



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 114th CONGRESS, SECOND SESSION

Vol. 162

WASHINGTON, MONDAY, APRIL 4, 2016

No. 50

House of Representatives

The House was not in session today. Its next meeting will be held on Monday, April 11, 2016, at 3:30 p.m.

Senate

MONDAY, APRIL 4, 2016

The Senate met at 3 p.m. and was called to order by the Honorable BILL CASSIDY, a Senator from the State of Louisiana.

PRAYER

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

Let us pray.

Worthy God, unto whom all hearts are opened, all desires known, and from whom no secrets are hidden, we praise Your Holy Name. You commanded light to shine out of darkness and gave us the gift of this day. Lord, we borrow our heartbeats from You; great is Your faithfulness.

Help our lawmakers to take the long view of their work and to not become weary in doing Your will. Teach them to trust Your wisdom, opening their minds to the counsels of Your sacred Word. Give them the graciousness to humbly serve one another, following Your example of lowliness. Lord, keep them always within the circle of Your will.

We pray in Your loving 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, April 4, 2016.

To the Senate:

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

ORRIN G. HATCH,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

THANKING OUR CAPITOL POLICE OFFICERS AND WELCOMING CHIEF MATTHEW VERDEROSA

Mr. McCONNELL. Mr. President, I welcome our colleagues back from their State work periods. The Senate has gotten a lot done under the new majority, and we will continue our work today.

First, I want to remember the daily sacrifice of our Capitol Police in light of the incident last Monday. Incidents like these remind us of the sacrifices officers make on our behalf each and every day. These brave men and women protect all who work here. They protect the countless visitors from across

our Nation and across the world. They defend this symbol of our democracy, and that means putting themselves in harm's way day in and day out. Again, we thank them for it.

We also welcome Capitol Police Chief Matthew Verderosa. Chief Verderosa comes to us with more than three decades of law enforcement experience, and that is a good thing given that this incident occurred just days into his new position. The Chief inherits an able, brave team who works hard every day to keep us safe. We look forward to continuing our close working relationship with the Capitol Police under his leadership.

DEFEND TRADE SECRETS BILL

Mr. McCONNELL. Mr. President, today the Senate will vote on the Defend Trade Secrets Act. This bipartisan legislation can help promote growth of the economy, help spur the increase and retention of American jobs, and help protect American innovation in the global economy. It aims to do so by providing tools for American companies both small and large to effectively protect some of their most valuable assets in today's international economy.

American companies spend billions every year on research and development and in the creation of products we use every day. But some thieves would rather not go through the trouble of developing products themselves; they would rather just steal the fruits of others' creativity and innovation. That is more than just wrong; it puts American jobs and the American economy at risk.

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



Printed on recycled paper.

S1621

American businesses find themselves increasingly under attack from a sophisticated effort to steal the very things that give them a competitive edge in the 21st-century economy—things such as codes, formulas, and confidential manufacturing processes. While it has never been easier for these thieves to launch attacks on innovation, sometimes armed with little more than a jump drive, many American businesses now find themselves less able to protect their important assets under current law.

Senator HATCH knew we had to do something about this. He knew it was time to modernize our trade secret laws to keep pace with rapid advances in technology and in criminal techniques. He knew it was time to streamline and simplify the process for U.S. companies to effectively defend American jobs, American growth, and the American innovation that is increasingly at the heart of our modern economy. Senator HATCH worked across the aisle with Senator COONS to develop the Defend Trade Secrets Act. This bipartisan legislation eventually gained the cosponsorship of a majority of the Senate.

This bipartisan legislation also passed the Judiciary Committee unanimously. That is impressive, and it wouldn't have happened without the able leadership of the chairman of that committee, Senator GRASSLEY from Iowa. Since the new majority took office, Senator GRASSLEY has been a highly effective legislator as chairman of the Judiciary Committee. From comprehensive legislation to address America's opioid epidemic, to protecting the victims of modern slavery, to today's effort to support American innovation, he has received widespread praise from both sides of the aisle for leading a very productive committee. Senator GRASSLEY is a hard worker, and he is again winning kudos on this bill.

The organization that represents America's tech sector said that "the committee's process has been very open and thoughtful." A broad cross section of American businesses wrote that "the approach to the bill has been consensus-oriented." This, they said, "led to broad and enthusiastic support from a wide range of American organizations and companies . . . representing the technology, medical device, agriculture, biotech, pharmaceutical, automobile, clean energy, consumer products and manufacturing sectors."

