



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 114<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 161

WASHINGTON, MONDAY, NOVEMBER 30, 2015

No. 172

## 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 Father, we acknowledge that in spite of the turbulence in our world, You are still God. Thank You for Your goodness, for Your mercies, and for Your steadfast love that endures forever.

Bless our lawmakers. May they bring their fragmentary lives into the wholeness of Your presence. Calm their restless spirits with the soothing strength of Your everlasting security. Make them victors and not victims on life's great battlefield. May they find in You grace, peace, power, and adequacy to be more than conquerors.

We pray in Your mighty 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 (Mrs. ERNST). The majority leader is recognized.

### AUTHORIZING RETURN OF PAPERS REQUEST

Mr. McCONNELL. Madam President, I ask unanimous consent that the Secretary of the Senate be authorized to request the return of the papers with respect to PN742; further, that when the Senate receives the papers, the

Senate's action with respect to the nomination on November 19, 2015, be initiated.

The PRESIDING OFFICER. Without objection, it is so ordered.

### MEASURE PLACED ON THE CALENDAR—S. 2329

Mr. McCONNELL. Madam President, I understand there is a bill at the desk due 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. 2329) to prevent the entry of extremists into the United States under the refugee program, and for other purposes.

Mr. McCONNELL. In order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

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

### POWER PLAN REGULATIONS

Mr. McCONNELL. Madam President, when President Obama tried to push a regressive anti-middle-class energy tax through a Democratic-controlled Congress, his own party said no. Undeterred, the President simply went around Congress to impose similarly regressive—and likely illegal—power plan regulations anyway. He is currently trying to sell that power plan to world leaders in Paris, as proof of the American Government's commitment to his energy priorities. But with all due respect to the President as our Commander in Chief, governments currently engaged in this round of climate talks will want to know that there is more than just an executive branch in our system of government.

More than half of the States have filed suit against the President's power plan. A bipartisan majority in both Chambers of Congress have approved

legislation that rejects the President's plan. The courts appear likely to strike it down, and the next President could simply tear it up. This is the easily foreseeable result of intentionally sidestepping Congress to impose this anti-middle-class power plan.

If left in place, the power plan threatens to punish the poor and could result in the elimination of as many as a quarter of a million U.S. jobs. For what? The power plan won't even meaningfully affect global climate emissions, and it could actually increase emissions by offshoring American manufacturing to countries that lack our environmental standards.

That is pain for the middle class, a climate rounding error for negotiators in Paris. That is not a good policy for America's working families. It certainly would not be responsible to attempt to negotiate commitments based upon an illegal power plan, one that may not even survive much longer, in any event.

### ACCOMPLISHMENTS OF THE NEW CONGRESS

Mr. McCONNELL. Now, Madam President, on another matter, in the last election the American people chose a new direction with a new Republican majority in Congress. We have been working hard ever since to get Congress back on their side and back to work. Over the past year, Americans have seen committees up and running again. Americans have seen bills passed again. Americans have seen meaningful bipartisan bills being signed into law again. Americans have also seen Members of opposing parties working together to make progress on important issues, from trade to Medicare to cyber security. We have seen examples of it this year on some of Washington's stickiest issues.

We saw the Senate pass a bipartisan multiyear highway bill this summer, 65 to 34. The Republican chairman and

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



Printed on recycled paper.

the Democratic ranking member worked closely to bring this about. We also saw the Senate pass a bipartisan replacement for the broken No Child Left Behind law last summer, 81 to 17. I would like to thank Senator ALEXANDER and Senator MURRAY for working closely across the aisle on that achievement. These represent significant accomplishments for the new Congress and significant wins for the American people. After all, some pundits said Washington could never take these issues on at all. But we did, and we now expect to finish Congress's work on all of those matters in the coming days.

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The minority leader is recognized.

#### WORK OF THE CONGRESS

Mr. REID. Madam President, I appreciate the Republican leader cheering for all of the great things that have happened here in the Senate, but the facts are that—look at any political scientist, anyone who watches what goes on here in Washington and add up the number of bills passed and the nominations confirmed in this Congress—this Congress is well, well beyond anything in recent history.

In addition to that, we have had more revotes—that is, voting on the same thing over and over with the same result—in the history of Congress ever. So I appreciate his trying to make things look good. I hope it gets better in the next couple of weeks because we have a lot to do. We have a lot to do. I will talk about that in a minute. We have so much to do. We can accomplish a great deal if we finish the highway bill and elementary and secondary education, if we do the tax extenders, and if we do the omnibus spending bill. That would be terrific if we could get those done, but we only have a few days to get them done.

