnesota drafted the House version of the same human trafficking bill. He wrote the bill. It passed the House. Even he believes that inclusion of the abortion provision in the Senate bill is not appropriate.

Here is what he said:

There is no reason it should be included in these bills. This issue is far too important to tie it up with an unrelated fight with politics as usual.

This is his bill, and he says we should take that language out. He is a Republican.

The path forward is clear: Take the abortion language out of the bill and we can pass it right now. That is it.

But if hijacking the human trafficking bill with an unrelated abortion provision wasn't already bad enough—listen to this—the majority leader is now holding Loretta Lynch's nomination hostage too. It is hard to comprehend, but that is what is happening.

Just last Tuesday, the Republican leader gave his word that he would bring up a vote this week on President

Obama's Attorney General nominee. President Obama's Attorney General is well qualified and no one questions her qualifications.

Now Senator MCCONNELL is saying the Senate will not confirm Loretta Lynch until we pass the trafficking bill—abortion language and all.

Loretta Lynch was nominated by the President 128 days ago. Since that time, Senate Republicans have found reason after reason after reason to delay her confirmation. First, it was just wait until the next Congress. In fact, the Republican leader said last year:

Ms. Lynch will receive fair consideration by the Senate. And her nomination should be considered in the new Congress through regular order.

But when this Congress got underway, her nomination had to wait until after the Keystone legislation. Everyone will remember it was a bill to construct a massive pipeline to import foreign oil, only to turn around and export it to other countries.

Then Ms. Lynch's nomination had to wait until after a new Defense Secretary was confirmed. Then Republicans on the Judiciary Committee needed more time and said just one more week. Then she had to wait until after the February recess. As I said, it has been delay after delay after delay, and now we are here in the middle of March and Loretta Lynch has yet to get a vote on the Senate floor.

Why can't we get this incredibly qualified woman confirmed? She has waited 128 days. That is the longest any Attorney General has ever waited in the last four decades.

As I have said, a vote on the Lynch nomination has nothing to do with the trafficking bill and it certainly has nothing to do with abortion.

The majority leader can choose to keep the Senate stuck on this abortion provision, but he does so at the detriment of so many other bills that require the Senate's attention. The majority leader gave his word that we

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



Printed on recycled paper.

S1511

would consider the Lynch nomination through regular order, and that has not happened. He gave his word that we would vote on confirmation this week, but now he is hedging on that. There is no reason my friend, the majority leader, cannot live up to his numerous commitments.

Loretta Lynch's nomination is on the Executive Calendar, meaning the Senate can consider her nomination and then immediately move back to the trafficking bill. Any attempt to hold her nomination hostage because of the abortion provision is a sham.

This Congress is barely 2 months old. Yet this is just the latest on a growing list of examples proving Republicans simply cannot govern.

The American people need a human trafficking bill, and the American people need an Attorney General. Let's confirm Loretta Lynch as soon as possible.

Madam President, what is the business of the day?

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Texas.

HUMAN TRAFFICKING LEGISLATION

Mr. CORNYN. Madam President, tomorrow morning the Senate will be casting a very important vote. We will be voting on a piece of legislation called the Justice for Victims of Trafficking Act, which currently has 12 Democratic cosponsors and virtually an equal number of Republican cosponsors. In other words, this is generally bipartisan legislation.

As further evidence of its bipartisan support, this bill passed unanimously out of the Senate Judiciary Committee in February, and it enjoys the support of more than 200 victims' rights and law enforcement organizations. But as everyone in this Chamber knows, Senate Democrats have said they will filibuster this bipartisan legislation that is designed to provide justice for victims of trafficking because it contains a particular provision they have voted for on a number of occasions and, indeed, have chosen to cosponsor. It is unconscionable and shameful and more than that it is just simply baffling to me.

The reason it is so shameful is because there are children waiting for our help. The average victim of human trafficking in the United States is a young girl between the age of 12 and 14

years of age. Children are being abused and literally sexually assaulted while apparently some of our colleagues on the other side of the aisle have decided to try to make a political point. It is baffling because my colleagues have voted for essentially this very same provision in one form or another time and time and time again.

