



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 114th CONGRESS, FIRST SESSION

Vol. 161

WASHINGTON, WEDNESDAY, SEPTEMBER 9, 2015

No. 129

Senate

The Senate met at 10 a.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.

Almighty God, our Lord, how excellent is Your Name in all the Earth. Today, open the hearts of our lawmakers to what You have done, are doing, and will do for those who love You. As they remember how You led our Nation in the past, increase their optimism regarding what the future can bring. Help them to remember that even when wrong seems very strong, You continue to rule and that Your sovereignty will prevail.

Give us this day our daily bread, not only of physical renewal but of spiritual sustenance, lest our souls starve in the far country of neglect or indulgence.

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 MAJORITY LEADER

The PRESIDING OFFICER (Mr. TOOMEY). The majority leader is recognized.

SERIOUS DEBATE IN THE SENATE

Mr. McCONNELL. Mr. President, this afternoon the Senate will engage in a debate of immense importance to our country. I again ask every Senator to reflect upon its gravity.

At its heart, this is about more than just the short term prospects of one

agreement or the long-term legacy of one President or the narrow interests of one political party. Wrapped within are larger questions about the prospects for stability in a region, the potential for safety in a nation, and the continued role for our country in a dangerous and uncertain world.

We can't escape these questions. Their answers carry the potential to touch every American and future generations.

The American people deserve our deliberate and considered responses. They deserve a Senate that can rise to the moment. Tired talking points won't get us there. A filibuster won't do it, either. But here is what will: Respecting each other will get us there. Serious discussion will get us there. A debate worthy of the moment will get us there. So that is what I am calling for again today.

I ask every Senator to join me at their desks this afternoon so that we might listen to colleagues as well as debate colleagues. A serious debate and an open vote on this issue is the very least our country should expect. That is the least we should be able to give them.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

DEADLINES IN THE SENATE

Mr. REID. Mr. President, yesterday my friend, the chairman of the Foreign Relations Committee, Senator CORKER of Tennessee, said: "I recognize, and have all along, that it takes 60 Senators to advance legislation and get to a final vote on a bill or resolution." No equivocation, no dancing around the issue—the chairman of the Foreign Relations Committee established what we have known all along: It takes 60 votes.

His counterpart, Senator CARDIN of Maryland, also agrees that 60 votes was

always the intention. One Senator at the hearings voted no on the resolution because he didn't want it to be 60 votes. Everybody else voted for that. Forty-seven Republican Senators sent a letter to the Ayatollah, explaining to them how the Senate works. In that letter, all 47 Republican Senators acknowledged that it takes three-fifths votes to get things done here in the Senate.

So that is over and done with. The resolution before us will take 60 votes to pass. The direct quote from Senator CORKER that I read is in black and white. There aren't any words of mine; those are his words. That is a direct quote from the chairman of the Foreign Relations Committee.

So that is what we have. Republicans have clearly conceded that it takes 60 votes to advance a resolution of disapproval.

Filibusters stop debate. We are willing to have all the debate the Republicans want—2 hours, 2 days, whatever they want. It has to be completed by next Thursday. That is the only deadline that I can see.

The good news is that Senate Democrats, of course, on this side of the aisle, continue to propose that following ample debate, the Senate then proceed directly to a vote on final passage. Of course, it would have a 60-vote threshold, as the chairman of the committee said yesterday. There would be no need for any other procedural votes. We would just do that. There is no need for the Republican leader to continue wasting the Senate's time—and it is precious.

Look at what we have this week. There is basically one more legislative day this week. Next week, we have two days, Monday and Tuesday, which are long-time celebrations by the entire Congress of a Jewish holiday. We have the deadline of September 17 for this matter dealing with Iran to be completed, as far as Senate floor action. Staring us in the face at the end of the

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



Printed on recycled paper.

month is that government funding will be gone. We have to do something about that. And we know, as we have heard all the threats by Republican Senators, that we are not going to fund the government unless something is done with Planned Parenthood. Those things take time. We have to get to that. Every day we waste here on the floor, trying to figure out what the Republicans want to do, is time that we should be spending on how we are going to fund the government.

There is no question that the Republican leader now has a very real and important decision to make. We have a lot of work to do this month. We can't afford to waste time with unnecessary procedural votes.

We also have some things we have to be involved in here that are going to slow up what we do. We have the President of China coming toward the end of the month. We have the Pope coming. We expect as many as 500,000 people here on both sides of the Capitol during the short time the Pope is here on Capitol Hill.

We have so many things to do. We need to have a path forward, as I mentioned already, to keep the Federal Government from shutting down because of a lack of funding. We need to figure out a way to keep our highway trust fund solvent, which it is not now. We need to do something about cyber security, and we need to consider important tax extenders legislation, as well as how to avoid default on the debt limit. They are all going to converge at about the same time.

