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PROCEEDINGS AND DEBATES OF THE 114th CONGRESS, FIRST SESSION

Vol. 161 WASHINGTON, FRIDAY, MAY 22, 2015 No. 80

House of Representatives

The House met at 2:30 p.m. and was called to order by the Speaker pro tempore (Mr. WOMACK).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
May 22, 2015.

I hereby appoint the Honorable STEVE WOMACK to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Gracious God, we give You thanks for giving us another day.

You have blessed us with all good gifts, and with thankful hearts we express our gratitude. In this moment of prayer, please grant to the Members of this people's House, as they meet with their respective constituents, the gifts of wisdom and discernment, that in their words and actions they will do justice, love with mercy, and walk humbly with You.

On this weekend especially, we remember those men and women who have given their lives in service to our country. Bless them with everlasting peace, and give consolation and peace to those who mourn them.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 5(a) of House Resolution 273, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Colorado (Mr. POLIS) come forward and lead the House in the Pledge of Allegiance.

Mr. POLIS 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.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 22, 2015.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 22, 2015 at 9:12 a.m.:

That the Senate passed without amendment H.R. 1690.

Appointments:

Board of Visitors of the U.S. Coast Guard Academy.

Commission on Care.

Congressional Award Board.

Board of Visitors of the U.S. Military Academy.

Board of Regents of the Smithsonian Institution.

Board of Visitors of the U.S. Air Force Academy.

Board of Visitors of the U.S. Naval Academy.

With best wishes, I am
Sincerely,

KAREN L. HAAS.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 22, 2015.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 22, 2015 at 9:43 a.m.:

That the Senate passed S. 261.

That the Senate passed S. 612.

That the Senate passed S. 501.

With best wishes, I am
Sincerely,

KAREN L. HAAS.

PUBLICATION OF BUDGETARY MATERIAL

STATUS REPORT ON CURRENT SPENDING LEVELS OF ON-BUDGET SPENDING AND REVENUES FOR FY 2015, 2016 AND THE 10-YEAR PERIOD FY 2016 THROUGH FY 2025

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE BUDGET,
Washington, DC, May 22, 2015.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives, Washington, DC.

Mr. TOM PRICE of Georgia. Mr. Speaker, to facilitate application of sections 302 and 311 of the Congressional Budget Act, I am transmitting an updated status report on the current levels of on-budget spending and revenues for fiscal years 2015, 2016, and for the 10-year period of fiscal years 2016 through 2025. This status report is current through May 15, 2015. The term ''current level'' refers to the amounts of spending and revenues estimated for each fiscal year based on laws enacted or awaiting the President's signature.

Table 1 in the report compares the current levels of total budget authority, outlays, and revenues to the overall limits, as adjusted, that were filed in the Congressional Record on April 29, 2014 for fiscal year 2015, and to those limits contained in the conference report on S. Con. Res. 11, as agreed to on May 5, 2015, for fiscal year 2016 and for the 10-year period of fiscal years 2016 through 2025. This

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comparison is needed to implement section 311(a) of the Congressional Budget Act, which creates a point of order against measures that would breach the budget resolution's aggregate levels. The table does not show budget authority and outlays for years after fiscal year 2016 because appropriations for those years have not yet been considered.

Table 2 compares the current levels of budget authority and outlays for legislative action completed by each authorizing committee with the ''section 302(a)'' allocations filed on April 29, 2014 for fiscal year 2015, and to those limits contained in the conference report on S. Con. Res. 11, as agreed to on May 5, 2015, for fiscal year 2016 and for the 10-year period of fiscal years 2016 through 2025. For fiscal year 2015, ''legislative action'' refers to legislation enacted after the adoption of the levels set forth in the Congressional Record on April 29, 2014. For fiscal year 2016 and the 10-year period of fiscal years 2016 through 2025, ''legislative action'' refers to legislation enacted after the adoption of the levels set forth in the conference agreement on S. Con. Res. 11. This comparison is needed to enforce section 302(f) of the Congressional Budget Act, which creates a point of order against measures that would breach the section 302(a) allocation of new budget authority for the committee that reported the measure. It is also needed to implement section 311(b), which exempts committees that comply with their allocations from the point of order under section 311(a).

Tables 3 and 4 compare the current status of discretionary appropriations for fiscal years 2015 and 2016 with the ''section 302(b)'' suballocations of discretionary budget authority and outlays among Appropriations subcommittees. The comparison is needed to enforce section 302(f) of the Congressional Budget Act because the point of order under that section equally applies to measures that would breach the applicable section 302(b) suballocation The tables also provide supplementary information on spending in excess of the base discretionary spending caps allowed under section 251(b) of the Budget Control Act.

Table 5 compares the levels of changes to mandatory programs (CHIMPs) contained in appropriations acts with the permissible limits on CHIMPs as specified in sections 3103 and 3104 of S. Con. Res. 11. The comparison is needed to enforce a point of order established in S. Con. Res. 11 against fiscal year 2016 appropriations measures containing CHIMPs that would breach the permissible limits for fiscal year 2016.

Tables 6 and 7 display the current level of advance appropriations for fiscal years 2016 and 2017, respectively, of accounts identified for advance appropriations under section 601 of H. Con. Res. 25 (113th Congress), in force and effect pursuant to H. Res. 5 (114th Congress), and under section 3304 of S. Con. Res. 11. These tables are needed to enforce a point of order against appropriations bills containing advance appropriations that are: (i) not identified in the statement of managers or (ii) would cause the aggregate amount of such appropriations to exceed the level specified in the budget resolution.

In addition, letters from the Congressional Budget Office are attached that summarize and compare the budget impact of enacted legislation that occurred after adoption of the budget resolution against the budget resolution aggregates in force.

If you have any questions, please contact Jim Herz or Jim Bates at (202) 226–7270.

Sincerely,

TOM PRICE, M.D.,
Chairman.

TABLE 1—REPORT TO THE SPEAKER FROM THE COMMITTEE ON THE BUDGET, STATUS OF THE FISCAL YEAR 2015, 2016, AND 2016–2025 CONGRESSIONAL BUDGET, REFLECTING ACTION COMPLETED AS OF MAY 15, 2015

[On-budget amounts, in millions of dollars]

	Fiscal Year 2015 [1]	Fiscal Year 2016 [2]	Fiscal Years 2016–2025
Appropriate Level:			
Budget Authority	3,033,319	3,039,215	n.a.
Outlays	3,027,686	3,091,442	n.a.
Revenues	2,535,978	2,676,733	32,237,371
Current Level:			
Budget Authority	3,028,949	2,146,257	n.a.
Outlays	3,038,932	2,564,163	n.a.
Revenues	2,454,602	2,676,733	32,237,371
Current Level over (+) / under (−)			
Appropriate Level:			
Budget Authority	−4,370	−892,958	n.a.
Outlays	+11,246	−527,279	n.a.
Revenues	−81,376	0	0

n.a. = Not applicable because annual appropriations Acts for fiscal years 2016 through 2024 will not be considered until future sessions of Congress.

[1] Section 115(b) of the Bipartisan Budget Act of 2013 (BBA) required the Chairman of the Committee on the Budget in the House of Representatives to file aggregate budgetary levels for fiscal year 2015 for purposes of enforcing section 311 of the Congressional Budget Act of 1974. The spending and revenue aggregates for fiscal year 2015 were filed on April 29, 2014. The current level for this report begins with the budgetary levels filed on April 29, 2014, as adjusted, and makes changes to those levels for enacted legislation.

[2] The FY2016 Concurrent Resolution on the Budget was agreed to in S. Con. Res. 11 and the accompanying report, H. Rept. 114–96. The current level for this report is measured relative to the on-budget levels filed in H. Rept. 114–96.

TABLE 2—DIRECT SPENDING LEGISLATION COMPARISON OF AUTHORIZING COMMITTEE LEGISLATIVE ACTION WITH 302(a) ALLOCATIONS FOR BUDGET CHANGES, REFLECTING ACTION COMPLETED AS OF MAY 15, 2015

[Fiscal Years, in millions of dollars]

House Committee	2015		2016		2016–2025	
	BA	Outlays	BA	Outlays	BA	Outlays
Agriculture:						
302(a) Allocation	0	0	−1,645	−347	−302,149	−300,020
Legislative Action	+263	+238	0	0	0	0
Difference	+263	+238	+1,645	+347	+302,149	+300.020
Armed Services:						
302(a) Allocation	0	0	0	0	0	0
Legislative Action	−121	−104	0	0	0	0
Difference	−121	−104	0	0	0	0
Education and the Workforce:						
302(a) Allocation	0	0	−10.633	−5,017	−249,574	−229,658
Legislative Action	0	0	0	0	0	0
Difference	0	0	+10,633	+5,017	+249,574	+229.658
Energy and Commerce:						
302(a) Allocation	0	0	−54,654	−49,173	−1,379,704	−1,369,488
Legislative Action	+6.935	+6,935	0	0	0	0
Difference	+6,938	+6,935	+54,654	+49,173	+1,379,704	+1,369,488
Financial Services:						
302(a) Allocation	0	0	−7,334	−6,712	−62,254	−62,056
Legislative Action	+121	+121	0	0	0	0
Difference	+121	+121	+7,334	+6,712	+62,254	+62,056
Foreign Affairs:						
302(a) Allocation	0	0	0	0	0	0
Legislative Action	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Homeland Security:						
302(a) Allocation	0	0	−180	−180	−19,470	−19,470
Legislative Action	0	0	0	0	0	0
Difference	0	0	+180	+180	+19,470	+19,470
House Administration:						
302(a) Allocation	0	0	−31	−2	−298	−53
Legislative Action	0	0	0	0	0	0
Difference	0	0	+31	+2	+298	+53
Judiciary:						
302(a) Allocation	0	0	−14,419	−868	−24,949	−23,055
Legislative Action	0	0	0	0	0	0
Difference	0	0	+14,419	+868	+24,949	+23,055
Natural Resources:						
302(a) Allocation	0	0	−569	261	−32,678	−32,483
Legislative Action	+98	+94	0	0	0	0

TABLE 2—DIRECT SPENDING LEGISLATION COMPARISON OF AUTHORIZING COMMITTEE LEGISLATIVE ACTION WITH 302(a) ALLOCATIONS FOR BUDGET CHANGES, REFLECTING ACTION COMPLETED AS OF MAY 15, 2015—Continued

[Fiscal Years, in millions of dollars]

House Committee	2015		2016		2016–2025	
	BA	Outlays	BA	Outlays	BA	Outlays
Difference	+98	+94	+569	+261	+32,678	+32,483
Oversight and Government Reform:						
302(a) Allocation	0	0	−9,188	−9,026	−193,961	−193,896
Legislative Action	0	0	0	0	0	0
Difference	0	0	+9,188	+9,026	+193,961	+193,896
Science, Space and Technology:						
302(a) Allocation	0	0	0	0	0	0
Legislative Action	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Small Business:						
302(a) Allocation	0	0	0	0	0	0
Legislative Action	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Transportation and Infrastructure:						
302(a) Allocation	0	0	−12,114	0	−197,706	0
Legislative Action	0	0	0	0	0	0
Difference	0	0	+12,114	0	+197,706	0
Veterans' Affairs:						
302(a) Allocation	0	0	−31	−31	−1,925	−1,925
Legislative Action	+1	+1	0	0	0	0
Difference	+1	+1	+31	+31	+1,925	+1,925
Ways and Means:						
302(a) Allocation	0	−15	−60,004	−59,704	−1,594,908	−1,594,408
Legislative Action	+330	+325	0	0	0	0
Difference	+330	+340	+60,004	+59,704	+1,594,908	+1.594,408

