



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 114th CONGRESS, FIRST SESSION

Vol. 161

WASHINGTON, WEDNESDAY, MARCH 4, 2015

No. 37

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable RAND PAUL, a Senator from the Commonwealth of Kentucky.

PRAYER

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

Let us pray.

Father in Heaven, holy is Your Name. You brought light from darkness and order from chaos. You can bring order to our Nation and world. Thank You for the gift of this day and for our borrowed heartbeats. Thank You also for the privilege to serve You by serving our great country.

Use our lawmakers to do Your will. May they become Your merciful hands to reduce the pain and pathology in our world. Lord, use their daily experiences of joy and sorrow, pleasure and pain, victory and defeat for Your glory. Protect them with the shield of Your love as You fill their hearts with Your peace.

We pray in Your marvelous Name. 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, March 4, 2015.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable RAND PAUL, a Senator from the Commonwealth of Kentucky, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

MEASURE PLACED ON THE CALENDAR—S. 625

Mr. MCCONNELL. Mr. President, I understand there is a bill at the desk that is due for its second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

A bill (S. 625) to provide for congressional review and oversight of agreements relating to Iran's nuclear 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 ACTING PRESIDENT pro tempore. Objection having been heard, the bill will be placed on the calendar.

KEYSTONE BILL

Mr. MCCONNELL. Mr. President, construction of the Keystone Pipeline would pump billions into our economy, it would support thousands of jobs, and a bipartisan majority in both the House and Senate voted to support it.

Today the Senate will vote to support American jobs and infrastructure one more time. It should be a no-brainer. For a long time, projects like Keystone basically were no-brainers. They were often approved without much controversy at all. But that was

before powerful special interests and ideological extremists decided to embark on a quixotic crusade.

The implication that building Keystone would result in some sort of apocalyptic cataclysm has always flown in the face of science. Even the assertion that Keystone would have significant impact on global climate ignores the scientific findings of President Obama's own State Department; it said the environmental impact would be minimal.

The reality is that the energy resources in question are almost certainly going to come out of the ground whether or not Keystone is built. The real question here is whether we are going to allow Keystone's energy to help support middle-class jobs in America or whether we will allow those jobs and energy to potentially be sent to high-polluting countries such as China. Deep-pocketed leftists and extremists appear to prefer the latter option.

By vetoing the bipartisan Keystone jobs bill, President Obama sided with those moneyed special interests over the middle class, and it is still unclear why. It can't be about protecting the climate because vetoing the bipartisan bill would hardly have an effect. It can't be about protecting a broken review process the President himself broke long ago because this bipartisan bill seeks to fix the review process. And it can't be about giving the President more time because he has delayed this decision for years on end. Here is the only serious explanation I can think of: President Obama is signaling to extreme special interests that his party is turning away from workers and toward them.

We have seen how the President's veto has outraged some in the labor union community. I know it makes some of our Democratic colleagues pretty uncomfortable as well. I suspect that includes Democrats who didn't support the Senate's initial passage of Keystone. I suspect it also includes

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



Printed on recycled paper.

S1263

Democrats who might otherwise support their leadership's unprecedented filibuster of a veto-override motion.

I am urging every Democrat who still believes their party should be about workers, not deep-pocketed special interests and extremists, to join us. Vote for cloture. Vote to override. Keystone's bipartisan coalition in the Senate is only a few votes shy of the two-thirds majority we would need to override this partisan veto and bring Keystone's jobs here to America. And it is not too late to stop your party from venturing down a path even further afield from the interests of American workers and the middle class. So join us. Together, let's support Keystone's American jobs and infrastructure.

KING V. BURWELL

Mr. McCONNELL. Mr. President, across the street the Supreme Court will hear arguments today in an important case. King v. Burwell is the latest reminder of a law that is as unwieldy as it is unworkable—ObamaCare.

ObamaCare has been one rolling disaster after another for middle-class Americans. First, it attacked seniors by raiding Medicare to finance more government spending. Then it canceled health plans for many who had been told they would be able to keep the plans they liked. And who could forget the Web site debacle? The hits have kept on coming ever since—fewer choices, higher costs, increased tax burdens borne by the middle class, and even more headaches at tax time. In fact, we now know that the Obama administration sent inaccurate ObamaCare tax information to nearly 1 million people. America's middle class deserves a lot better than the hurt of ObamaCare.