#### TRAGEDY AT PLANNED PARENTHOOD CLINIC

Mr. REID. Madam President, our Nation is stunned following last week's wanton murders at the Planned Parenthood clinic in Colorado Springs, CO. That heinous attack left three dead: a police officer, a mother of two children, and an Iraq war veteran. Nine others were wounded. It is sickening that these innocent victims were gunned down in cold blood in a medical clinic in the holiday season.

More casualties were avoided by the quick and heroic action taken by responding law enforcement as well as by a courageous bystander named Ke'Arre Stewart, the Iraq war veteran I just mentioned, who heroically reentered the building to provide help. While he was doing that, he was killed—mur-

dered. I can only imagine the heart-breaking anguish that the victims and their families are experiencing. I know it is of little comfort, but the Senate mourns with them. Our thoughts are with them, their families, and the first responders who brought an end to this brutal attack.

But we in the Senate should not fail to see the context in which this vile assault took place. Last summer, a right-wing group began unleashing a series of heavily edited videos with unsubstantiated allegations. Since that time, Republicans in Congress have made it their mission to push these unsubstantiated allegations every chance they get. They are actually baseless.

They also have made it their mission to defund Planned Parenthood, which would irreparably damage this health care provider's future. Republicans have insisted on votes to strip Planned Parenthood from its Federal funding on two different occasions. Neither was successful. But they are still trying.

Republicans want to stop Medicaid reimbursement to Planned Parenthood, among other things. Republicans also believe in politically motivated investigations of Planned Parenthood. The Republican chairman of the House oversight committee, Congressman JASON CHAFFETZ, has admitted that he has uncovered no wrongdoing in his investigation of Planned Parenthood to this point.

But always willing to play a bad hand, that has not stopped House Republicans from allocating \$300,000 of taxpayer money to fund a new politically motivated special subcommittee dedicated to investigating Planned Parenthood. Republicans should not waste their time. I would hope that they give up before they match the millions of dollars—at last count it is more than \$5 million—that they have wasted on the so-called Benghazi “let's get Secretary Clinton” committee, another politically motivated and untimely fruitless attack.

We should never forget that one in five American women will get care from a Planned Parenthood clinic at some point in their life. Cutting off access to important health care services such as breast and cervical screenings and contraception is bad for women and bad for the country.

In the wake of this act of domestic terrorism, I commend Planned Parenthood for refusing to allow threats and violence to stand in the way of its work to ensure women have access to care. I hope everybody understands that I stand with Planned Parenthood. But we as leaders must be mindful of our words and actions. Whipping people into a frenzy of hate and anger while providing them with easy access to firearms has proven disastrous to our country.

We have a responsibility as leaders to think very hard about what we say and do in this context and what the consequences are. We have a responsibility to fund ways to stop this violence.

Democrats are working on reasonable gun safety proposals that will help ensure that firearms are kept out of the hands of people intent on committing violence. It is appalling how many times I have had to make this plea. This terrible event that took place in Colorado just a few days ago is already off the news. Why? Because it happens so often in America. It is appalling how many times I have had to make this plea, but I say to my Republican colleagues yet again: Join with us in passing sensible gun safety reforms. Help us keep guns away from people intent on using them to slaughter innocent people.

First, we must do something to close to loopholes that allow FBI terror suspects and other unhinged individuals to legally buy AK-47s and other weapons. Right now a terror suspect, someone who is listed on the watch list, can walk into a gun store or a gun show and purchase sophisticated assault weapons. To leave that loophole unaddressed is sheer recklessness by congressional Republicans. Someone on the terrorist watch list can walk in and buy a gun, any gun they want. That is not good.

We must also strengthen our Nation's background check system. We are failing to flag and prevent people who are mentally ill or who have violent motives from legally purchasing weapons. Improved background checks are essential in keeping guns out of the wrong hands. What we are saying is if someone is a felon, a criminal or crazy, they shouldn't be able to purchase a gun without a background check, and they should never be able to purchase a gun—period.

Finally, we have to close loopholes that allow people to illegally traffic in firearms. What does this mean? Right now we have no laws in place to adequately prevent individuals from purchasing weapons—buy huge numbers of weapons. Then what do they do with them? Sell them at a great profit and transfer them to criminals.

For example, a person with a clean background can purchase an unlimited number of guns and then turn around and sell them to a cartel, a gang or a terrorist organization with no threat of prosecution. Unfortunately, as in the past, Republicans are nowhere to be found when it comes to implementing these commonsense changes to our gun laws. For example, as to the Colorado Springs murders, did we hear a single Republican running for President of the United States stand and say: We have too many guns; can't we stop this?

I haven't heard a single Republican Senator come to the floor and say something about this terrible event that took place. Instead, they are busy fear-mongering against Syrian refugees, those fleeing Assad and ISIS. We have a rigorous screening process for when we accept refugees. The refugees we are accepting are women, children, and older men with families. Less than