TABLE 3—DISCRETIONARY APPROPRIATIONS FOR FISCAL YEAR 2015—COMPARISON OF CURRENT STATUS WITH APPROPRIATIONS COMMITTEE 302(a) ALLOCATION AND APPROPRIATIONS SUBCOMMITTEE 302(b) SUB ALLOCATIONS AS OF MAY 15, 2015

[Figures in Millions] [1]

	302(b) Allocations H.Rept. 113–474		302(b) for GWOT		Current Status General Purpose [1]		Current Status GWOT		General Purpose less 302(b)		GWOT less 302(b)	
	BA	OT	BA	OT	BA	OT	BA	OT	BA	OT	BA	OT
Agriculture, Rural Development, FDA	20,880	21,716	0	0	20,666	21,603	0	0	−214	−113	0	0
Commerce, Justice, Science	51,200	61,518	0	0	50,103	61,099	0	0	−1,097	−419	0	0
Defense	490,944	522,774	79,445	36,839	490,194	520,271	64,000	30,476	−750	−2,503	−15,445	−6,363
Energy and Water Development	34,010	37,831	0	0	34,202	38,061	0	0	+192	+230	0	0
Financial Services and General Government	21,285	22,750	0	0	21,820	23,158	0	0	+535	+408	0	0
Homeland Security	45,658	44,712	0	0	46,108	45,339	213	170	+450	+627	+213	+170
Interior, Environment	30,220	30,191	0	0	30,416	32,308	0	0	+196	+2,117	0	0
Labor, Health and Human Services, Education	155,702	159,922	0	0	158,247	169,426	0	0	+2,545	+9,504	0	0
Legislative Branch	4,258	4,219	0	0	4,300	4,235	0	0	+42	+16	0	0
Military Construction and Veterans Affairs	71,499	76,100	0	0	71,808	76,427	221	0	309	+327	+221	0
State, Foreign Operations	42,381	42,319	5,912	3,142	40,007	44,149	9,258	2,233	−2,374	+1,830	+3,346	−909
Transportation, Housing & Urban Development	52,029	118,732	0	0	53,770	119,039	0	0	+1,741	+307	0	0
Full Committee Allowance	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.
Total	1,020,066	1,142,784	85,357	39,981	1,021,641	1,155,115	73,692	32,879	+1,575	+12,331	−11,665	−7,102

Comparison of Total Appropriations and 302(a) allocation	General Purpose		GWOT	
	BA	OT	BA	OT
302(a) Allocation	1,021,641	1,144,101	85,357	39,981
Total Appropriations	1,021,641	1,155,115	73,692	32,879
Total Appropriations vs. 302(a) Allocation	0	+11,014	−11,665	−7,102

Memorandum	Amounts Assumed in 302(b)		Emergency Requirements		Disaster Funding		Program Integrity	
Spending in Excess of Base Budget Control Act Caps for Sec. 251(b) Designated Categories	BA	OT	BA	OT	BA	OT	BA	OT
Agriculture, Rural Development, FDA	0	0	25	7	91	40	0	0
Commerce, Justice, Science	0	0	0	0	0	0	0	0
Defense	0	0	112	119	0	0	0	0
Energy and Water Development	0	0	0	0	0	0	0	0
Financial Services and General Government	0	0	0	0	0	0	0	0
Homeland Security	6,438	322	0	0	6,438	322	0	0
Interior, Environment	0	0	0	0	0	0	0	0
Labor, Health and Human Services, Education	0	0	2,742	933	0	0	1,484	1,277
Legislative Branch	0	0	0	0	0	0	0	0
Military Construction and Veterans Affairs	0	0	0	0	0	0	0	0
State, Foreign Operations	0	0	2,526	468	0	0	0	0
Transportation, Housing & Urban Development	0	0	0	0	0	0	0	0
Totals	6,438	322	5,405	1,527	6,529	362	1,484	1,277

[1] Spending designated as emergency is not included in the current status of appropriations shown in this table.

TABLE 4—DISCRETIONARY APPROPRIATIONS FOR FISCAL YEAR 2016—COMPARISON OF CURRENT STATUS WITH APPROPRIATIONS COMMITTEE 302(a) ALLOCATION AND APPROPRIATIONS SUBCOMMITTEE 302(b) SUB ALLOCATIONS AS OF MAY 15, 2015

[Figures in Millions] [1]

	302(b) Allocations H. Rept. 114–118		302(b) for GWOT		Current Status General Purpose [1]		Current Status GWOT		General Purpose less 302(b)		GWOT less 302(b)	
	BA	OT	BA	OT	BA	OT	BA	OT	BA	OT	BA	OT
Agriculture, Rural Development, FDA	20,650	22,064	0	0	9	7,273	0	0	−20,641	−14,791	0	0
Commerce, Justice, Science	51,378	62,400	0	0	0	21,769	0	0	−51,378	−40,631	0	0
Defense	490,235	519,579	88,421	46,849	41	204,172	0	0	−490,194	−315,407	−88,421	−46,849
Energy and Water Development	35,402	36,195	0	0	35,402	36,195	0	0	0	0	0	0
Financial Services and General Government	20,249	22,092	0	0	41	5,337	0	0	−20,208	−16,755	0	0
Homeland Security	39,320	44,716	0	0	9	19,009	0	0	−39,311	−25,707	0	0
Interior, Environment	30,170	31,940	0	0	0	11,624	0	0	−30,170	−20,316	0	0
Labor, Health and Human Services, Education	153,052	169,100	0	0	24,678	113,934	0	0	−128,374	−55,166	0	0
Legislative Branch	4,300	4,243	0	0	3,341	3,515	0	0	−959	−728	0	0
Military Construction and Veterans Affairs	76,056	78,242	532	2	76,056	78,242	532	2	0	0	0	0
State, Foreign Operations	40,500	47,055	7,334	1,947	0	30,155	0	0	−40,500	−16,900	−7,334	−1,947

TABLE 4—DISCRETIONARY APPROPRIATIONS FOR FISCAL YEAR 2016—COMPARISON OF CURRENT STATUS WITH APPROPRIATIONS COMMITTEE 302(a) ALLOCATION AND APPROPRIATIONS SUBCOMMITTEE 302(b) SUB ALLOCATIONS AS OF MAY 15, 2015—Continued

[Figures in Millions] [1]

	302(b) Allocations H. Rept. 114–118		302(b) for GWOT		Current Status General Purpose [1]		Current Status GWOT		General Purpose less 302(b)		GWOT less 302(b)	
	BA	OT	BA	OT	BA	OT	BA	OT	BA	OT	BA	OT
Transportation, Housing & Urban Development	55,270	119,018	0	0	4,400	78,156	0	0	−50,870	−40,862	0	0
Full Committee Allowance	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.
Total	1,016,582	1,156,644	96,287	48,798	143,977	609,381	532	2	−872,605	−547,263	−95,755	−48,796

Comparison of Total Appropriations and 302(a) allocation	General Purpose		GWOT	
	BA	OT	BA	OT
302(a) Allocation	1,016,582	1,156,644	96,287	48,798
Total Appropriations	143,977	609,381	532	2
Total Appropriations vs. 302(a) Allocation	−872,605	−547,263	−95,755	−48,796

Memorandum	Amounts Assumed in 302(b)		Emergency Requirements		Disaster Funding		Program Integrity	
Spending in Excess of Base Budget Control Act Caps for Sec. 251(b) Designated Categories	BA	OT	BA	OT	BA	OT	BA	OT
Agriculture, Rural Development, FDA	0	0	0	0	0	0	0	0
Commerce, Justice, Science	0	0	0	0	0	0	0	0
Defense	0	0	0	0	0	0	0	0
Energy and Water Development	0	0	0	0	0	0	0	0
Financial Services and General Government	0	0	0	0	0	0	0	0
Homeland Security	0	0	0	0	0	0	0	0
Interior, Environment	0	0	0	0	0	0	0	0
Labor, Health and Human Services, Education	0	0	0	0	0	0	0	0
Legislative Branch	0	0	0	0	0	0	0	0
Military Construction and Veterans Affairs	0	0	0	0	0	0	0	0
State, Foreign Operations	0	0	0	0	0	0	0	0
Transportation, Housing & Urban Development	0	0	0	0	0	0	0	0
Totals	0	0	0	0	0	0	0	0

[1] Spending designated as emergency is not included in the current status of appropriations shown in this table.

TABLE 5—CURRENT LEVEL OF FY 2016 CHIMPS SUBJECT TO S. CON. RES. 11, SECTION 3103 LIMITS (IN MILLIONS) AS OF MAY 15, 2015

Appropriations Bill	Budget Authority
Agriculture, Rural Development, FDA	0
Commerce, Justice, Science	0
Defense	0
Energy and Water Development	0
Financial Services and General Government	0
Homeland Security	0
Interior, Environment	0
Labor, Health and Human Services, Education	0
Legislative Branch	0
Military Construction and Veterans Affairs	0
State, Foreign Operations	0
Transportation, Housing & Urban Development	0
Total CHIMP's Subject to Limit	0
S. Con. Res. 11, Section 3103 Limit for FY 2016	19,100
Total CHIMP's vs. Limit	−19,100

CURRENT LEVEL OF FY 2016 CRIME VICTIMS FUND CHIMP SUBJECT TO S. CON. RES. 11, SECTION 3104 LIMIT (IN MILLIONS) AS OF MAY 12, 2015

	Budget Authority
Crime Victims Fund CHIMP	0
S. Con. Res. 11, Section 3104 Limit for FY 2016	10,800
Total CHIMP's vs. Limit	−10,800

TABLE 6—2016 ADVANCE APPROPRIATIONS PURSUANT TO SECTION 115(c) OF THE BIPARTISAN BUDGET ACT OF 2013 AS OF MAY 15, 2015

[Budget Authority]

Section 601(d)(1) Limits	2016
Appropriate Level	58,662,202,000
Enacted Advances:	
Accounts Identified for Advances:	
Department of Veterans Affairs:	
Medical Services	47,603,000,000
Medical Support and Compliance	6,144,000,000
Medical Facilities	4,915,000,000
Subtotal, enacted advances[1]	58,662,000,000
Enacted Advances vs. Section 601(d)(1) Limit	−202,000
Section 601(d)(2) Limits	2016
Appropriate Level	28,781,000,000
Enacted Advances:	
Accounts Identified for Advances:	
Postal Service	41,000,000
Employment and Training Administration	1,772,000,000
Education for the Disadvantaged	10,841,000,000
School Improvement Programs	1,681,000,000
Special Education	9,283,000,000

TABLE 6—2016 ADVANCE APPROPRIATIONS PURSUANT TO SECTION 115(c) OF THE BIPARTISAN BUDGET ACT OF 2013 AS OF MAY 15, 2015—Continued

[Budget Authority]

Section 601(d)(1) Limits	2016
Career, Technical and Adult Education	791,000,000
Tenant-based Rental Assistance	4,000,000,000
Project-based Rental Assistance	400,000,000
Subtotal, enacted advances[1]	28,809,000,000
Enacted Advances vs. Section 601(d)(2) Limit	+28,000,000
Previously Enacted Advance Appropriations	2016
Corporation for Public Broadcasting[2]	445,000,000
Total, enacted advances[1]	87,916,000,000

[1] Line items may not add to total due to rounding.

[2] Funds were appropriated in the Consolidated Appropriations Act 2014 P.L. 113–76.

