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Senate

The Senate met at 10 a.m. and was called to order by the Honorable JOHN E. WALSH, a Senator from the State of Montana.

PRAYER

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

Let us pray.

Eternal Spirit, Your ways are right. Make Your face to shine upon us and keep us under the shelter of Your wings. Thank You for the life that stirs within us and for our bright and beautiful world. Lord, the works of Your hands bring us joy, creating in us a desire to bless Your Name.

Today fill the hearts of our Senators with praise and peace as they seek to accomplish Your purposes. Give them wings of faith to rise above the challenges that keep them tethered to sectarian paralysis. Provide them with everything they need to live a life that glorifies You.

Lord, we thank You for our gifted Senate pages who faithfully serve You and country.

We pray in Your great 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. LEAHY).

The bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 5, 2014.

To the Senate:

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

appoint the Honorable JOHN E. WALSH, a Senator from the State of Montana, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. WALSH thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

BIPARTISAN SPORTSMEN'S ACT OF 2014—MOTION TO PROCEED

Mr. REID. Mr. President, I now move to proceed to Calendar No. 384, S. 2363, the Hagan sportsmen's legislation.

The ACTING PRESIDENT pro tempore. The clerk will report the motion.

The bill clerk read as follows:

Motion to proceed to Calendar No. 384, S. 2363, a bill to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Mr. President, following my remarks and those of the Republican leader, the Senate will be in a period of morning business until 1:45 p.m., with the majority controlling the first 30 minutes and the Republicans controlling the next 30 minutes.

At 1:45 p.m. the Senate will proceed to executive session for at least one rollcall vote. First, there will be a vote on the confirmation of Sylvia Burwell to be Secretary of Health and Human Services and then a vote on the confirmation of Carolyn Hessler Radelet to be Director of the Peace Corps. We hope to confirm the Radelet nomination by voice vote.

MEASURE PLACED ON THE CALENDAR—S. 2432

Mr. REID. Mr. President, I understand S. 2432 is at the desk and due for a second reading.

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

The bill clerk read as follows:

A bill (S. 2432) to amend the Higher Education Act of 1965 to provide for the refinancing of certain Federal student loans, and for other purposes.

Mr. REID. Mr. President, I would object to any further proceedings with respect to the legislation at this time.

The ACTING PRESIDENT pro tempore. Objection is heard. The bill will be placed on the calendar.

INVASION OF NORMANDY

Mr. REID. Mr. President, I am aware of the remarks I am about to make in recognition of the Presiding Officer who has, prior to coming to this body, led hundreds of troops into Iraq during some of the most difficult combat that any soldiers faced during that conflict.

When I first came to the Senate, we had many combat veterans, but that has changed over the years, quite remarkably.

We all look to Senator MCCAIN as someone who certainly understands what it means to be in a conflict in war, but things have changed since we lost Medal of Honor winners: Dan Inouye on his passing; Bob Kerrey as a result of his retiring; Fritz Hollings, a Silver Star winner, combat veteran of World War II; Ted Stevens flying airplanes into the Far East, a dedicated heroic pilot; and many other people, so there aren't many left anymore.

That is why I focus attention on the Presiding Officer today, because he is representative of the best of people who fight for freedom.

On June 6, 1944, President Franklin Roosevelt began his national radio address in a very unusual way, one not entirely common then or now, because the Commander in Chief, the President of the United States, asked the American people to join him in prayer. Why

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



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did he do that? His prayer was not for himself but for the 156,000 allied soldiers who, as he spoke, were fighting their way onto the beaches of Normandy.

As he implored the American people on behalf of those soldiers, he said:

They will be sore tried, by night and by day, without rest until the victory is won. The darkness will be rent by noise and flame. Men's souls will be shaken with the violence of war. For these men are lately drawn from the ways of peace. They fight not for the lust of conquest. They fight to end conquest. They fight to liberate.