Senate Democrats and Senate Republicans have very real deadlines that we must meet. We can't meet them because of the procedure in the Senate unless the Republican leader allows us to have some time on the floor. What we don't have is time to waste on Republican-contrived procedural fights that have no basis in fact or reality. It is time for Republicans to abandon their plans to slow down a vote on final passage of the Iran nuclear agreement resolution of disapproval and move on to other matters.

Mr. President, would the Chair announce the business of the day.

RESERVATION OF LEADER TIME

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

HIRE MORE HEROES ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.J. Res. 61, which the clerk will report.

The senior assistant legislative clerk read as follows:

A joint resolution (H.J. Res. 61) amending the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the

employer mandate applies under the Patient Protection and Affordable Care Act.

Pending:

McConnell amendment No. 2640, of a perfecting nature.

McConnell amendment No. 2641 (to amend No. 2640), to change the enactment date.

McConnell amendment No. 2642 (to amend No. 2641), of a perfecting nature.

McConnell amendment No. 2643 (to the language proposed to be stricken by amendment No. 2640), to change the enactment date.

McConnell amendment No. 2644 (to amendment No. 2643), of a perfecting nature.

McConnell motion to commit the joint resolution to the Committee on Foreign Relations, with instructions, McConnell amendment No. 2645, to change the enactment date.

McConnell amendment No. 2646 (to (the instructions) amendment No. 2645), of a perfecting nature.

McConnell amendment No. 2647 (to amendment No. 2646), of a perfecting nature.

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

Mr. REID. Mr. President, I ask unanimous consent that until 12:30 p.m. today, the time during quorum calls be equally divided.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from California.

Mrs. BOXER. Mr. President, if I might, through the Chair, if Senator CORKER would like to take his 5 minutes first, I am happy to allow that.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, I thank the Senator for her tremendous courtesy, and I will actually take 1 minute.

This afternoon we are going to have a very sober and dignified debate about a foreign policy issue of huge consequence to our Nation and certainly to the world. I wish to thank Senator McCONNELL and Senator REID for setting up a format that reflects that. I know many of my friends on the other side of the aisle have been concerned about amendments that may call for this to be a different type of debate. I would like to point out that the leader yesterday filled the tree. I just want people to know that.

I wish to thank Senator CARDIN and Senator MENENDEZ before him for the way we have all been able to work through a lot of issues that have come up. What I hope doesn't happen today is that, somehow or another, we begin referring back to incidents and trying to turn this into some type of partisan debate. We worked through August. Things happened all along the way. We worked through those. We ended up with the ability as a Congress, on an executive agreement, which we all know was meant to be implemented without any congressional involvement whatsoever, going straight to the U.N. Security Council—we all worked together to figure out a way to have this debate and then vote on the substance of this legislation.

So I want to thank my friends on both sides of the aisle. It passed over-

whelmingly—98 to 1. I think, actually, the Senator from California was absent on that day. I look forward to a very substantive debate taking place on this most important issue.

Later today, I will have longer and more formal comments to make about the substance of what was agreed to by the administration and other countries involved in the process.

I am looking forward to this. I want to say again to my friends on the other side of the aisle that I think we set this up in a manner to be a dignified, sober debate about one of the most important foreign policy issues that will come before us. Thankfully it is coming before us because we all forced it to come before us, to have this debate, and to be able to weigh in.

I yield the floor. I thank very much the Senator from California for her courtesy.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I wish to thank my chairman of the Foreign Relations Committee, Senator CORKER, for his courtesies. We do not agree on this particular matter, but there are a lot of matters when it comes to foreign policy on which we do agree. I do agree this should be a very straightforward debate—either you are for this agreement or you are not.

I think the fact that Congress is voting on it is good. I did support that in the committee. That calls for regular order as far as the way we treat this very important vote.

I am very proud to stand here today as the longest serving member sitting on the Foreign Relations Committee today. Out of all of the members, I have been there the longest. When I got there, I did not have these gray hairs. I am not blaming any of the topics that came before us for these gray hairs; however, we have had some tough debates, and this certainly is one of them. I know my friend has a lot to do. I just want to say I was pleased to yield to him because I think he has set the right tone.

Colleagues, this is a vote we are going to long remember, a vote on an arms control agreement that came about for only one reason. That reason is, our President and his team—former Senator John Kerry, now Secretary of State; Wendy Sherman, the chief negotiator—they were part of the team, and many others worked tirelessly against the most vitriolic opposition.

The President stood firm. I want to say to him today: Thank you, Mr. President. In that race for President that you ran, you were very clear that you were going to reach out your hand and see if we could avoid another war in the Middle East. I hope and pray this Senate will give us and the world this opportunity.

As the President has said, a military option is always on the table. It is in our Constitution that the President can respond to a threat. So nothing in this agreement takes a military response off the table. But it does say