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Senate

The Senate met at 10 a.m. and was called to order by the Honorable TOM COTTON, a Senator from the State of Arkansas.

PRAYER

The PRESIDING OFFICER. Today's prayer will be offered by our guest Chaplain, Father Patrick J. Conroy, the Chaplain of the U.S. House of Representatives.

The guest Chaplain offered the following prayer:

Let us pray.

Loving God, we give You thanks for giving us another day. We thank You for Your ongoing presence and sustaining grace in us all and Your concern for our Nation.

Continue to bless and inspire the men and women who serve in the Senate. May they be encouraged by any movement that has occurred and may the hopes and prayers of the American people, and indeed the world, for healthy and productive legislation be met with results inspired by Your Spirit.

Forgive our failures, our lack of faith. May the good intentions of all acting in this Chamber be rewarded by solutions to our struggles that benefit our Nation.

May all that is done be for Your greater honor and glory. 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. HATCH).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, November 3, 2015.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM COTTON, a Senator from the State of Arkansas, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. COTTON thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

FEDERAL WATER QUALITY PROTECTION BILL

Mr. MCCONNELL. Mr. President, two Federal courts have already found that the Obama administration's plan to regulate the land around nearly every pothole and ditch is illegal. It is hardly a surprise. The administration's so-called waters of the United States regulation is a cynical and overbearing power grab dressed awkwardly as some clean water measure. It is not. Many argue it actually violates the Clean Water Act.

The true aim of this massive regulatory overreach is pretty clear. After all, if you are looking for an excuse to extend the reach of the Federal bureaucracy as widely and intrusively as possible, why not just issue a regulation giving bureaucrats dominion over land that has touched a pothole or a ditch or a puddle at some point? That would seem to be pretty much everything, and that is why the waters of the United States regulation is so worrying. It would force Americans who live near potholes and ditches and puddles to ask bureaucrats for permission

to do just about anything on their own property.

Want to spray some weeds? Fill out a permit. Want to put a small pond in your back yard? Ask Uncle Sam. Want to build a barn or just about anything else on the land you own? Good luck getting approval from the Feds on that.

One court said that this regulation was so ridiculous it had to be the result "of a process that is inexplicable, arbitrary, and devoid of a reasoned process." That sounds about right. It certainly wasn't a process that appropriately involved the untold number of stakeholders sure to be affected by such a wide-ranging regulation. Let me read you something I received from a constituent in West Liberty, KY. Here is what he wrote:

I'm disappointed [that] small businesses like mine were not considered in this rule making process. Government regulations, like the proposed rule, are complicated, expensive to navigate and a real obstacle to growing my business. This change, and its ridiculous overreach and restrictions could decrease land value and hinder my ability to expand, develop and use my own private land.

"Please," he said, "support S. 1140, the Federal Water Quality Protection Act."

I have good news for this Kentuckian and for the many Americans who feel the same way. I do support the Federal Water Quality Protection Act. I actually worked with Senator BARRASSO to introduce it and will take a vote to move the bipartisan bill forward this afternoon.

A bipartisan majority of the Senate supports the Federal Water Quality Protection Act. What it says is pretty simple. If the administration is actually serious about protecting waterways and not just cynically using this regulation as a ploy to extend the bureaucracy's reach, then it should follow the proper process to get to a balanced outcome. It should appropriately consult with the Americans who would be

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



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the most affected by the regulation, especially farmers, ranchers, and small businesses, not to mention the homebuilders, manufacturers, mine operators, and utility providers that would be particularly impacted in my State. It should appropriately consult with the States. It should actually conduct the regulatory impact analyses required of it.

In short, what this bipartisan bill would do is require the administration to actually follow the balanced approach it should have followed in the first place. It is commonsense, bipartisan legislation that would protect our waterways while protecting the American people from a heavy-handed regulation that threatens their property rights and their very livelihoods. A similar bill has already passed the House with bipartisan support.

Americans in places like Eastern Kentucky have suffered enough from this administration's regulatory onslaught already. This latest regulation threatens to turn the screws even tighter for almost no benefit at all.

I call on every colleague to join me in standing up for the middle class instead of defending cynical, job-crushing regulations. I ask them to join me in supporting the bipartisan Federal Water Quality Protection Act this afternoon.

I thank my colleague from Iowa for her hard work on this issue. She has introduced a measure that would allow Congress to overturn this massive regulation in its entirety. It is another avenue the Senate can pursue as we seek to protect the middle class from this unfair regulatory attack.

I know the Senator from Iowa is actually with us on the floor right now. She is here for a different reason, which is the subject that I am turning to right now.

CONGRATULATING SENATOR GRASSLEY ON CASTING HIS 12,000TH VOTE

Mr. MCCONNELL. Mr. President, last week the Senate marked two milestones. First, our colleague from Vermont cast vote No. 15,000. We all noted it at the time. And then our colleague from Iowa cast vote No. 12,000, and that is what we would like to note now.