TABLE 7—2017 ADVANCE APPROPRIATIONS AS AUTHORIZED BY S. CON. RES. 11 AS OF MAY 15, 2015

[Budget Authority, millions]

Section 3304(c)(2) Limits	2017
Appropriate Level	63,271
Enacted Advances:	
Accounts Identified for Advances:	
Department of Veterans Affairs:	
Medical Services	0
Medical Support and Compliance	0
Medical Facilities	0
Subtotal, enacted advances[1]	0
Enacted Advances vs. Section 601(d)(1) Limit	−63,271
Section 3304(c)(1) Limits	2017
Appropriate Level	28,852
Enacted Advances:	
Accounts Identified for Advances:	
Employment and Training Administration	0
Education for the Disadvantaged	0
School Improvement Programs	0
Special Education	0
Career, Technical and Adult Education	0
Tenant-based Rental Assistance	0
Project-based Rental Assistance	0
Subtotal, enacted advances[1]	0
Enacted Advances vs. Section 601(d)(2) Limit	−28,852
Previously Enacted Advance Appropriations	2017
Corporation for Public Broadcasting[2]	445,000,000
Total, enacted advances[1]	445,000,000

[1] Line items may not add to total due to rounding.

[2] Funds were appropriated in Public Law 113–235.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, May 21, 2015.

Hon. TOM PRICE, M.D.,
Chairman, Committee on the Budget, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2015 budget and is current through May 15, 2015. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the allocations, aggregates, and other budgetary levels printed in the Congressional Record on April 29, 2014, pursuant to section 115 of the Bipartisan Budget Act (Public Law 113–67).

Since our last letter dated November 14, 2014, the Congress has cleared and the President has signed the following acts that affect budget authority, outlays, or revenues for fiscal year 2015:

Consolidated and Further Continuing Appropriations Act, 2015 (Public Law 113–235);

To amend certain provisions of the FAA Modernization and Reform Act of 2012 (Public Law 113–243);

Naval Vessel Transfer Act of 2013 (Public Law 113–276);

Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291);

An act to amend the Internal Revenue Code of 1986 to extend certain expiring provisions and make technical corrections, to amend the Internal Revenue Code of 1986 to provide for the treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes (Public Law 113–295);

Terrorism Risk Insurance Program Reauthorization Act of 2015 (Public Law 114–1);

Department of Homeland Security Appropriations Act, 2015 (Public Law 114–4); and

Medicare Access and CHIP Reauthorization Act of 2015 (Public Law 114–10)

Sincerely,

KEITH HALL,
Director.

Enclosure.

FISCAL YEAR 2015 HOUSE CURRENT LEVEL REPORT THROUGH MAY 15, 2015

[In millions of dollars]

	Budget authority	Outlays	Revenues
Previously Enacted: [a]			
Revenues	n.a.	n.a.	2,533,388
Permanents and other spending legislation	1,882,631	1,805,294	n.a.
Appropriation legislation	0	508,261	n.a.
Offsetting receipts	−735,195	−734,481	n.a.
Total, Previously enacted	1,147,436	1,579,074	2,533,388
Enacted Legislation: [b]			
Lake Hill Administrative Site Affordable Housing Act (P.L. 113–141)	0	−2	0
Highway and Transportation Funding Act of 2014 (P.L. 113–159)	0	−15	2,590
Emergency Afghan Allies Extension Act of 2014 (P.L. 113–160)	5	5	6
Continuing Appropriations Resolution, 2015 (P.L. 113–164) [c]	−4,705	−180	0
Preventing Sex Trafficking and Strengthening Families Act (P.L. 113–183)	0	10	0
IMPACT Act of 2014 (P.L. 113–185)	22	22	0
Consolidated and Further Continuing Appropriations Act, 2015 (P.L. 113–235)	1,878,696	1,424,582	−178
To amend certain provisions of the FAA Modernization and Reform Act of 2012 (P.L. 113–243)	0	0	−28
Naval Vessel Transfer Act of 2013 (P.L. 113–276)	−20	−20	0
Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (P.L. 113–291)	−15	0	0
An act to amend the Internal Revenue Code of 1986 to extend certain expiring provisions and make technical corrections, to amend the Internal Revenue Code of 1986 to provide for the treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes (P.L. 113–295)	160	160	−81,177
Terrorism Risk Insurance Program Reauthorization Act of 2015 (P.L. 114–1)	121	121	1
Department of Homeland Security Appropriations Act, 2015 (P.L. 114–4)	47,763	27,534	0
Medicare Access and CHIP Reauthorization Act of 2015 (P.L. 114–10)	7,354	7,329	0
Total, Enacted Legislation	1,929,381	1,459,546	−78,786
Entitlements and Mandatories:			
Budget resolution estimates of appropriated entitlements and other mandatory programs	−47,868	312	0
Total Current Level [d]	3,028,949	3,038,932	2,454,602
Total House Resolution [e]	3,033,319	3,027,686	2,535,978
Current Level Over House Resolution	n.a.	11,246	n.a.
Current Level Under House Resolution	4,370	n.a.	81,376
Memorandum:			
Revenues, 2015–2024:			
House Current Level	n.a.	n.a.	31,169,364
House Resolution [f]	n.a.	n,a.	31,206,399
Current Level Over House Resolution	n.a.	n.a.	n.a.
Current Level Under House Resolution	n.a.	n.a..	37,035

Source: Congressional Budget Office.

Notes: n.a. = not applicable; P.L. = Public Law.

[a] Includes the following acts that affect budget authority, outlays, or revenues, and were cleared by the Congress during the 2nd session of the 113th Congress but before publication in the Congressional Record of the statement of the allocations and aggregates pursuant to section 115 of the Bipartisan Budget Act of 2013 (P.L. 113–67): the Agricultural Act of 2014 (P.L. 113–79), the Homeowner Flood Insurance Affordability Act of 2014 (P.L. 113–89), the Gabriella Miller Kids First Research Act (P.L. 113–94), and the Cooperative and Small Employer Charity Pension Flexibility Act (P.L. 113–97).

[b] Pursuant to section 314(d) of the Congressional Budget Act of 1974, amounts designated as an emergency requirement pursuant to 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall not count for purposes of Title III and Title IV of the Congressional Budget Act. The amounts so designated for 2015, which are not included in the current level totals, are as follows:

	Budget authority	Outlays	Revenues
Emergency Supplemental Appropriations Resolution, 2014	0	75	0
Veterans' Access to Care through Choice, Accountability, and Transparency Act of 2014 (P.L. 113–146)	−1,331	6,619	−42
Consolidated and Further Continuing Appropriations Act, 2015	5,405	1,452	0
Total, amounts designated as emergency requirements	4,074	8,146	−42

[c] Sections 136 and 137 of the Continuing Appropriations Resolution, 2015 (P.L. 113–164) provide $88 million to respond to the Ebola virus, which is available until September 30, 2015. Section 139 rescinds funds from the Children's Health Insurance Program. Section 147 extends the authorization for the Export-Import Bank of the United States through June 30, 2015.

[d] For purposes of enforcing section 311 of the Congressional Budget Act in the House, the resolution, as approved by the House of Representatives, does not include budget authority, outlays, or revenues for off-budget amounts. As a result, current level does not include these items.

[e] Periodically, the House Committee on the Budget revises the budgetary levels printed in the Congressional Record on April, 29, 2014, pursuant to section 115 of the Bipartisan Budget Act (Public Law 113–67):

	Budget authority	Outlays	Revenues
Original House Resolution	3,025,306	3,025,032	2,533,388
Revisions:			
Adjustment for Disaster Designated Spending	6,438	322	0
Pursuant to section I15(e) of the Bipartisan Budget Act of 2013	0	1,030	0
Adjustment for the Highway and Transportation Funding Act of 2014	0	−15	2,590
Adjustment for Program Integrity Spending	1,484	1,277	0
Adjustment for the Department of Homeland Security Appropriations Act, 2015	91	40	0
Revised House Resolution	3,033,319	3,027,686	2,535,978

[f] Periodically, the House Committee on the Budget revises the 2015–2024 revenue totals printed in the Congressional Record on April, 29, 2014 pursuant to section 115 of the Bipartisan Budget Act (Public Law 113–67).

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, May 21, 2015.

Hon. TOM PRICE, M.D.,
Chairman, Committee on the Budget, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2016 budget and is current through May 15, 2015. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016.

This is CBO's first current level report for fiscal year 2016.

Sincerely,

KEITH HALL.

Enclosure.

FISCAL YEAR 2016 HOUSE CURRENT LEVEL REPORT THROUGH MAY 15, 2015

[In millions of dollars]

	Budget authority	Outlays	Revenues
Previously Enacted: [a]			
Revenues	n.a.	n.a.	2,676,733
Permanents and other spending legislation	1,972,212	1,905,523	n.a.
Appropriation legislation	0	500,825	n.a.
Offsetting receipts	−784,820	−784,879	n.a.
Total, Previously enacted	1,187,392	1,621,469	2,676,733
Entitlements and Mandatories:			
Budget resolution estimates of appropriated entitlements and other mandatory programs	958,865	942,694	0
Total Current Level [b]	2,146,257	2,564,163	2,676,733
Total House Resolution	3.039,215	3,091,442	2,676,733
Current Level Over House Resolution	n.a.	n.a.	n.a.
Current Level Under House Resolution	892,958	527,279	n.a.
Memorandum:			
Revenues, 2016–2025:			
House Current Level	n.a.	n.a.	32,237,371

FISCAL YEAR 2016 HOUSE CURRENT LEVEL REPORT THROUGH MAY 15, 2015—Continued

[In millions of dollars]

	Budget authority	Outlays	Revenues
House Resolution	n.a.	n.a.	32,237,371
Current Level Over House Resolution	n.a.	n.a.	n.a.
Current Level Under House Resolution	n.a.	n.a.	n.a.

Source: Congressional Budget Office.

Notes: n.a. = not applicable; P.L. = Public Law.

[a] Includes the following acts that affect budget authority, outlays, or revenues, and were cleared by the Congress during this session, but before the adoption of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016: the Terrorism Risk Insurance Program Reauthorization Act of 2014 (P.L. 114–1); the Department of Homeland Security Appropriations Act, 2015 (P.L. 114–4) and the Medicare Access and CHIP Reauthorization Act of 2015 (P.L. 114–10).

[b] For purposes of enforcing section 311 of the Congressional Budget Act in the House, the resolution, as approved by the House of Representatives, does not include budget authority, outlays, or revenues for off-budget amounts. As a result, current level does not include these items.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 261. An act to designate the United States courthouse located at 200 NW 4th Street in Oklahoma City, Oklahoma, as the William J. Holloway, Jr. United States Courthouse; to the Committee on Transportation and Infrastructure.

S. 501. An act to make technical corrections to the Navajo water rights settlement in the State of New Mexico, and for other purposes; to the Committee on Natural Resources.

S. 612. An act to designate the Federal building and United States courthouse located at 1300 Victoria Street in Laredo, Texas, as the ''George P. Kazen Federal Building and United States Courthouse''; to the Committee on Transportation and Infrastructure.

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 5(b) of House Resolution 273, the House stands adjourned until 3 p.m. on Tuesday, May 26, 2015.