We have heard a lot of predictions about what might happen if the Court finds for the plaintiffs in this case, but we have also seen Republican ideas about how to help Americans who may be harmed again by ObamaCare's broken promises. For instance, Republicans think it is better to give Americans and States the freedom to choose what is right for them rather than trying to impose costly mandates from Washington such as ObamaCare.

Regardless of how the Supreme Court rules, I look forward to continuing to work with my Republican colleagues because while ObamaCare is a law that is all about higher costs and broken promises, Republicans think health care should be about helping middle-class Americans instead.

RECOGNITION OF THE MINORITY LEADER

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

NATIONAL LABOR RELATIONS BOARD

Mr. REID. Mr. President, most of the issues that come before this body are complex and nuanced. Rarely are we faced with simple issues. But today we have a very simple, clear-cut issue before us. It is as straightforward and clear-cut as any one question could be. Do you support American workers or do you not support American workers?

Under our law, workers have the right to unionize and have their voices heard in the workplace. Through elections, workers choose for themselves whether to form a union.

Last year the National Labor Relations Board took important steps to modernize and streamline union election procedures—commonsense, simple advancements. Rule changes are good for workers and good for businesses.

This whole fight isn't about business versus workers. We would have to search long and hard to find a business that opposes what the NLRB did. It is all the anti-union rhetoric of the Republicans here in the Senate.

The reform that the NLRB pushed forward allows employers and unions to file forms electronically—kind of the modern world in which we all live. It also allows communications with workers by email and cell phone—pretty reasonable, it sounds like to me. Yet today Senate Republicans are trying to roll back rule changes instituted by the NLRB.

Later this afternoon we will vote on a resolution of disapproval to undo these commonsense reforms. Republicans think they are striking a blow against labor unions with votes like today's, but what they are really doing is undermining American families.

American workers and their families have come to rely on many of the benefits provided by collective bargaining: higher wages, safe working conditions, decent health care. It is no surprise that some of the most prosperous times in American history—namely, the middle 20th century—came about in times of record union membership. Even today in my home State of Nevada, unions protect wages for casino employees on the Las Vegas Strip, up at Lake Tahoe, and all over the State. We ensure through the unions safe working conditions—certainly for miners in Elko and around the State—and also, with rare exception, quality health coverage for educators statewide.

So I want to be very clear. This is about whom the Republicans really are attacking, and it is the middle class. Each time Republicans throw roadblocks for workers to organize, they are weakening the middle class.

I support American families. I support American workers. I support the middle class. Senate Democrats support the middle class. We do not support this Republican attack on unions. We will vigorously fight any attempt to weaken worker protections, including today's resolution vote.

OBAMACARE

Mr. REID. Mr. President, I will briefly comment on my friend the Republican leader further trying to come to the floor once again to try to minimize the disastrous attacks on ObamaCare.

The House has voted 57 times to repeal that law. Each time, the result is the same. As Albert Einstein said, the definition of insanity is someone who does something over and over again and gets the same results. So it is insane what they have done in the House, and it is really insane what they are trying to do here in the Senate.

There is no question about the case before the U.S. Supreme Court. The language is clear. Almost 10 million people will lose health insurance. And we have seen in the press the last few days that very terrible things would happen to families if they lost their health care. What my friend the Republican leader is talking about doing is turning it back to the insurance industry. If you had a preexisting disability, no insurance. They set arbitrary limits as to how much they would pay. It was a time of dread for families who were trying to insure their boys and girls, mothers and fathers.

So I hope the Supreme Court will listen to the will of the American people and the will of the U.S. Senate and the House of Representatives which passed this law. We all knew the intent of Congress. We still do. The law is very clear, and the Supreme Court should follow the law.

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

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE NATIONAL LABOR RELATIONS BOARD

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S.J. Res. 8, which the clerk will report.

The legislative clerk read as follows: A joint resolution (S.J. Res. 8) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the National Labor Relations Board relating to representation case procedures.

The ACTING PRESIDENT pro tempore. Under the previous order, there will be 2 hours of debate remaining, equally divided in the usual form.

Mr. REID. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time be equally divided between the minority and the majority.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will call the roll.