That was part of his request, that the American people pray for these valiant soldiers. Of course, while this battle for Europe was going on throughout the South Pacific, people were dying as he spoke. Virtually all of the troops who stormed the beaches of France that day were not professional soldiers. They were schoolteachers, farmers, ranchers, mechanics, and clerks. These fathers, husbands, sons, and brothers were pulled away from their peaceful lives and instead were sent to liberate an entire continent. They fought courageously for liberty. They hurtled themselves into the line of fire to defeat tyranny.

We can probably all look back at people who fought in World War II. They were our relatives, our neighbors, and I mentioned a few whom I served with in the Senate.

From the little town I come from in Nevada, Searchlight, there was a man there named Junior Cree. His name was Junior Cree. That was his given name. I grew up there as a little boy.

He had a service station, a little bar, and did a number of different things. He was an entrepreneur, as was his dad.

Many years after I was no longer a little boy, he came to my home in Searchlight and wanted to see my new home. Junior and I sat and talked with his daughter Sandy. I had asked him: Junior, what did you do in the invasion of Normandy? He proceeded to tell me. Yet at this time he was an 80-year-old man.

He told me he had fought in the North African conflict first. He was in the infantry. He was not in the first wave to go onto the beaches, but he was in one of the first, in one of the amphibious vehicles. There were about 35 or 40 people on one of those.

His job—he had his rifle of course but his job was to carry signs—he was a big man—into the water onto the beaches, and he had instructions on what to do with the signs, to designate who they were and what they were supposed to do. The water was much deeper than anyone said. Well, this man, who was well over 6 foot, went right to the bottom and nearly drowned because these signs were so heavy. He made it onto the beach and found security under a damaged half-track, I think he called it. He was shot in the rear end, and that ended his military adventures during World War II.

These people were everywhere. Junior Cree was one of 156,000 people on those

beaches. They were all heroes. They were all people just like Junior Cree. They fought courageously for liberty. As I have indicated, they hurtled themselves into the line of fire. Can you imagine going onto the beach with the machine gun fire coming down on top of you.

Tomorrow is the 70th anniversary of D-day. On that day 156,000 heroic soldiers turned the tide against Adolf Hitler's savagery and unshackled the nations of Europe. This afternoon there are about 10 or 11 Senators who are going to go to that 70th anniversary which is being held on the beaches of Normandy. President Obama will be there, world leaders will be there, and I appreciate very much those Senators going and representing the Senate, as well as the Presiding Officer.

Proof of these soldiers' bravery can be seen in faraway France today, every day, not just for the celebration that is going to take place recognizing the 70th anniversary of this conflict—every day—because there are massive graves there, all over Europe. These seemingly endless rows of white headstones testify to their valor. Crosses and Stars of David are reminders of the debt we owe to those who refused to balk in the face of the evil, and that was Hitler. Adolf Hitler's Nazis were evil.

May we always honor their sacrifice and never forget the price they paid to protect, not only this Nation but the entire world.

HONORING VETERANS

One of the ways in which we honor soldiers in our democracy is to care for our veterans. As we celebrate the 70th anniversary of D-day, it is fitting that Members of this body are working on a bipartisan basis to ensure that American veterans get the help they need and deserve. In light of the disturbing reports of the practices of the Department of Veterans Affairs hospitals and other facilities, chairman BERNIE SANDERS, of the Senate Veterans' Affairs Committee, is leading the effort to craft a bill to improve care at VA hospitals.

I applaud his efforts. I applaud the efforts of Senator MCCAIN. As we speak, they are meeting to try to come up with some bipartisan solution to the problems of wait times at VA facilities. I am hopeful an agreement will be reached that guarantees American veterans are receiving the care we as a grateful nation have promised. It is the least we can do for these gallant men and women who have fought to protect our great country.

RECOGNITION OF THE MINORITY LEADER

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

NORMANDY INVASION

Mr. MCCONNELL. Tomorrow marks the 70th anniversary of the invasion of Normandy, a day known across the world as D-day.

