



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 114th CONGRESS, SECOND SESSION

Vol. 162

WASHINGTON, THURSDAY, APRIL 28, 2016

No. 66

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.

Lord, You are in the midst of us and we are called Your children. We confess that we often fail to live worthy of Your great Name and generous mercies. We thank You for the opportunity to serve You as we strive to keep America the land of the free and the home of the brave. Abide with our law-makers. Be their companion as they labor to keep this Nation strong. Drive away all snares of the enemy and may no weapon formed against them be able to prosper. Make our Senators models of excellence and integrity for our Nation and world.

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. ROUNDS). The majority leader is recognized.

THE APPROPRIATIONS PROCESS

Mr. MCCONNELL. Mr. President, let me quote from a letter I recently received from our colleagues across the aisle. Here is what they said:

We are writing to reiterate our interest in working cooperatively to facilitate the fiscal year 2017 appropriations process. As we see it—

Our Democratic friends said—

restoring the regular order promises not only a more open and transparent process, but a chance for Senators on both sides of the aisle to participate meaningfully in funding decisions. This is a win-win opportunity and we should seize it together.

That was a letter I received from all of our friends on the other side of the aisle. That is exactly what we have been doing—exactly. The appropriations process is off to a strong start, an “excellent kickoff,” in the words of the top Appropriations Committee Democrat, Senator MIKULSKI, with bills passing through the committee by unanimous bipartisan votes.

“If this is the way it is going to be to move appropriations,” she said just a few days ago, “then I think it is a good day.” Senator MIKULSKI said: “I think it is a good day.” Democrats lauded the first bill on the floor and in press releases for helping promote American jobs and for addressing the cleanup of radioactive and hazardous contamination across our country.

They praised its key investments in research and water infrastructure. Then, what did they do? They filibustered—the very same people who wrote the letter, the very same people who praised the bill in press releases, the very same people who took credit for amendments in the bill, those same people.

It seems Democrats are more concerned with funding the acquisition of heavy water from Iran than funding water infrastructure in America. Let me say that again. It seems Democrats are more concerned with funding the acquisition of heavy water from Iran than funding water infrastructure right here in our own country.

As we all know, President Obama concluded a nuclear deal with Iran last year. Tehran is expected to reap approximately \$100 billion, thanks to the deal, and the Obama administration itself has admitted the regime is likely to use that windfall to invest in its war economy, to defend its regime, and to

strengthen the hand of the Revolutionary Guard, a group that has been accused of helping Shiite militias attack and kill American soldiers in Iraq.

Many of us, including myself, warned that this deal made little sense in terms of our regional strategy. We warned it would enhance Iran’s capability and its power. Indeed, since signing President Obama’s deal, Iran has tested ballistic missiles. It has deployed forces to Syria in support of the Assad regime. It has harassed American ships and those of our allies within the Persian Gulf.

So when the administration made an announcement over this past weekend that it would be purchasing so-called heavy water from Iran, a lot of us were concerned. That is right. Make sure everybody understands. U.S. funds would be sent to Iran. Nothing in the President’s deal with Iran required the United States to make that purchase. It is likely it will effectively amount to even more money for Iran to invest in military modernization.

So Senator COTTON filed an amendment to prevent the money we are appropriating from being used for more of these purchases in the future—in the future. His amendment does not put the Secretary of Energy’s current heavy water purchase agreement at risk. It simply tries to keep our Treasury from subsidizing the modernization of Iran’s military or the procurement of ballistic missiles or air defenses that may be used against America or her allies.

I support his policy objective. I don’t know why it would not be supported by every Member of the Senate, regardless of party, but apparently Democrats do not. They have filibustered the overall bill, a bill that passed committee with unanimous bipartisan support, remember, to prevent even the possibility—this amendment is not even pending—to prevent even the possibility of voting on this amendment. They could not wait a single week before throwing an

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



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obstructionist wrench into the appropriations process they claim to want.

Some of us remember that the Democrats did not want to vote when they were in the majority. They also don't seem to want to vote when they are in the minority. I hope they are not dusting off the old filibuster summer playbook, especially in light of the letter they just sent to me about win-win opportunities and restoring regular order. Perhaps the most galling thing about Democrats again trying to blow up the appropriations process is this: They filibustered this appropriations bill and then walked into a press conference about Zika funding. They filibustered this bill and then walked into a press conference about Zika funding.

The appropriations process is the path for that funding. That is the way you do it. Preventing the spread of Zika is something both parties agree is a priority. The administration currently has funds to address the issue but has requested additional funds by the end of next month. Both Republicans and Democrats have been looking at different approaches to properly address the situation.

The senior Senator from Washington, Mrs. MURRAY, recently characterized that bipartisanship collaborative process as moving forward "in good faith." That is especially notable when you consider how difficult it is for the committee to move forward when the administration keeps it waiting month after month after month for information it needs, as has been the case with Zika, but progress is being made anyway. Then Democrats filibustered and upended the process. So how do we move forward now? I remember the second-ranking Democrat, Senator DURBIN, once shared some wisdom that seems particularly relevant. Here is what he said:

If you don't want to fight fires, don't be a firefighter. If you don't want to come to Congress and vote on tough issues, get another job somewhere else.