Apparently, the Democratic leader, who is pressuring Members of his caucus to filibuster this bill is—well, he says we need to take out the language they object to, but I was standing on the floor just a few days ago when—I guess it was Thursday afternoon—the majority leader, Senator MCCONNELL, offered them an opportunity to have an up-or-down vote to strip that language out of the bill and they objected to it. So it is getting harder and harder to believe the sincerity of their protests, and it is appearing more and more likely that what they want to do is have the Senate return to the same dysfunctional nature it was under for the last 4 years by the previous majority.

I wish to pose several questions to our colleagues who insist on filibustering this bipartisan piece of legislation. The first question I have is: Isn't it the case that only 3 months ago 50 Democrats voted for the 2015 Defense authorization bill? Isn't that a bill a piece of authorizing legislation much like the underlying justice for victims of trafficking bill? If 50 Democrats voted for similar language with regard to the limitations on the use of funding just a few months ago, how in the world can they filibuster this bill for including the same language they voted for, more or less, just a few short months ago? In fact, it is true that in 2009 all of the Senate Democrats—in a partisan vote—voted to include this similar language as part of ObamaCare. Groups such as NARAL, the National Abortion Rights Action League, protested that the language “went far beyond even the Hyde Amendment.” Yet 60 Democrats, including the then-majority leader—now minority leader—voted for that in the wee hours of Christmas Eve 2009.

Again, I ask our friends who are filibustering this bipartisan piece of legislation designed to help the victims of human trafficking: Isn't it true that in 2009, 58 Senate Democrats voted to reauthorize the Children's Health Insurance Program, which like Medicaid is subject to the Hyde Amendment?

To each of those questions, the record would demonstrate they should be answered with a resounding yes.

So time and time again, our colleagues on the other side of the aisle, who now find themselves in the inexplicable position of filibustering a bill they are cosponsoring or which they have already voted for in the Judiciary Committee and which contains very similar restrictions on the use of the funding—how in the world have they decided to make the stand, here and now, denying even the opportunity they have been given by the majority

leader to have an up-or-down vote to strip the language out that they object to?

Well, despite the hypocrisy of their position, the question this really boils down to is this. This is the question, the only question that really matters: To our colleagues who are filibustering this legislation, Are you prepared to turn your back on the thousands of people living every day in bondage and who are desperately clinging to the hope that someone—someone—will lend them a helping hand? Are you prepared to abandon these children and these other victims of human trafficking who deserve a roof over their head, someone to lean on, and somehow, some way to get a fresh start in life?

Do our colleagues who are filibustering this legislation really want to play politics with such a sensitive and vulnerable part of our population over an issue that some advocates have called a phantom problem? The reason why some advocates who support this legislation have called the objection of the Democratic leader a phantom problem is because not only have they voted for similar provisions over and over and over again, this essentially has been the settled law of the land for 39 years—since 1976. Just in case our colleagues think that the examples I mentioned are exclusive, there are a number of other provisions—32 Democrats voted for the so-called CR omnibus, the continuing resolution omnibus, in December. Thirty-two Democrats voted for that which contained very similar language. And I mentioned several others.

I want to conclude with the Washington Post editorial for today. I do not always find myself in agreement with the Washington Post editorial board, but this morning I think they encapsulated the Democratic filibuster of the bipartisan antitrafficking bill perfectly. In urging the Senate to pass this legislation, they wrote: “[T]his week the question will be whether Senators can put the interests of scared, abused children ahead of the chance to score political points.” I could not agree more.

So tomorrow morning, an hour after we convene, we will have a vote that will decide whether this legislation goes on to final passage. We need six brave Democrats—six brave Democrats—to join all the Republicans on this side to keep hope alive for these victims of human trafficking. We need six Democrats who are willing to break away from the tyranny of their party's own leadership here in the Senate and do what they know is the right thing to do. They know it in their heart, and they know it in their mind, and they know they have supported similar language in legislation time and time again.

We need six Democrats willing to break away from the mindless, heartless filibuster of this legislation. I hope they will examine their conscience. I