It is true that Senator GRASSLEY still has some catching up to do if he wants to overtake the Senator from Vermont, but there is more to this story than the top-line number. Out of those 12,000 votes our colleague has taken, the last 7,474 of them were taken consecutively. He hasn't missed a single vote since 1993. He has the second-longest consecutive voting record in Senate history, second place out of 1,963 Senators. That is pretty impressive.

Even so, we know our colleague never likes to settle for second. It is good for him, then, that he will soon grab gold in a different way. He is just a few months out from becoming the longest

serving Senator in Iowa history, and yet he is one of the most energetic guys around here—a runner in every sense of the term.

He has a lot of fans in Iowa too. I don't think it is any great mystery why the people of Iowa keep sending him here. This is a Senator with a deep love for his State and a simple philosophy. When he is here in Washington, he is voting. When he is back in Iowa, he is out meeting Iowans. He makes a point to hold townhall-type events in each of Iowa's 99 counties every single year. He hasn't missed a single county in over three decades. No wonder he began his ascent into Twitter legend with four simple words: "Attending events in Iowa." That tweet is hardly as infamous as "assume deer dead" or "staff has now informed me of what a Kardashians is, I'm only left with more questions." It captures our colleague perfectly in less than 140 characters.

Here is something that captures him in at least that many calories. At the end of every annual 99-county swing, Senator GRASSLEY has a ritual. He gets a Blizzard from Dairy Queen—sometimes chocolate, sometimes vanilla, but always, always swirled with Snickers. This year, he got to DQ so early he had to wait in the parking lot for it to open, and of course since this is the senior Senator from Iowa, he tweeted about it. Here is what he said: "I'm at the Jefferson Iowa DairyQueen," he wrote, doing "you know what!!!" That is some tweet. But in this Dairy Queen story, you have the perfect metaphor for our colleague from Iowa—early riser, driven, devoted to tradition, open to change, and never afraid to mix it up. For this lover of dairy and devotee of his home State, it makes perfect sense. The people of Iowa are lucky to have him here fighting on their behalf.

Here is to another 99 counties. Here is to the 12,000-vote milestone the Senator from Iowa crossed last week.

REMEMBERING FRED THOMPSON

Mr. MCCONNELL. Finally, Mr. President, on an entirely different and sad matter, there was never any doubt when our colleague from Tennessee was nearby—6 feet 6 inches tall, deep, booming voice, and a magnetic personality that lit up any room he was in. Fred Thompson may have towered over the Senate in a very literal sense, but he was one of the most down-to-earth guys you will ever meet. He was a true gentleman with a kind heart.

This Senator, who lived life to the very fullest, the first in his family to ever attend college, never forgot where he came from.

Now, in a weird twist of fate, it turns out that Fred and I actually came from the same place. We were both born in what was then known as the Colbert County Hospital in Sheffield, AL. But getting back to Fred's humility, how many successful actors can you say that about? You see, Senator Thompson hardly fit the Hollywood stereo-

type. Senator Thompson didn't fit the political stereotype either. He was just Fred. He had one of the most interesting careers you could ever imagine—Senate colleague, Watergate lawyer, Presidential candidate, and radio personality. And he was an icon of the silver and small screen alike, one who didn't just take on criminals as an actor but as a real-life prosecutor as well. That was Fred Thompson. That was the man many of us had the pleasure to serve with.

I am reminded of some words shared recently by Fred's friend of 50 years, a friend who succeeded him here in the Senate. "Very few people could light up a room the way that Fred Thompson did," he said. "I will miss him greatly."

I join the senior Senator from Tennessee in the same sentiment. I know the entire Senate does as well, just as the Senate joins together in sending condolences to Fred's loved ones, Jeri and his children, in particular, in this very difficult time.

RECOGNITION OF THE MINORITY LEADER

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

PAID FAMILY LEAVE

Mr. REID. Mr. President, for many decades the American people have heard that their elected officials and political hopefuls taught family values, but right now we need more than talk. We need Members of Congress to step up to the plate to help working families.

Our country has fallen well behind the rest of the world when it comes to paid family leave. We are the only developed country in the world that does not mandate paid medical leave for workers. Think about that. The most industrialized and successful country in the history of the world mandates less paid and protected family leave than Malta, Slovakia, and Estonia. What does this mean for working American families? It means parents can't stay home and take care of their sick children. It means mothers need to rush back to work after giving birth to a child. It means working Americans have to choose between a paycheck and their family responsibilities.

Right now the United States provides paid family leave for only 12 percent of its private sector workforce. We are one of three nations without paid maternity leave: Papua New Guinea, Oman, and the United States. Those are the three nations without paid maternity leave: America, Oman, and New Guinea. That is really unfair, and it doesn't qualify as family values.

I was pleased recently to learn that the new Speaker, PAUL RYAN, told House Republicans his family is off-limits. I don't know if that means Friday afternoons or just Saturday and