Thereupon (at 2 o'clock and 33 minutes p.m.), under its previous order, the House adjourned until Tuesday, May 26, 2015, at 3 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1549. A letter from the Acting Director, Defense Procurement and Acquisition Policy, OUSD (AT&L) DPAP/DARS, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Past Performance Information Retrieval System-Statistical Reporting (PPIRS-SR) (DFARS Case 2014-D015) (RIN: 0750-AI40) received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

1550. A letter from the Acting Director, Defense Procurement and Acquisition Policy, OUSD (AT&L) DPAP/DARS, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Multiyear Contracts-Statutory References and Cancellation Ceiling Threshold (DFARS Case 2014-D019) (RIN: 0750-AI37) received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

1551. A letter from the Acting Director, Defense Procurement and Acquisition Policy, OUSD (AT&L) DPAP/DARS, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Advancing Small Business Growth (DFARS Case 2014-D009) (RIN: 0750-A142) received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

1552. A letter from the Acting Director, Defense Procurement and Acquisition Policy, OUSD (AT&L) DPAP/DARS, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Appendix F-Energy Receiving Reports (DFARS Case 2014-D024) (RIN: 0750-AI46) received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

1553. A letter from the Acting Director, Defense Procurement and Acquisition Policy, OUSD (AT&L) DPAP/DARS, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Approval Threshold for Time-and-Materials and Labor-Hour Contracts (DFARS Case 2014-D020) (RIN: 0750-AI56) received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

1554. A letter from the Regulatory Specialist, LRA, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Department's final rule — Integration of National Bank and Federal Savings Association Regulations: Licensing Rules [Docket ID: OCC-2014-0007] (RIN: 1557-AD80) received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1555. A letter from the Chairman and President, Export-Import Bank, transmitting a statement, pursuant to Sec. 2(b)(3) of the Export-Import Bank Act of 1945, as amended, on a transaction involving Azerbaijan Airlines of Baku, Azerbaijan; to the Committee on Financial Services.

1556. A letter from the Assistant Secretary, Energy Efficiency and Renewable Energy, Department of Energy, transmitting the ''Annual Report to Congress on Federal Government Energy Management and Conservation Programs, Fiscal Year 2012'', pursuant to the National Energy Conservation Policy Act, Pub. L. 95-619, as amended; to the Committee on Energy and Commerce.

1557. A letter from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's final rule — Wassenaar Arrangement 2014 Plenary Agreements Implementation and Country Policy Amendments [Docket No.: 150304217-5217-01] (RIN: 0694-AG44) received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

1558. A letter from the Federal Co-Chair, Appalachian Regional Commission, transmitting the semiannual report of the Inspector General for the period of October 1, 2014 through March 31, 2015, pursuant to Sec. 5(b) of the Inspector General Act of 1978, as amended; to the Committee on Oversight and Government Reform.

1559. A letter from the Board Chairman and Chief Executive Officer, Farm Credit Administration, transmitting the semiannual report prepared by the Inspector General of the Farm Credit Administration for the period of October 1, 2014 through March 31, 2015, pursuant to Sec. 5 of the Inspector General Act of 1978, as amended; to the Committee on Oversight and Government Reform.

1560. A letter from the Senior Vice President, Controller and Chief Accounting Officer, Federal Home Loan Bank of Boston, transmitting the Federal Home Loan Bank of Boston 2014 management report, pursuant to the Chief Financial Officers Act of 1990; to the Committee on Oversight and Government Reform.

1561. A letter from the Director, Office of Regulatory Affairs and Collaborative Action, Bureau of Indian Affairs, Department of the Interior, transmitting the Department's final rule — Leasing of Osage Reservation Lands for Oil and Gas Mining (RIN: 1076-AF17) received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1562. A letter from the Assistant Chief Counsel for Hazmat, PHMSA, Department of Transportation, transmitting the Department's Major final rule — Hazardous Materials: Enhanced Tank Car Standards and Operational Controls for High-Hazard Flammable Trains [Docket No.: PHMSA-2012-0082 (HM-251)] (RIN: 2137-AE91) received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1563. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Authority Citation for Part 71: Designation of Class A, B, C, D, and E Airspace Areas; Air Traffic Service Routes; and Reporting Points, and Part 73: Special Use Airspace [Docket No.: FAA-2015-0924; Airspace Docket No.: 15-AWA-2] received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1564. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Restricted Area Boundary Descriptions; Joint Base Lewis-McChord, WA [Docket No.: FAA-2015-0618; Airspace Docket No.: 15-ANM-3] (RIN: 2120-AA66) received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1565. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; West Creek, NJ [Docket No.: FAA-2014-0662; Airspace Docket No.: 14-AEA-6] received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1566. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Sonora, TX [Docket No.: FAA-2014-0247; Airspace Docket No.: 14-ASW-1] received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1567. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Key Largo, FL [Docket No.: FAA-2014-0729; Airspace Docket No.: 14-ASO-10] received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1568. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Edgeley, ND [Docket No.: FAA-2014-0537; Airspace Docket No.: 13-AGL-38] received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1569. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Cypress, TX [Docket No.: FAA-2014-0743; Airspace Docket No.: 14-ASW-2] May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1570. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Cando, ND [Docket No.: FAA-2014-0746; Airspace Docket No.: 14-AGL-2] received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1571. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Zephyrhills, FL [Docket No.: FAA-2014-0917; Airspace Docket No.: 14-ASO-14] received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1572. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Baton Rouge, LA [Docket No.: FAA-2014-1072; Airspace Docket No.: 14-ASW-9] received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1573. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Manchester, NH [Docket No.: FAA-2014-0601; Airspace Docket No.: 14-ANE-7] received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1574. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Alma, NE [Docket No.: FAA-2014-0745; Airspace Docket No.: 14-ACE-3] received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1575. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Livingston, MT [Docket No.: FAA-2015-0518; Airspace Docket No.: 15-ANM-2] received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1576. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Encinal, TX [Docket No.: FAA-2014-0741; Airspace Docket No.: 14-ASW-4] received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1577. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Proposed Amendment of Class E Airspace; Baltimore, MD [Docket No.: FAA-2015-0793; Airspace Docket No.: 15-AEA-3] received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1578. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Various Aircraft Equipped With Wing Lift Struts [Docket No.: FAA-2014-1083; Directorate Identifier 2014-CE-036-AD; Amendment 39-18140; AD 2015-08-04] (RIN: 2120-AA64) received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1579. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dassault Aviation Airplanes [Docket No.: FAA-2015-0830; Directorate Identifier 2015-NM-024-AD; Amendment 39-18141; AD 2015-08-05] (RIN: 2120-AA64) received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1580. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; ATR-GIE Avions de Transport Regional Airplanes [Docket No.: FAA-2015-0497; Directorate Identifier 2012-NM-192-AD; Amendment 39-18128; AD 2015-06-10] (RIN: 2120-AA64) received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1581. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2011-0475; Directorate Identifier 2010-NM-199-AD; Amendment 39-18137; AD 2015-08-01] (RIN: 2120-AA64) received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1582. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2014-0528; Directorate Identifier 2014-NM-060-AD; Amendment 39-18139; AD 2015-08-03] (RIN: 2120-AA64) received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1583. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2014-0655; Directorate Identifier 2013-NM-070-AD; Amendment 39-18142; AD 2015-08-06] (RIN: 2120-AA64) received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1584. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2015-0930; Directorate Identifier 2015-NM-040-AD; Amendment 39-18144; AD 2015-08-08] (RIN: 2120-AA64) received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1585. A letter from the Acting Director, Regulation Policy and Management, Office of the General Counsel (02REG), Veterans Health Administration, Department of Veterans Affairs, transmitting the Department's final rule — Health Care for Homeless Veterans Program (RIN: 2900-AO71/WP2012-028) received May 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

1586. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report describing how the Iraq Train and Equip Fund supports the broader regional strategy in Iraq, pursuant to Sec. 1236(b)(2) of the National Defense Authorization Act; jointly to the Committees on Foreign Affairs and Armed Services.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. HOLDING (for himself and Mr. NUNES):

H.R. 2568. A bill to amend title XVIII of the Social Security Act to improve the process of audits by recovery audit contractors and the recovery of overpayments under the Medicare program; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOHO (for himself, Ms. LEE, Mr. MASSIE, Mr. JONES, Mr. AMASH, Mr. CONYERS, Mr. MULVANEY, Mr. LABRADOR, Mr. DELANEY, and Mr. GRAYSON):

H.R. 2569. A bill to consolidate within the Department of Defense all executive authority regarding the use of armed unmanned aerial vehicles, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BLACK (for herself, Mr. BLUMENAUER, and Mrs. MCMORRIS RODGERS):

H.R. 2570. A bill to establish a demonstration program requiring the utilization of Value-Based Insurance Design to demonstrate that reducing the copayments or coinsurance charged to Medicare beneficiaries for selected high-value prescription medications and clinical services can increase their utilization and ultimately improve clinical outcomes and lower health care expenditures; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BASS (for herself, Mr. ROYCE, Mr. ENGEL, Mr. CRENSHAW, and Mr. SMITH of Washington):

H.R. 2571. A bill to amend the Millennium Challenge Act of 2003 to authorize concurrent compacts for purposes of regional economic integration and cross-border collaborations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. KELLY of Pennsylvania (for himself, Mr. MCDERMOTT, and Mr. SAM JOHNSON of Texas):

H.R. 2572. A bill to amend the Internal Revenue Code of 1986 to prevent the extension of the tax collection period merely because the

taxpayer is a member of the Armed Forces who is hospitalized as a result of combat zone injuries; to the Committee on Ways and Means.

By Mr. NORCROSS:

H.R. 2573. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to furnish headstones and markers for the graves of dependents of veterans buried in county, private, or other cemeteries; to the Committee on Veterans' Affairs.

By Mr. WILSON of South Carolina (for himself and Mr. BRENDAN F. BOYLE of Pennsylvania) (both by request):

H.J. Res. 56. A joint resolution providing for the approval of the Congress of the proposed Agreement for Cooperation Between the Government of the United States of America and the Government of the People's Republic of China Concerning Peaceful Uses of Nuclear Energy transmitted on April 21, 2015; to the Committee on Foreign Affairs.

By Ms. FRANKEL of Florida:

H. Con. Res. 52. Concurrent resolution honoring American veterans disabled for life; to the Committee on Veterans' Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. HOLDING:

H.R. 2568.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 14 of the United States Constitution.

By Mr. YOHO:

H.R. 2569.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 14 of the Constitution of the United States, which grants Congress the Power ''To make Rules for the Government and Regulation of the land and naval Forces.''

By Mrs. BLACK:

H.R. 2570.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of the U.S. Constitution which states, ''(t)he Congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defence and general welfare of the United States.''

By Ms. BASS:

H.R. 2571.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 1.

Article. I.

Section 1.

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mr. KELLY of Pennsylvania:

H.R. 2572.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. NORCROSS:

H.R. 2573.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 14 and Article I, Section 8, Clause 18 of the U.S. Constitution.