On this fateful day, which proved to be such a decisive turning point for the

allied victory in Europe, thousands of allied forces were killed or wounded in the invasion. While we are sadly losing more and more members of the "greatest generation" with each passing year—including the last of the original Navajo code talkers whom we lost just yesterday—the heroism of these brave Americans can never be forgotten.

I have one constituent, Bob Williams from Boone County, KY, who jumped on D-day, jumped again 50 years later, and was on the front cover of Time magazine. I saw him earlier this year, and he says he is not going to jump again because his wife will not let him, but Bob Williams is still in good shape 70 years after the day he jumped into the night of D-day.

Tomorrow I will be honored to commemorate the most important anniversary by meeting with a number of Kentucky heroes—veterans from World War II and the Korean war—who will be visiting the national monuments built here in the Nation's Capital to honor their service and sacrifice. They will be making a trip with the help of the Bluegrass Chapter of the Honor Flight Program, which has already brought more than 1,000 veterans—mostly from Kentucky—to Washington for this very purpose. The program provides transportation, lodging, and food for the veterans.

Without Honor Flight, many would not be able to visit the World War II Memorial—a memorial erected to honor the sacrifice of the men and women who served on D-day and throughout that era.

I have met with groups of Honor Flight veterans before, and it is always a moving experience. It is gratifying to see these heroes receive the recognition they deserve. Many of them never thought they would be able to make the trip, and for every veteran who does, I am sure they hold cherished memories of their fellow soldiers in arms who did not.

I look forward to greeting them tomorrow and thanking them for their extraordinary service to our country. I am proud and honored that Kentucky is home to so many of these brave heroes.

BURWELL NOMINATION

Today the Senate will vote on President Obama's newest choice to head the Department of Health and Human Services—in other words, the person he will be sticking with the impossible task of trying to make ObamaCare work.

By most accounts Sylvia Burwell is a smart and skilled public servant, but her embrace of ObamaCare calls her policy judgment into question. When it comes to the task of implementing this ill-conceived and disastrous law, the President may as well have nominated Sisyphus because, as I indicated, Ms. Burwell is being asked to do the impossible.

ObamaCare has already inflicted tremendous pain on the lives of countless middle-class Americans, including

many thousands in my own State. It is increasing costs for families all across the country—despite endless promises to the contrary. It has reduced access to the doctors and hospitals my constituents relied on—despite endless promises to the contrary. It has caused Kentuckians to lose the plans they liked and wanted to keep—despite endless promises to the contrary.

A constituent of mine from Pulaski County wrote to tell me that as a result of ObamaCare he lost his insurance and that he was “flooded” when he saw the cost of the ObamaCare-approved plan to replace it. With a spike in his premium and a \$6,300 deductible, he wrote to ask me how “[he] or any working man [could] afford the Affordable . . . Care Act.” He makes an important point.

Nearly every major ObamaCare promise from several years ago is a broken ObamaCare promise today. Even more recent promises from the administration can’t be relied on either. In January the Secretary certified to Congress that she would verify that people were actually eligible for ObamaCare subsidies before they were sent out. In recent weeks we learned from media accounts and testimony that many of the systems needed to protect taxpayers against inaccurate or fraudulent payments still have not been built, tested, or used. Yesterday we learned that nearly one in four applications may have an inconsistency that could affect the accuracy of these payments from American taxpayers. Any wasted tax dollar is a problem, but when you consider that many of these are dollars raised from tax increases or raided from Medicare to make payouts by mistake or through fraud, it is enough to make your head spin.

This is just the kind of thing everyone warned about as Washington Democrats tried to ram this law through, and it will only get worse if we give up now and just accept the giant mess they have made of our health care. I mean, if they can’t even get a Web site fixed after spending hundreds of millions of taxpayer dollars, how can they possibly regulate such a huge sector of our economy in any effective way?