So here is the message to our Democratic colleagues: Do your job. Do your job. There are other areas where both sides have been able to find common ground. We have seen the truth of that in many important solutions passed by this Republican-led Senate already: permanent tax relief for families and small businesses, groundbreaking education reform that empowers parents and prevents Washington from imposing Common Core, the first long-term transportation solution in years—a solution that will finally allow us to address crumbling roads and infrastructure.

Whether it is pay raises for our troops, help for our veterans, or hope for the victims of human trafficking, we got a lot done last year with hard work and with cooperation. We have gotten more done this year with hard work and cooperation too. In the past 3 months, we passed a comprehensive North Korea sanctions bill, a bill to permanently ban Internet access taxes,

a measure to give the public more access to government records, a bill to help safeguard American intellectual property from theft, and critical legislation to help address our Nation's prescription opioid and heroin epidemic.

Just last week, we passed both the most pro-passenger, pro-security FAA reauthorization in years and the first major energy legislation since the Bush administration. So where are we? We now have a bipartisan opportunity to responsibly work through the individual funding bills. We now have a bipartisan opportunity to responsibly continue addressing funding issues like Zika.

What will it take? What it will take is for our Democratic colleagues to end this obstruction and work cooperatively across the aisle instead. That is not too much to ask. So let's take a step back and look at the bigger picture. I believe that when you give Senators and the people they represent more of a say in the legislative process, they are bound to take more of a stake in the legislative outcome, regardless of party.

That is why we have empowered committees and Members to take the lead in more areas. That is how we have gotten the Senate back to work in so many ways. I think Members in both parties have seen the benefits of it. So, yes, some may see a short-term political benefit in blowing up the appropriations process now, but I would also ask my friends to remember this: Restoring the appropriations process is something we all should want. Democrats have said it is what they want. Republicans have said it is what we want. It is what I have set out to do. I think it is the best way to give individual Senators in both parties more of a voice for their constituents in the funding process, to empower them to make smarter decisions about how taxpayer dollars are spent.

So we are going to give our colleagues an opportunity today to reconsider this filibuster. They don't have to block the appropriations process, which is the path for funding priorities such as Zika. I hope they will make the right choice. We have gotten so much done already with hard work and cooperation. I know there is much more we can accomplish for our country with a little more of each.

So let's keep striving to get more done for our country. The only way to do that is together.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

THE APPROPRIATIONS PROCESS

Mr. REID. Mr. President, when I first came to the Senate, I was so fortunate I was put on the Appropriations Committee that very first day I was here. I loved my assignment. For many years,

I had the good fortune of either chairing or being the ranking member of that Energy and Water Subcommittee. So I know a lot about that subcommittee—many successful bills, never an unsuccessful bill did we bring to the floor. We did them quickly. I worked mostly with the Senator from New Mexico by the name of Domenici. We worked together and got a lot done for the country. So I know this Water and Energy bill. The Republican leader complains about what happened yesterday on the Energy and Water appropriations bill.

On the Democratic side, there is no one who is more liked, appreciated, and who is more imbued as a historic figure than DIANNE FEINSTEIN of California. She became involved in politics at an early age and was thrown into a maelstrom of violence when the mayor was murdered. She had to step in and take over that very difficult job.

As a Senator, she has been valiant, and she wants to get things done. No one can call her rank partisan, because she isn't. But like all of us over here, she was terribly disappointed yesterday and the day before when all of a sudden, the bill is finished—the bill is finished; the Energy and Water bill is finished—and out of nowhere at 12:15 p.m. on Tuesday we get an amendment that really is something that is a poison pill if there ever were one.

The only thing holding up the bill is this poison pill amendment. We agreed to pass it yesterday. DIANNE FEINSTEIN agrees; pass it. She likes it the way it is. We like it the way it is.

So if they are as serious about doing their job as the Republican leader said, we are happy to vote on this bill now. But if Republicans continue to insist on these poison pill amendments—and there is no question that is what this is—we are going to have to continue as we have.

It takes a lot of gall for my friend the Republican leader to talk about filibusters. I repeat what I have said here before, but it is worth repeating. As soon as Obama was elected, the Republicans met in Washington, and they reported in a 2-day-long meeting—which had been reported on numerous times—that they came to two conclusions.

No. 1, Obama will not be re-elected. They failed at that miserably. He got more than 5 million votes than his opponent. But on the other thing they have succeeded in most instances, and that is to oppose everything President Obama wants. That continues to today.

As far as poison pill amendments, we are on record numerous times talking about why it is wrong to have these poison pill riders. For example, I said on the floor:

True bipartisanship also requires both parties to resist the temptation to pursue poison pill riders that appeal to their own supporters, but that are so strongly opposed by the other party that their inclusion in appropriations bills would grind the process to a halt. No doubt there will be many opportunities next year for both sides to score political points. But the appropriations process is