By Mr. WILSON of South Carolina:

H.J. Res. 56.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clauses 3 and 18 of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 6: Mr. BARTON, Mr. CRAMER, Mr. BUCSHON, Mr. BILIRAKIS, Mrs. BLACKBURN, Mrs. BROOKS of Indiana, Mr. BURGESS, Mrs. ELLMERS of North Carolina, Mr. GRIFFITH, Mr. GUTHRIE, Mr. LANCE, Mr. MCKINLEY, Mrs. MCMORRIS RODGERS, Mr. MULLIN, Mr. MURPHY of Pennsylvania, Mr. SHIMKUS, Mr. WALDEN, Mr. WHITFIELD, Mr. ROSKAM, Mr. HANNA, Mr. MCCAUL, Mrs. COMSTOCK, Mr. HARRIS, Mr. MARCHANT, Mr. YARMUTH, Ms. CASTOR of Florida, Mr. LOEBSACK, Ms. SCHAKOWSKY, Mr. TONKO, Ms. MOORE, Mr. VEASEY, Mrs. DINGELL, Mr. FATTAH, Mr. SCHRADER, Mr. NOLAN, Ms. ESHOO, Mr. WELCH, Mr. DAVID SCOTT of Georgia, Mr. PERLMUTTER, Mr. COURTNEY, Mr. COHEN, Mr. DESAULNIER, Mr. LONG, Mr. BUTTERFIELD, Ms. CLARKE of New York, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. RUSH, Mr. ENGEL, Mr. MCNERNEY, and Ms. MATSUI.

H.R. 204: Mr. DESJARLAIS.

H.R. 430: Ms. ESHOO.

H.R. 546: Mr. BRADY of Pennsylvania.

H.R. 600: Mr. NEWHOUSE.

H.R. 605: Ms. DELBENE.

H.R. 702: Mr. BUCSHON, Mr. TIPTON, Mr. GOSAR, and Mr. FLEISCHMANN.

H.R. 820: Ms. MCCOLLUM, Mr. BARLETTA, Ms. BROWNLEY of California, Mr. WILLIAMS, Ms. KELLY of Illinois, Mr. ROGERS of Kentucky, and Mr. YARMUTH.

H.R. 835: Mrs. ELLMERS of North Carolina.

H.R. 932: Mr. RUIZ.

H.R. 945: Mr. GOSAR.

H.R. 955: Mr. KILMER.

H.R. 997: Mr. WILSON of South Carolina and Ms. FOXX.

H.R. 1112: Mr. HULTGREN.

H.R. 1130: Mr. POCAN, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. RUSH, Mr. BRADY of Pennsylvania, and Mr. HARDY.

H.R. 1174: Mr. WILLIAMS and Mr. PAULSEN.

H.R. 1274: Mr. QUIGLEY.

H.R. 1331: Mr. LANGEVIN and Mr. WITTMAN.

H.R. 1338: Mr. LAMBORN, Mr. FATTAH, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. HANNA, Ms. NORTON, Mrs. NAPOLITANO, Mr. NOLAN, Ms. FRANKEL of Florida, and Mr. MEEKS.

H.R. 1384: Mr. DOLD.

H.R. 1479: Mr. LONG, Mrs. ROBY, and Mr. JOHNSON of Ohio.

H.R. 1482: Ms. LEE and Mr. MCGOVERN.

H.R. 1534: Ms. JUDY CHU of California and Mr. NOLAN.

H.R. 1618: Mr. FATTAH.

H.R. 1650: Mr. JOHNSON of Ohio.

H.R. 1670: Mr. MOULTON.

H.R. 1701: Mr. HUDSON.

H.R. 1726: Mr. JOHNSON of Ohio.

H.R. 1769: Mrs. LOWEY.

H.R. 1964: Mr. LOBIONDO.

H.R. 1986: Mr. GOSAR.

H.R. 2025: Mr. FATTAH and Ms. NORTON.

H.R. 2061: Mr. NEAL and Mr. MCGOVERN.

H.R. 2274: Mr. COSTELLO of Pennsylvania.

H.R. 2300: Mr. JOHNSON of Ohio and Mr. WEBER of Texas.

H.R. 2315: Mr. MOOLENAAR.

H.R. 2383: Mr. LAMALFA, Mr. ROSKAM, Mr. SCHWEIKERT, Mr. BABIN, Mr. WILSON of South Carolina, and Mr. POSEY.

H.R. 2412: Mr. LARSON of Connecticut.

H.R. 2429: Mr. MCGOVERN and Mrs. LAWRENCE.

H.R. 2493: Mr. LARSON of Connecticut.

H.R. 2497: Mr. NEWHOUSE.

H.R. 2522: Mr. GALLEGO and Mr. SHERMAN.

H.R. 2523: Mr. ADERHOLT, Mr. PASCRELL, Mr. REED, Mr. MCKINLEY, and Mr. JONES.

H.R. 2525: Mr. DOLD, Mr. HULTGREN, Mr. FOSTER, Ms. KELLY of Illinois, Mr. LIPINSKI, Mr. ROSKAM, Mr. RUSH, Ms. SCHAKOWSKY, and Mr. DANNY K. DAVIS of Illinois.

H.R. 2530: Mrs. BROOKS of Indiana.

H.R. 2531: Ms. BROWNLEY of California and Mr. CARNEY.

H.J. Res. 22: Mr. AGUILAR.

H. Con. Res. 49: Mrs. HARTZLER and Mr. BARR.

H. Res. 28: Ms. FRANKEL of Florida, Mr. LARSON of Connecticut, and Ms. SINEMA.

H. Res. 220: Mr. VAN HOLLEN, Mr. SALMON, Mr. BILIRAKIS, Ms. FRANKEL of Florida, Mr. PRICE of North Carolina, Mr. TED LIEU of California, and Mr. HUFFMAN.

H. Res. 233: Mr. GOSAR, Ms. DELAURO, Mr. LUETKEMEYER, Mr. AGUILAR, Mr. STIVERS, and Mrs. COMSTOCK.

H. Res. 244: Mr. LOWENTHAL, Mr. PERLMUTTER, Ms. EDWARDS, Ms. JENKINS of Kansas, Ms. SPEIER, Ms. KELLY of Illinois, and Mr. BEN RAY LUJÁN of New Mexico.

H. Res. 279: Ms. BROWN of Florida, Mr. ROHRABACHER, Mrs. WATSON COLEMAN, Ms. KELLY of Illinois, Mr. ENGEL, Mr. BEYER, Mr. SERRANO, Mr. GUTIÉRREZ, and Mr. PERLMUTTER.

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PROCEEDINGS AND DEBATES OF THE 114th CONGRESS, FIRST SESSION

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Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The PRESIDENT pro tempore. Today's prayer will be offered by Pastor Leroy Gilbert of Mount Gilead Baptist Church in Washington, DC.

The guest Chaplain offered the following prayer:

Let us pray.

O Lord, our God, restorer of the joy of those who find You. Lord, we praise Your Holy Name. Thank You for giving us lifetime favor and for Your unchanging faithfulness. Lord, You cloth us with gladness.

Today, we pray for our Senators. Shine Your light of wisdom on them and be gracious to them. Remove from them contention and strife, as You infuse them with humility. Lord, keep Your arms of protection around them and their loved ones in these most challenging times.

Rule in the midst of Your world, until the kingdom of Earth will acknowledge Your sovereignty.

We pray in Your great, marvelous Name. Amen.

The PRESIDENT pro tempore. Thank you, pastor.

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. CAPITO). The majority leader is recognized.

TRADE BILL AND BULK DATA PROGRAM

Mr. MCCONNELL. Madam President, I am glad the Senate voted yesterday to take another step forward on the important trade legislation that is before us. This bill represents an opportunity for Republicans and Democrats to stand together for the middle class, so I hope our friends across the aisle will allow us to seize this opportunity. I am optimistic. We all know that trade is important for American workers and American jobs. We all know that by passing this legislation, we can show we are serious about advancing new opportunities for bigger American paychecks, better American jobs, and a stronger American economy.

We want to process as many amendments as we can. The Republican and Democratic bill managers, Senator HATCH and Senator WYDEN, have done a great job managing this bill in a bipartisan spirit thus far. My hope is that, with some cooperation from across the aisle, we can vote on some amendments today and complete our work on this trade legislation today.

I appreciate all the hard work from both sides that got us to the point we are today. Let's keep the momentum going so we can finally pass a bill that Republicans, President Obama, and many Democrats all agree is good for the middle class, good for the economy, and good for our country.

Let's also move forward in the same spirit to finish our work on the other two important issues on the Senate's to-do list. I will speak about one of them in a moment. But the point is, we have to get our work done, however long it takes. With bipartisan cooperation, we can get it done as soon as this afternoon.

On the issue I mentioned, following the attacks of September 11, the United States improved its laws and legal authorities in an effort to better understand the terrorist threat and, rather than treat it as a crime to be handled by civilian prosecution, to combat it as a matter of warfare—not as a crime but as a matter of warfare. But that does not mean Al Qaeda and its affiliates stood still. The terrorist threat metastasized under regional affiliates such as Al Qaeda in the Arabian Peninsula, al-Shabaab, Al Qaeda in Iraq, and AQIM.

We have all seen the advance of the Islamic State in Iraq and the Levant, which, despite coalition air attacks and Iraqi military ground operations, actually seized Ramadi last weekend. Although ISIL has broken from core Al Qaeda, it is emblematic of how the threat continues to evolve.

Last week, the Director of the FBI explained how ISIL, operating from safe havens within Syria, is now using social media to radicalize Americans by making contact through Twitter and then directing them to encrypted venues. Moreover, through the publication of online magazines, Al Qaeda and ISIL are able to radicalize recruits and reveal the tactics needed for small-scale attacks here at home. These tactics, along with the information gained by terrorist networks from the unlawful disclosure of classified information by Edward Snowden, challenge counterterrorism officials in their efforts to detect terrorist plots and terrorist communications.

This all comes at a moment of elevated threats to the American people.

Let me read something the L.A. Times recently reported. This is what the Times had to say:

> Alarmed about the growing threat from Islamic State, the Obama administration has dramatically stepped up warnings of potential terrorist attacks on American soil after several years of relative calm.
>
> Behind the scenes, U.S. authorities have raised defenses at U.S. military bases, put local police forces on alert and increased surveillance at the nation's airports, railroads, shopping malls, energy plants and other potential targets. Driving the unease are FBI arrests of at least 30 Americans on terrorism-related charges this year in an array of ''lone wolf'' plots, none successful, but

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

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nearly all purportedly inspired by Islamic State propaganda or appeals.

I ask unanimous consent to have the article printed in the RECORD at the conclusion of my remarks.

We need to recognize that terrorist tactics and the nature of the threat have changed and that at a moment of elevated threat, it would be a mistake to take from our intelligence community any—any—of the valuable tools needed to build a complete picture of terrorist networks and their plans, such as the bulk data collection program of section 215. The intelligence community needs these tools to protect us from these attacks.

I would like to quote the observations that someone intimately familiar with this program made in the aftermath of the unauthorized leaks of classified material by Edward Snowden.

''This program does not involve the content of phone calls or the names of people making calls,'' he said. ''Instead, it provides a record of phone numbers and the times and lengths of calls, metadata that can be queried if and when we have a reasonable suspicion that a particular number is linked to a terrorist organization.''

He then described why the program was necessary.

''The program grew out of a desire to address a gap identified after 9/11,'' he said.

One of the 9/11 hijackers, Khalid A. Mihdhar, made a phone call from San Diego to a known Al Qaeda safe house in Yemen. NSA saw that call, but it could not see that the call was coming from an individual already in the United States. The telephone metadata program under Section 215 was designed to map the communications of terrorists, so we can see who they may be in contact with as quickly as possible.

Let me say that again: ''as quickly as possible.''

This capability could also prove valuable in a crisis. For example, if a bomb goes off in one of our cities and law enforcement is racing to determine whether a network is poised to conduct additional attacks, time is of the essence. Being able to quickly review telephone connections to assess whether a network exists is critical to that effort.

He concluded by noting this:

The Review Group turned up no indication that this database has been intentionally abused.

''[N]o indication that this database has been intentionally abused.''

And I believe it is important that the capability that this program is designed to meet is preserved.