How can any administration official possibly repair all the broken ObamaCare promises? The question answers itself: They can’t. The nominee before us can’t. No one can. The problem is the law itself. ObamaCare is what prevents the successful implementation of ObamaCare. And Americans don’t want it. They want real health reforms—reforms that can actually lower costs, increase choice, and help the middle class. So, in my view, the Senate shouldn’t be focusing on a new captain for the Titanic; it should focus on steering away from the iceberg.

As HHS Secretary, the nominee would oversee many important programs aimed at protecting public health, promoting medical research,

and providing a safety net for seniors and working families, but she would also be the chief operating officer of ObamaCare implementation—a law that is doing incredible damage to middle-class families in our country. Her embrace of this disastrous law is reason enough to oppose her confirmation.

I will be voting against this nominee because I think we need to focus on repealing and replacing this law, not trying to do the impossible by pretending we can make it work.

HONORING OUR ARMED FORCES

STAFF SERGEANT CHRISTOPHER T. STOUT

Mr. President, I rise to mourn the loss and celebrate the life of one brave soldier from Kentucky who died while serving this country. SSG Christopher T. Stout of Worthville, a chaplain’s assistant, was killed on July 13, 2010, in Kandahar City, Afghanistan, from wounds suffered when the enemy attacked his unit with rifles, rocket-propelled grenades, and small-arms fire. He was 34 years old.

For his service in uniform, Sergeant Stout received several medals, awards, and decorations, including the Bronze Star Medal, the Purple Heart, two Army Commendation Medals, the Army Achievement Medal, three Army Good Conduct Medals, the National Defense Service Medal, two Afghanistan Campaign Medals with Bronze Service Stars, the Global War on Terrorism Service Medal, the Army Service Ribbon, the Overseas Service Ribbon, the NATO Medal, and the Combat Action Badge.

Staff Sergeant Stout’s commanding officer, chaplain CPT Ludovic O. Foyou, said this of his fallen comrade:

Staff Sergeant Christopher Stout was not just a chaplain assistant; he was my friend, brother and shield of armor. His immensely pure love for his fellow paratroopers epitomizes the spirit of the Army Chaplain Corps. His love for his wife Misty and three princesses, Jacqueline, Audreanna, and Kristen, always kept a radiant smile on his face.

Christopher’s hometown pastor, the Reverend Raymond Sharon of Worthville United Pentecostal Church, added:

[Chris] was just a fantastic good boy all the way around. Faithful to church, faithful to his family, his wife.

Chris was born on New Year’s Day in 1976 in Louisville and graduated from Carroll County High School.

His mother, Sharon Neuner, remembers Chris’s childhood fondly:

We had some hard times because I was a single parent . . . but those things just brought us closer together. Our song name was “You and Me Against the World.” I remember you used to want name-brand things that we couldn’t afford, so you went to work in an elderly woman’s flower garden. You weeded, painted, and mowed lawns to get money for those name-brand things. In doing so, you learned that it isn’t the clothes or the shoes that make the man, but who you are as a person that makes you a great man.

Chris was an accomplished singer and often preached the gospel at Worthville United Pentecostal Church. He joined

the Army in 1997 and originally served as a parachute rigger with the 782nd Main Support Battalion at Fort Bragg, NC. In September of 2006, at his request, he was reclassified as a chaplain’s assistant. From 2007 to 2008, he deployed with Headquarters and Headquarters Company, 82nd Airborne Division, until in 2009 he was reassigned to 1st Battalion, 508th Parachute Infantry Regiment, 4th Brigade Combat Team, 82nd Airborne Division, based out of Fort Bragg. It was with this unit that Chris deployed to Afghanistan for what would be his final deployment.

In late July 2010, shortly after he was killed, his family, friends, and those who wished to pay their respects gathered at the veterans memorial in General Butler State Park in Carrollton, KY, to remember Christopher Stout.

Daughter Jacqueline Stout sang “Amazing Grace” in his honor to a crowd of nearly 500.