Here is what I say: Today's trade secret theft is high-tech. It is fast moving, and it threatens America's economy, America's jobs, and America's innovation.

I ask that my colleagues join me this evening in voting to fight back on behalf of the American people. I ask them to join me in supporting the bipartisan Defend Trade Secrets Act.

TERRORIST THREATS

Mr. MCCONNELL. Mr. President, in recent weeks we have again been reminded of the pervasive threat posed by Islamic terrorists to the world. We have seen ghastly images in places as diverse as Brussels, Yemen, and Lahore. Attacks seem to be coming nearly weekly now, and it feels as if we hear of a new one almost every time we flip on the news.

Over the weekend, the chairman of the Intelligence Committee delivered an address focused on the threat facing us and what we can ultimately do to overcome it. Senator BURR noted that he could not remember a time when the United States and its allies faced a greater array of threats across the world, which is why, as he put it, "we cannot simply focus our efforts on how to best respond to attacks once they've already happened." Senator BURR spoke on the significance of working with our allies to target threats at every level. He talked about the importance of ensuring that law enforcement has the tools and authorities needed to keep Americans safe. He also underlined the need for President Obama to do more in directly taking on ISIL and made clear that doing so would require leadership that reached beyond the administration's current containment strategy.

It is clear that defeating ISIL, Al Qaeda, and its affiliates will require concerted action by our military, the intelligence community, and international partners around the globe. That is why we have continued to press the administration for a serious plan to defeat these terrorist groups and not simply attempt to contain them. In addition to the ongoing air campaign, the President has lauded deploying special operations forces to target and pursue ISIL. It is a positive step, but a credible ground force will be needed to defeat ISIL.

As Senator BURR put it, "We're beyond containment and must move decisively and with purpose to eliminate the Islamic State."

"The President," he continued, has accurately stated "that 'ISIL poses a threat to the entire civilized world.' Now is the time for our strategy to match that threat."

AMERICA'S SMALL BUSINESS TAX RELIEF ACT OF 2015—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to H.R. 636, the vehicle we will use for FAA reauthorization.

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

The legislative clerk read as follows:

Motion to proceed to Calendar No. 55, H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes.

RECOGNITION OF THE MINORITY LEADER

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

DEFEND TRADE SECRETS BILL

Mr. REID. Mr. President, I understand why my friend the Republican leader is doing everything he can to shine a bright light on the Judiciary Committee. It is kind of hard to do that considering everything that is going on today. The bill that we will vote on at 5:30 p.m. would have passed with unanimous consent, and everybody knows that. We don't need to take up the Senate's time on a bill that would pass just like that. We are doing it because it focuses less attention on the inadequacy of the Judiciary Committee. The Defend Trade Secrets Act was easily reported out of committee. There were no problems. It was a bill on which everybody agreed. There may be some reasons for it, but I don't see why the Judiciary Committee should be given a few pats on the back. The problem is that the committee does not deserve any pats on the back at this stage.

JUDICIAL NOMINATIONS

Mr. REID. Mr. President, as U.S. Senators we have a constitutional obligation to consider nominees to important positions. That is one of our constitutional responsibilities. Judges play an essential role in our society, and we should give qualified nominees the fair shot they deserve. Sadly, the Republican Senate has refused to do its job. They have a new standard: Unless the judge-to-be passes the test on the National Rifle Association, as stated by the Republican leader on national TV, they can't vote for him.

The Judiciary Committee has been hammered—and that is an understatement—day after day in the State of Iowa, the home State of the chairman of the committee. This is a headline from the largest newspaper in the State, the Des Moines Register: "Grassley leads slowdown of judicial confirmations." Here is what this headline is all about:

The Republican-controlled Senate Judiciary Committee and its Chairman, Senator Grassley, have fallen far behind any comparable Senate in confirming judicial nominations.

Reading directly from the Des Moines Register article:

Even before the current controversy over consideration of a Supreme Court justice, action on federal court nominations has slowed markedly since U.S. Senator Chuck Grassley took control of the Senate Judiciary Committee.

Since Republicans won a Senate majority in 2014, the number of President Obama's nominees winning confirmation to the bench has fallen compared with previous years and long-term averages, as have the number advancing out of Grassley's Judiciary Committee, according to data from the Congressional Research Service and the federal judiciary.

The article also quotes Professor Sheldon Goldman, an expert on judicial confirmations from the University of Massachusetts Amherst. He said: "With Republicans taking over the Senate, the strategy has been to obstruct, delay and slow-walk these