The person who made those observations I just quoted was President Obama, and he made them just last year—just last year.

Unfortunately, there is now a huge gap between the capabilities the President rightly recognized as being necessary for our intelligence professionals and the legislation he is endorsing today. The untried—and as of yet, nonexistent—bulk collection system envisioned under that bill would be slower and more cumbersome than the one that currently helps keep us safe. At worst, it might not work at all due to, among many other problems, the lack of a requirement for telecommunications providers to retain the data to begin with—no requirement to retain the data.

Last week, the Obama administration briefed Senators on the current bulk data program under section 215. Senators were impressed with the safeguards built into the current program, and they were impressed that there had not been one incident—not one—of abuse of the program. But many Senators were disturbed by the administration's inability to answer basic, yet critical, questions about the alternate bulk data system that would be set up at some point—at some point—under the legislation the administration now supports. The administration could not guarantee whether a new system would work as well as the current system, and the administration could not guarantee whether there would be much, if any, data available to be analyzed under a new system given the lack of a data-retention requirement in the legislation.

Despite what the administration told us just last week about its inability to guarantee that this nonexistent system could even be built in time, it did an about-face earlier this week—sort of. The administration had the Director of NSA write that the nonexistent system could be built in time if—if—the providers cooperated in building it. And, of course, they are not required to.

The problem, of course, is that the providers have made it abundantly clear that they will not commit to retaining the data for any period of time as contemplated by the House-passed bill unless they are legally required to do so. There is no such requirement in the bill. For example, one provider said the following: ''[We are] not prepared to commit to voluntarily retain documents for any particular period of time pursuant to the proposed USA FREEDOM Act if not otherwise required by law.''

Far from addressing the concerns many have had about the USA FREEDOM Act, the administration in its letter only underscored the problem. It said the only way this nonexistent system could even be built in time is if the providers cooperate. But the providers have made it abundantly clear they will not cooperate, and there is nothing—absolutely nothing—in the bill that would require them to do so.

This is just as cynical as the letter from the Attorney General and the Director of National Intelligence that assured us they would let us know about any problems after the current program was replaced with a nonexistent system. Let me say that again. This is just as cynical as the letter from the Attorney General and the Director of National Intelligence that assured us they would let us know about any problems after the current program was replaced with a nonexistent system. Boy, that is reassuring.

This is beyond troubling. We should not establish an alternate system that contains a glaring hole in its ability to function—namely, the complete absence of any requirement for data retention.

I have begun the legislative process to advance a 60-day extension of section 215 and the other two authorities that will expire soon. This extension will allow for the Intelligence Committee to continue its efforts to produce a compromise bill we can send to the House that does not destroy an important counterterrorism tool that is needed to protect American lives.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Los Angeles Times, May 19, 2015]

WHITE HOUSE STEPS UP WARNINGS ABOUT TERRORISM ON U.S. SOIL

(By Brian Bennett)

Alarmed about the growing threat from Islamic State, the Obama administration has dramatically stepped up warnings of potential terrorist attacks on American soil after several years of relative calm.

Behind the scenes, U.S. authorities have raised defenses at U.S. military bases, put local police forces on alert and increased surveillance at the nation's airports, railroads, shopping malls, energy plants and other potential targets.

Driving the unease are FBI arrests of at least 30 Americans on terrorism-related charges this year in an array of ''lone wolf'' plots, none successful, but nearly all purportedly inspired by Islamic State propaganda or appeals.

The group's leader, Abu Bakr Baghdadi, drove home the danger in a 34-minute audio recording released online Thursday. He urged Muslims everywhere to ''migrate to the Islamic State or fight in his land, wherever that may be.''

The audio was released with translations in English, French, German, Russian and Turkish, signaling the militants' increasingly ambitious attempts to draw new recruits—and to spark violence—around the world.

U.S. officials estimate the Sunni Muslim group has drawn 22,000 foreign fighters to Syria and Iraq, including about 3,700 from Western nations. About 180 Americans have gone, or tried to go.

U.S. counter-terrorism officials initially viewed Islamic State as primarily a regional security threat, focused on expanding and protecting its self-proclaimed Islamist caliphate in Syria and Iraq, rather than launching attacks abroad.

But the analysis has shifted sharply as gunmen inspired by the group, but not controlled or assisted by them, opened fire at the Parliament in Ottawa; at a cafe in Sydney, Australia; at a kosher grocery in Paris; and, on May 3, in Garland, Texas.

In the Texas case, two would-be terrorists apparently prompted by Islamic State social media messages tried to shoot their way into a provocative contest for caricatures of the prophet Muhammad. Both gunmen were shot to death, and no one else was killed. Islamic State later claimed responsibility for the assault, the first time it has done so for an attack on U.S. soil.

James B. Comey, the FBI director, warned this month that ''hundreds, maybe thousands'' of Americans are seeing recruitment pitches from Islamic State on Facebook, Twitter and other social media, as well as messages sent to smartphones of ''disturbed

people'' who could be pushed to attack U.S. targets.

''It's like the devil sitting on their shoulders saying, 'Kill, kill, kill,' '' Comey told reporters.

The United States has entered a ''new phase, in my view, in the global terrorist threat,'' Jeh Johnson, director of Homeland Security, said Friday on MSNBC.

''We have to be concerned about the independent actor, and the independent actor who is here in the homeland who may strike with little or no warning,'' he said. ''The nature of the global terrorist threat has evolved.''

That poses a special challenge for U.S. intelligence and law enforcement agencies, which spent years desperately trying to penetrate and understand Al Qaeda's rigid hierarchy and top-down approach to terrorism.

Now they are struggling to detect and prevent lethal attacks by individuals—such as the April 2013 bombing of the Boston Marathon by two Russian-born brothers—with little or no outside communication or support.

The administration has sought to stiffen homeland defenses, and intelligence gathering, in response.

This month, U.S. Northern Command boosted security at all bases in the United States. Officials cited the May 3 shooting in Texas, specific threats against military personnel and the increasing number of Americans communicating with Islamic State supporters.

In March, a group calling itself ''Islamic State Hacking Division'' posted online the names, home addresses and photos of 100 U.S. troops. The group wrote on Twitter that it was posting the apparent hit list ''so that our brothers residing in America can deal with you.''

More armed guards have been deployed at federal buildings across the country, and Homeland Security officials have quietly urged more security at privately run facilities and infrastructure that could be targeted, including shopping malls, railroads, water treatment facilities and nuclear power generators.

''Since last summer we have ramped up security at federal installations across the country, and we have increased our outreach with critical infrastructure operators,'' a senior Homeland Security official said in an interview.

Authorities have urged companies to conduct more ''active shooter'' drills to ''heighten awareness and make sure people are leaning forward with security protocols,'' he said. The official was not authorized to publicly discuss internal communications and security measures.

Defeating Islamic State will take not only the ongoing military operations in Iraq and Syria, U.S. officials said, but stronger international efforts to block foreign recruits from joining and to cut the group's financing networks. Officials acknowledge they also need better messaging to counter a barrage of polished videos, social media and Internet appeals from the militants.

''It's a long-term challenge,'' Brett McGurk, deputy assistant secretary of State for Near Eastern affairs, told CNN. ''We have not seen this before. And it's going to take a very long time to defeat them.''

Still, attacking Western targets is not the group's top priority, as it was for Osama bin Laden, according to Seth Jones, a former U.S. counter-terrorism official now with Rand Corp., the Santa Monica-based think tank. The group is far more focused on the battleground in Iraq and Syria, and establishing ties to terrorist groups in Libya, Yemen, Algeria and elsewhere.

Without a strong hand to help direct and organize attacks abroad, they are ''likely to be less sophisticated,'' Jones said. ''You actually need a lot of training to conduct a Madrid-style attack or a London-style attack. Those kinds of bombs are hard to put together.''

Most of the 30 Americans arrested this year were suspected of aiding or trying to join Islamic State. Many were approached on social media or on chat programs designed for cellphones.

In March, for example, a 22-year-old Army National Guard specialist was arrested at Chicago Midway International Airport as he allegedly attempted to join Islamic State in Syria. The FBI said he had downloaded military training manuals to take with him and told an undercover agent he was prepared to ''bring the flames of war'' to the United States.

That same month, a retired Air Force avionics instrument specialist was indicted in Brooklyn, N.Y., on suspicion of trying to travel to Syria to join the group. Prosecutors in Brooklyn also have charged three other men with seeking to link up with the militants.

And on Thursday, the FBI arrested a former interpreter for the U.S. military in Iraq, now a naturalized American citizen, who had tried to travel to Syria from Texas. In June he had used Twitter to ''pledge obedience'' to Islamic State.

''As a numbers game, it is pretty easy for ISIS to reach out to a very large number of people using a very robust social media presence,'' said J.M. Berger, a nonresident fellow at the Brookings Institution, using a common acronym for Islamic State.

''I suspect we should see more plots going forward,'' he added.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

HELPING THE MIDDLE CLASS

Mr. REID. Madam President, I think everyone knows that I disagree with the reasoning for the trade bill. Based on my experience of looking at trade bills that have passed the Congress in years past, it is not going to help the people whom I want to help.

I am happy that multinational corporations are doing well, but my first goal is not them. It is people who work for a living, middle-class Americans, who work so hard, first of all to find a job, and then once they find a job, they do everything they can to hang on to that job. The trade bill is another example of how we have ignored in this Congress the working men and women of this country.

I so admire our ranking member of the banking committee, Senator BROWN of Ohio. He has done a remarkably good job of pointing out what is wrong with the trade bill. It passed, and I accept this. The vast majority of Democrats opposed it, but there are some who didn't. I respect them, and I respect their judgment. I am not here to criticize them. I am here to criticize the underlying legislation. This Republican-led Senate has done nothing to help the middle class. It doesn't matter what you look to—minimum wage, equal pay for men and women, the burden of student debt, and, of course, the tremendous lack of impetus to do something about our surface transportation system, our highways.

We have 64,000 bridges in America that are structurally deficient. Fifty percent of our highway roads are deficient, and we do nothing. Likely, what will happen here in the next day or two is that we will extend the highway authorization for 60 days. It should be pretty easy to do because we have done it 32 other times.

Since the Republicans came to town and started flexing their muscles, we found a situation where they were unwilling to help middle-class Americans. Think about that. Our country has 64,000 bridges that are structurally deficient. Does this really matter? Well, talk to the people of Minnesota. One of their bridges collapsed and 13 people died. Of course it matters, and we are ignoring it as a Congress, and that is not right.

Ray LaHood, a Republican, who was Secretary of Transportation for President Obama for a long time, said that our transportation system should be called the pothole because that is all the highways are anymore.

The trade bill is an example of not helping the middle class, and it is an example of how we focus on multinational corporations.

My friend the Republican leader talked about the FISA bill, the Foreign Intelligence Surveillance Act. The Republican leader and I are friends. We have served together for decades here in this body. But with all due respect to him, I think I will take the word and opinion of the head of the FBI, the Attorney General of the United States, and the man who is in charge of all of our intelligence, James Clapper, who has said, without any question, that the bill that passed the House of Representatives—by almost 390 votes—is what we should be doing here.

Among other things, in a letter they wrote to Senators LEAHY and LEE, they say:

> The Intelligence Community believes that the bill preserves essential operational capabilities of the telephone metadata program and enhances other intelligence capabilities needed to protect our Nation and its partners.