Chaplain LTC David Graetz told the crowd that Chris lived by the chaplain’s motto “Pro Deo et Patria”—Latin for the phrase “For God and Country.”

The Reverend Raymond Sharon of Chris’s hometown church also spoke. “He is a hero,” Reverend Sharon said of Chris. “He has set an example for all the young people here today. Nothing can stop you from accomplishing in life a great place in society, as Chris has done. Chris stood for the truth. He lived it. He talked it.”

With that, the crowd stood at respectful attention for the firing of a three-volley salute by the American Legion Post No. 41, followed by a bugler playing “Taps.” Then the Carroll County judge-executive unveiled for Chris’s family a brick to be placed in the veterans memorial to honor his sacrifice.

His mother said:

Thank you, Chris. You gave your all. I hope my mind stays healthy so that I always have my memories of your smiling blue eyes, your warm smile, those dimples and freckles, and our time of you and me against the world. Those will have to do me until we meet again at Heaven’s gates.

We are thinking of Chris’s family today as I share his story with my colleagues, including his wife Misty, his daughters Jacqueline, Audreanna, and Kristen, his parents Sharon and Billy Neuner, and many other beloved family members and friends. I wish for them to know that this Senate is privileged to pay tribute to SSG Christopher T. Stout for his life of service in honor of the ideals of “Pro Deo et Patria”—“For God and Country.” We recognize his service, and we honor his ultimate sacrifice. He truly was a man of God who died defending our country. Kentucky is proud to call this good and faithful servant one of our own, and we mourn his loss.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 1:45 p.m., with Senators permitted to speak therein up to 10 minutes each, with the time equally divided between the two leaders or their designees, with the majority controlling the first 30 minutes and the Republicans controlling the next 30 minutes.

The Senator from Delaware.

BURWELL NOMINATION

Mr. CARPER. Mr. President, while Senator MCCONNELL is still here in the Senate Chamber, I wish to follow up on his comments about the loss of Christopher Stout.

My wife and I have a son of our own named Christopher. He is roughly 10 years younger than Christopher Stout at his death. So as soon as Senator MCCONNELL began talking about the loss of his life, it resonated with me as a father. It also resonated with me as a former commander chief in the National Guard for 8 years and as a Navy veteran who served three tours in Southeast Asia in the Vietnam war.

Sometimes we don't focus enough on what is being accomplished by our service men and women such as Christopher Stout and their service to our country in Afghanistan and our purpose there. Our role has been to go into a place in which 9/11 attacks were conceived and guided, killing thousands of Americans. Our purpose is, as we draw down on our troops there at the end of this year, to be down to about 9,800 troops, roughly half a year from now, and even fewer in the years to come. But our goal is threefold; that is, when we leave, we leave behind not only a place that is less likely to foment and launch attacks against this country or any other country, but also we leave behind a country that can feed itself, defend itself, and govern itself.

The Presiding Officer was adjutant general for the State of Montana, and he understands full well, having served in combat and for a long period of time, the importance of the role the Christopher Stouts have played and the reverence we hold for them and for their service in life and beyond.

I also hasten to add in following up on the minority leader's comments, there are some things we had in the military. I served 5 years Active Duty, 18 years Reserve as a P-3 aircraft naval flight officer and later as a mission commander. There are some things we had in the military that frankly a lot of people in this country haven't had for too many years. Until last year about 40 million people in this country did not have health care. They did not have access to health care, and we have changed that. We have changed that dramatically.

Does everybody have access to affordable health care today? No, but we no

longer have 40 million people anxious to get access to health care. That has been cut by roughly one-quarter. We will reduce it again this year and again next year, but among the things we had in the military is an annual physical. The idea is that you actually get an annual physical in your birthday month. My birthday month is January. I got my first annual physical, I think, when I was 17 from a Navy doctor, and I got them for years and years after that.