I repeat, the bill passed by a 4-to-1 margin in the House of Representatives. My friend the Republican leader talks continually about bipartisanship. We have a piece of legislation out of the House. It was one of the rare times where bipartisan efforts were made and they worked. They passed this bill, and we should do the same before we leave here rather than extend this program.

Efforts have been made to extend a program that has already been declared by the Second Circuit Court of Appeals of the United States as illegal. How can we extend an illegal act? That is what some of the talk is from the other side of the aisle. I think that is unfortunate, and I think we should make sure that before we leave here, we do what

our intelligence community suggested to us, and in very strong words—that we simply move forward on the legislation that has a name that maybe says it all, and that is the USA FREEDOM Act. That is what that legislation is, and we should pass that.

We know there is work to be done on the trade legislation, and I am happy to work with Senator BROWN, Senator WYDEN, and anyone else who has a way of moving forward on that.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

ENSURING TAX EXEMPT ORGANIZATIONS THE RIGHT TO APPEAL ACT

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 1314, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 1314) to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.

Pending:

Hatch amendment No. 1221, in the nature of a substitute.

Hatch (for Flake) amendment No. 1243 (to amendment No. 1221), to strike the extension of the trade adjustment assistance program.

Hatch (for Inhofe/Coons) modified amendment No. 1312 (to amendment No. 1221), to amend the African Growth and Opportunity Act to require the development of a plan for each sub-Saharan African country for negotiating and entering into free trade agreements.

Hatch (for McCain) amendment No. 1226 (to amendment No. 1221), to repeal a duplicative inspection and grading program.

Stabenow (for Portman) amendment No. 1299 (to amendment No. 1221), to make it a principal negotiating objective of the United States to address currency manipulation in trade agreements.

Brown amendment No. 1251 (to amendment No. 1221), to require the approval of Congress before additional countries may join the Trans-Pacific Partnership Agreement.

Wyden (for Shaheen) amendment No. 1227 (to amendment No. 1221), to make trade agreements work for small businesses.

Wyden (for Warren) amendment No. 1327 (to amendment No. 1221), to prohibit the application of the trade authorities procedures to an implementing bill submitted with respect to a trade agreement that includes investor-state dispute settlement.

Hatch modified amendment No. 1411 (to the language proposed to be stricken by amendment No. 1299), of a perfecting nature.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Madam President, as we resume the debate of our Nation's trade policy, I want to take a few minutes to provide an update about where things really are, where we are going, and the possibility of a path forward.

We took a big step yesterday, and I thank all of my colleagues who voted for cloture, once again, for helping us to get closer to the finish.

I am, of course, aware that a number of Senators have concerns about the process and amendments. I understand those concerns. As I said yesterday, I would have preferred a different path for moving this bill. It was always my preference to consider more amendments and have a fuller debate on these important issues. I know that is what the majority leader wanted, as well.

Sadly, there were some who just did not want to cooperate, and instead of moving directly to the bill, we had to negotiate around a filibuster. Then, instead of bringing up and debating amendments, we spent a lot of time addressing concerns and overcoming objections.

I am not going to point fingers or complain about anyone who chooses to exercise their rights under the Senate rules to slow down the debate. We are all well aware that a number of Senators would love to prolong this debate forever to keep the TPA bill from passing. But with a bill this important, we had to find a way forward, which led to a cloture motion and yesterday's vote.

But even now that cloture has been invoked, I am still working to try to reach a reasonable accommodation to address Senators' concerns. Both sides worked late into the night to try to come up with an agreement on time and amendments in order to give Senators an opportunity to make their case. Up to now, no deal has been reached, which from my point of view is unfortunate. And keep in mind that under the rules, we don't have an obligation to do that. We bent over backwards to try to solve this problem, but so far, no deal has been reached.

I am still willing to work with my colleagues to address their concerns, although it is becoming increasingly clear that some concerns are beyond accommodation. But I am always an optimist. As I said yesterday, if any of my colleagues have a reasonable proposal to solve this impasse and allow us to consider more amendments, I am all ears. But as of right now, cloture is invoked and only pending, germane amendments can be considered without an agreement.

Until that time, however, one thing is clear: Absent an agreement on time and votes, the Senate will deal with pending amendments and vote on whether to invoke cloture on TPA this evening. I am, of course, more than willing to wait that long, but I am sure there are many in this Chamber who would prefer to see a solution come together before then.

Let's work together. Let's find a way to hear more amendments and address more issues. I hope people will be willing to work with us on a reasonable path forward, but if not, it appears that the clock, more than anything else, will determine how this debate will unfold.

AMENDMENT NO. 1299

Mr. President, later today the Senate will vote on the Portman-Stabenow currency manipulation amendment.

Up to now, we have all heard more than our fair share of arguments about this amendment. I want to take a few more minutes today to express my opposition to the Portman-Stabenow amendment and to explain to my colleagues why they should vote against it.

I want to reiterate that the Obama administration has made it abundantly clear that if this amendment gets adopted, President Obama will veto the TPA bill. As I have already said a number of times, a vote for the Portman-Stabenow amendment is a vote to kill TPA. That would be, indeed, tragic.

I know that all of my colleagues are aware of the statements made by Secretary Lew and the White House on this matter. I also know that a number of my colleagues who support Portman-Stabenow have said that they don't believe the President would veto the TPA bill over this amendment.

Well, let's say, for the sake of argument, that they are right—but only for the sake of argument. Let's assume that the administration is bluffing. Should we call that bluff? Should we pass the amendment and dare the President to make good on his veto threat? The answer to that question is an emphatic no.

Even if we take veto threats and administration statements of opposition completely out of the equation, one fact still remains: The Portman-Stabenow amendment is bad policy for America, and it is far too risky.

Earlier this week, I laid out four separate negative consequences that would result from the Portman-Stabenow amendment, and I would like to reiterate those concerns here today.

First, the Portman-Stabenow amendment would derail the Trans-Pacific Partnership. Once again, we know that this is the case. I have chatted with Japanese leaders, and they tell me this is the case. That is a very important aspect of what we are trying to do here. We are trying to get Japan, for the first time, to agree to a trade policy that works. I think we have a new leadership there that wants to agree, and we ought to help them.

None of our negotiating partners would sign a trade agreement that included the kinds of rules mandated by the Portman-Stabenow amendment. We have already heard from countries such as Japan that they would walk away from the agreement if the United States were making these types of demands.

Furthermore, the United States would never agree to these types of demands, either. What country would willingly sign a trade agreement that would subject their monetary policies to potential trade sanctions? No country that I am aware of.

I heard some of my colleagues respond to these claims the same way they responded to the President's veto threat. They don't believe Japan when they say they will walk away from the TPP or they say that any country refusing to accede to these types of

standards must be planning to manipulate their currency.

Now, I am all for healthy skepticism around here, but maybe—just maybe—if our government, as well as all of our negotiating partners, all say that Portman-Stabenow is bad policy that they cannot sign onto, there has to be something to those claims.

Guess what. There is something to them, which brings me to the second negative consequence that we would see under the Portman-Stabenow amendment. It would put the Federal Reserve's independence at risk and subject our own monetary policies to trade disputes and possible sanctions.

Once again, we have colleagues in the Senate who have simply decreed here on the floor that U.S. monetary policy is aimed at purely domestic objectives and that it is only other countries that manipulate their currencies to gain trade advantage. But anyone who paid attention to these issues knows that not all of our trading partners share that assessment. Other countries have already accused the United States of currency manipulation, and the Portman-Stabenow amendment would set forth a clear and accessible process for turning those accusations into trade disputes subject to possible sanctions.

We may not agree with those allegations against U.S. monetary policy. I certainly don't. But the problem is that the Portman-Stabenow amendment would take those determinations out of our hands and give them over to international trade tribunals. So whether we agree or not, we are going to find ourselves in a mess no matter what happens, should that amendment be accepted.

At this point, the proponents of this amendment will likely point out that they have included language to exempt ''the exercise of domestic monetary policy'' from the enforceable rules mandated by the amendment. With all due respect to the authors of the amendment, that is a red herring.

Keep in mind that the U.S. dollar is a global currency, the primary reserve currency in the world today. That being the case, our Nation's monetary policies necessarily have a global impact, making it very difficult to determine what constitutes purely domestic monetary policy and what is meant to be international. Once again, after this amendment, that extremely difficult determination will not be made here in the United States but by international trade tribunals. I don't know about my colleagues, but I have to say that causes me great alarm.

We also need to keep in mind that under currently available economic models and methodologies, it is virtually impossible to definitively measure currency manipulation. There is no clear and obvious threshold at which anyone can, with certainty, declare that a country's currency has been manipulated.

Most like to point to the standards set by the International Monetary Fund. However, even their formulations have been unable to determine currency manipulation with any level of specificity.

For example, IMF models recently showed that in 2013, Japan's currency was anywhere between around 15 percent undervalued and 15 percent overvalued. In other words, existing standards for determining what is and what is not currency manipulation are flimsy and ill-defined. It would be very dangerous to subject U.S. monetary policies to enforceable rules based on these standards. Yet that is precisely what the Portman-Stabenow amendment would do.

Third, under the Portman-Stabenow amendment, the traditional role of the U.S. Treasury in setting U.S. exchange rate policies would be watered down and potentially overruled in international trade tribunals. Thus, adoption of the Portman-Stabenow negotiating objective cedes independence and full authority over not only monetary policy for the Federal Reserve but also the exchange rate policy for the Treasury.

Fourth, the Portman-Stabenow amendment would deal a serious setback to ongoing efforts to fight currency manipulation by encouraging our trading partners to evade regular reporting and transparency of exchange rate policies. If currency standards become enforceable and immediately subject to sanctions under a trade agreement, parties to that agreement would almost certainly start withholding full participation in reporting and monitoring mechanisms that are designed to uncover and combat currency manipulation.

Put simply, we cannot enforce rules against unfair exchange rate practices if we do not have information about them. The Portman-Stabenow amendment would make it far more difficult to obtain that type of information. Their approach would push currency manipulation practices into the shadows as countries would fear being hit with trade sanctions if a trade tribunal—once again using ill-defined standards—deems their policies to be manipulative.

As we can see, concerns about the Portman-Stabenow amendment extend well beyond the veto threats. Indeed, even if no veto threats had been issued—and make no mistake, they have definitely been issued—there are enough problems inherent in the approach taken by this amendment to warrant opposition on its own. Can we take those chances? I don't think so.

Colleagues don't have to take my word for it. Every living former U.S. Treasury Secretary, both Republicans and Democrats—every one—has expressed opposition to the approach taken by the Portman-Stabenow amendment. During the Finance Committee's consideration of the TPA bill, Congress received a letter signed by Tim Geithner, Hank Paulson, John Snow, Paul O'Neill, Larry Summers, Robert Rubin, Nicholas Brady, James Baker, Michael Blumenthal, and George Shultz stating, among other things, that ''it is impossible to get agreement on provisions that subject currency manipulation to trade sanctions in a manner that both the United States and other countries would find acceptable.''

It is ''impossible.'' That is their word, not mine.

We also received a letter from 14 former chairs of the Council of Economic Advisers, again both Republicans and Democrats, expressing similar views. The letter was signed by Alan Greenspan, Ben Bernanke, Charles Schultze, Martin Feldstein, Laura D'Andrea Tyson, Martin Baily, Glenn Hubbard, Austan Goolsbee, Alan Krueger, Christina Romer, Edward Lazear, Harvey Rosen, and Greg Mankiw.

All of these leaders—these experts in economic policy—have cautioned against requiring enforceable currency standards in our trade agreements that are subject to sanctions. They all noted such an approach, which would be required under the Portman-Stabenow amendment, would hinder our own economic policies.