A lot of people in this country, including people on Medicare—they could have lived to be 105—and until about 3 years ago with the option of the Affordable Care Act they got one annual physical paid for by Medicare when they turned 65 and joined Medicare. That was it. It was called the Welcome to Medicare physical. If they could have lived another 40 years, they would have gotten another one paid for by Medicare.

The reason the military provides annual physicals for its members, Active Duty and Reserve, is in order to catch health care problems when they are small, when they can be treated, and we do this to save money. I served in the military and in and out of military bases all over the country, all over the world, and in almost every one of them there was not just a doctor, a Navy corpsman and so forth, but there was a place to go—if you had a problem and needed medical attention, you could get it—a clinic. Today we have thousands and thousands of clinics all over this country where people, whether they have 5 cents or \$5 or \$50 to their name, have health care coverage. They can go get primary health care. They can get primary health care. We have grown dramatically access to primary health care in places all over America, not just Delaware but all the other 49 States as well.

There has been a lot of attention on the VA, some of the very disappointing circumstances that are going on in Phoenix and other places such as that in terms of waiting lists, and they need to be aggressive and they will be, but one of the great innovations the VA came up with 15 or more years ago was electronic health care records.

When I was in the Navy and on Active Duty, and the Presiding Officer may remember, we used to carry around with us—roughly this size—a brown manila folder, and it included my medical records for years, from the time I got my first physical as a 17-year-old Navy midshipman until my last one. People on Active Duty don't carry these around anymore. We have electronic health records pioneered by the VA and now we have them in the Department of Defense. The reason we have them is because it enables us to better coordinate delivery of health care to people who otherwise may not have it. The Affordable Care Act actually introduces for the first time for millions of people electronic health care records, not for them to carry

around or access necessarily—although, in some cases they can—but so the people providing care for them can do it in a better coordinated and smarter way and a more cost-effective way, providing better results for less money.

The other thing we had in the military was the medicine. If someone needed to take medicine, prescription medicines or that sort of thing, they could actually get a medicine that was going to help them, keep them well or help them stay well, be productive. We adopted about 7 or 8 years ago the primary Medicare Part D prescription drug program in Medicare which has turned out to be a great success, although they had a big problem with it when people would fall into the doughnut hole. A lot of folks who got pretty good coverage for maybe the first half of the year would lose their coverage and have to pay. They didn't get any help from Medicare Part D. We started fixing—filling the doughnut hole—with the passage of the Affordable Care Act, and over the next 6 or 7 years we will complete fixing that doughnut hole and people will not fall off the cliff, the Medicare Part D participants, as they have been, because of what is in the Affordable Care Act. Do you know who pays for that? The pharmaceutical companies pay for that, not the taxpayers. The pharmaceutical companies pay for that expansion, making Medicare Part D a good program, cost-effective, under budget, and 85 percent of the people who use it like it. All of those things coincide with the benefits we enjoyed in the military, and they are made available in part and parcel for more people through the adoption of the Affordable Care Act.

Are there problems with the Affordable Care Act? Sure there are. Are there things we need to fix? Sure we should. Will Sylvia Mathews Burwell help us fix those? She will provide great leadership. She and I, interestingly, have our lives intertwined in a strange way. We found out when I first met her. I called Erskine Bowles. I learned over 1 year ago the President had nominated Sylvia Mathews Burwell to be President Obama's OMB Director. I noticed she had worked in the Clinton White House with Erskine Bowles when he was Chief of Staff to President Clinton the second term.

So I called Erskine, and I said: Tell me about Sylvia Mathews Burwell.

He said: I will tell you about Sylvia Mathews Burwell. I have known people as smart as Sylvia. I have known people who are as good at working with other people as Sylvia is. I have known people as good as Sylvia at getting things done. I have not known one person who does all three of those things as well as she does.

He told me a story when she was working as Bob Rubin's right-hand person, top assistant. Bob Rubin was then the Secretary of the Treasury. President Clinton was meeting with Chief of Staff Erskine Bowles, Bob Rubin, the