Our current Secretary of Agriculture said much the same thing in a letter this week. In his letter, Secretary Vilsack stated:

> Enacting a TPA currency discipline that requires an enforceable negotiating objective would likely derail our efforts to complete the Trans Pacific Partnership and cause us to lose ground on holding countries accountable on currency.

He continued, arguing:

> An enforceable currency provision in our trade agreements . . . could give our training partners the power to challenge legitimate U.S. monetary policies needed to ensure strong employment and a healthy, robust economy.

We have also heard from leaders in the business community. In fact, we received letters signed by almost every major business association in this country, including the U.S. Chamber of Commerce, Business Roundtable, and countless others weighing in either against the Portman-Stabenow amendment, in favor of the Hatch-Wyden alternative or both.

We have heard the same from agricultural organizations, including the American Farm Bureau, the National Pork Producers Council, and many others.

In short, both the business and agricultural communities overwhelmingly—overwhelmingly—oppose Portman-Stabenow. This isn't about politics, this is about sensible policy.

Now, I am not arguing that we shouldn't do anything about currency manipulation. Senator WYDEN and I have submitted an alternative amendment that would take a much more sensible and effective approach to deal with these issues.

The Hatch-Wyden amendment would put a number of tools at our disposal to

fight currency manipulation, including enhanced transparency, disclosure, reporting, monitoring, cooperative mechanisms, as well as enforceable rules—the only tool in the Portman-Stabenow amendment. The Portman-Stabenow amendment provides this single tool: enforceable rules, subject—and this is what a lot of people miss—subject to trade sanctions. This single tool is grossly unreliable and poses a serious threat to U.S. interests if we fail to monitor what is going on in international tribunals against the United States.

The Hatch-Wyden amendment would give us maximum transparency and effectiveness with the ability to specifically tailor our efforts at addressing currency manipulation.

The Portman-Stabenow amendment would tie our hands and give us no other option than to subject our trading partners and ourselves to potential sanctions based on unreliable, indefinite standards.

The Hatch-Wyden amendment would preserve the integrity of our current trade negotiations. It would pose no threats to the independence of the Federal Reserve and would not subject our own monetary or exchange rate policies to the whims of an international trade tribunal, and it would increase transparency and accountability of our trading partners' currency practices.

In pretty much every way, the Hatch-Wyden amendment provides a better approach to dealing with currency manipulation than the one offered by the Portman-Stabenow amendment.

So, once again, even if we think the President is blowing smoke when he said he would veto any TPA bill that includes Portman-Stabenow, that is no reason to vote in favor of the amendment—and I don't believe he is blowing smoke. Our alternative approach represents a better solution to a myriad of serious problems.

I urge my colleagues to oppose the Portman-Stabenow currency amendment and support the Hatch-Wyden alternative. I think my colleagues will be happy if they do that because I think I have made a very strong case this morning. There is more to be said, but this ought to cause everybody to think and to pause and to say, Should I really take the chance of voting for this? Is it really possible the President might veto it? Is it really possible it will interfere with our Federal Reserve policy? Is it really possible we could be subject to all kinds of international tribunals—over what? Something we could have avoided with the Hatch-Wyden amendment.

I could go on and on. All I can say is I hope our colleagues will vote for Hatch-Wyden. It is not a matter of wanting to win on something. It is a matter of needing to win on something for the betterment of our country and its foreign policy.

With that, I yield the floor.

Mr. WYDEN. Madam President, I ask unanimous consent that at the conclusion of my remarks, Senator DURBIN, who has been very gracious to let me follow the Finance Committee chairman, be allowed to speak.

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

Mr. WYDEN. Madam President, and colleagues, Chairman HATCH has made a number of important points this morning. I wish to follow up and give a little bit of an update on where we are and touch on one issue that has not been discussed.

First, under Chairman HATCH's leadership, both sides have been working together in good faith with respect to the amendments, and I think it would be fair to say the chairman and I are optimistic that we can have a good and fair list of amendments. That is No. 1. I wish to commend both the Democrats and the Republicans who were part of that amendment discussion.

Second, with respect to the currency issue which Chairman HATCH has addressed—and I certainly share his views—I would also sum it up by saying the Hatch-Wyden approach on currency provides a wider array of tools to deal with the currency issue without undermining our monetary policy. That is really the heart of the Hatch-Wyden proposal. We wanted to come up with the widest possible array of tools but at the same time not undermine monetary policy. That is what Janet Yellen has been concerned about. She has always been concerned about what would happen if, Heaven forbid, we had another financial crisis. She doesn't want her hands tied or the hands of the Fed tied in terms of being able to fight that challenge.

We know that during that period of quantitative easing, a number of countries said the United States was manipulating our currency. Now, of course, that was an outrageous assertion. Chairman HATCH and I certainly disagree with that, but that is what we are up against. To me, what we ought to be trying to do is to provide the widest array of tools to fight these currency manipulation issues while at the same time not undermining our monetary policy. So those are two concerns.

Now, I wish to provide an update from yesterday. Yesterday, I came to the floor because colleagues were talking about excessive secrecy in the way trade policy has been made in the past. I made clear that I have very much shared that view, and I went through in considerable detail how we have put in place a new approach that I am calling the sunshine trade policy. In particular, what it means is that before any Member of the Senate and the House vote on the Trans-Pacific Partnership or any other agreement—the American people will have that agreement in their hands for close to 4 months before any Member of the Senate or any Member of the House actually votes on the Trans-Pacific Partnership.

The way it works—and I thank Chairman HATCH also for his efforts to build this sunshine trade policy—is that before the President of the United States even signs the Trans-Pacific Partnership, that document has to be public for 60 days. On top of that, there are probably about another 2 months that the American people would have that document in their hands.

I know the Presiding Officer of the Senate is here. We welcomed her to the Senate. What this means is that when my colleague from West Virginia has a community meeting—and certainly people in West Virginia, like the rest of our country, care greatly about trade—people would be able to come to a townhall meeting in West Virginia with the Trans-Pacific Partnership document in their hands for close to 4 months before you or any other Member of Congress votes on it. So that is an awful lot of sunshine, Madam President, and it is long overdue. I thank Chairman HATCH again for working closely with me on this matter. This is required by law. It is required by law that the President of the United States make public the Trans-Pacific Partnership for 60 days before it is signed.

Beyond that, yesterday we talked about the labor and environmental issues. Once again, there is a very dramatic set of changes, and that is why the President and I have said this is the most progressive trade policy in our country's history.

For example, during the 1990s—my friend from Illinois is here. We remember all those fierce debates in the 1990s. One point that I think all Members now realize is that those labor and environmental positions meant very little. They weren't enforceable. They were off on the side. They were really shunted way out of real opportunities to affect the debate. That is different now because labor and environmental rights—I went through them in great detail yesterday—are now enforceable.

On the labor issue, we are going to comply with the International Labor Organization standards, the ILO. So this is going to be a very different day, and it is why the President and I have both said this is the most progressive trade policy in our country's history.

To just touch on one other topic briefly, I want to address some of the misstatements about what this trade package will and will not do. We have heard suggested, for example, that it is a backdoor route for immigration reform or action on climate change. We have heard some say that a future President could use trade deals to repeal the Affordable Care Act or water down Wall Street reforms. These hypotheticals somehow just seem to be getting more and more far-fetched. My sense is that at the rate these hypotheticals are going, one is bound to hear that a future President working on a trade deal might have second thoughts about the Louisiana Purchase.

Now, to me, it is pretty important to keep this debate grounded in facts, and the fact is that the bipartisan legislation passed by the Finance Committee

says in clear terms that trade deals cannot change or override American laws or regulations. Let me repeat that. Trade deals cannot change or override American laws or regulations. But there has been an awful lot of spin out there on this point, and I want to address some of those issues this morning.

Many of the hypotheticals are centered on a common part of trade agreements called investor-state dispute settlement, also known as ISDS. Over the course of three decades with this approach in our trade agreement, our country has never lost a single dispute settlement case or paid one dime in penalties. So I have heard all kinds of discussion about this. We never lost a single dispute settlement case. We have never paid a dime in penalties. In fact, our country has been sued 17 times, and if you look at the number of years we have had it, it is not as if there is some kind of tidal wave of litigation.

Some have said that even the mere threat of a lawsuit causes laws and regulations to get watered down. Again, when you have gone 17-for-17 in dispute settlement in those cases, you have to put that upfront in this discussion.

What we know is that our country has regulations challenged nearly every day in our own domestic court system, and there are thousands of lawsuits every year. This trade promotion legislation makes it clear that companies do not have greater rights under the investor-state dispute settlement approach than they do in U.S. courts.

The fact is that our country is a safe and welcoming environment for investment, but that sure hasn't been the case all over the world. Property can be stolen, governments can dream up regulations designed to discriminate against our investors, or companies in fields such as renewable energy can be targeted and punished in unfair ways. Those are companies that we think are right at the heart of a vibrant economy—renewable energy companies—and they have been targeted.

In some places, unlike the United States, there is not a reliable court to turn to for help. This raises serious questions. What happens, for example, if a Malaysian judge decides to vote against an American company and it costs them millions? In another era, our country turned to gunboat diplomacy to protect our economic interests, but, in my view, the rule of law is a better option than military force.

It is also important to recognize that there are an increasing number of cases brought by pro-environment plaintiffs. That looks to me like a positive trend, whether it is the renewable energy companies challenging a European Union state that has rolled back incentives for solar or wind energy or the ecotourism investors suing Barbados for the discharge of sewage in a wetlands area.

Skeptics have argued that the arbiters are invariably biased in favor of corporations and that the panels that decide cases are rife with conflict. The numbers, however, tell a different story, which is that the overwhelming majority of cases are decided in favor of government. The record does not support the proposition that all of the arbiters are unprincipled individuals who allow corporations in those dispute settlements to get laws and regulations tossed out.

Finally, I want it to be clear that I will only accept a plan for dispute settlement that uses a transparent process. What is true in trade negotiations overall has to be true with dispute settlement, too. America cannot be kept in the dark. The hearing briefs, the decisions—all of the important matters must be open to the public.

My bottom line is this: The bipartisan trade legislation that is now before the Senate will go further than ever before to protect American sovereignty and affirm the fact that only democratically elected leaders write the laws in our country.

Done right, our trade policies help guarantee that American companies that have grown up here, invested here, and found opportunities to sell brand Oregon and brand America around the world are going to get the same fair treatment abroad that they get here at home.

I thank my colleague, Senator DURBIN, for his patience.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Madam President, I thank the Senator from Oregon and the Senator from Utah for their leadership on this important issue. Although we may disagree on some elements, they have really poured their hearts and souls into this debate, which is one of the most important ones we have faced.

Thank you for your leadership on that.

ISSUES BEFORE THE SENATE

I would like to at this point kind of reflect on where we are in the Senate at this moment where we have three major issues facing us and say a word about each. I will address some aspects of the trade bill and questions about our national security that have been raised by the extension of FISA.

Before I get into those elements, in respect to the Presiding Officer of the Senate from the great State of West Virginia, I would like to reflect for a moment on McColloch's leap.

Samuel McColloch was a major during the Revolutionary War, and he was given the assignment of keeping the western border frontier of the United States safe, which at that time focused on Fort Henry in what is now Wheeling, WV. Major McColloch had this famous moment when he was turned away from the gates of Fort Henry and had to ride away with the Native Americans—the Indians—in hot pursuit. He rode up the side of this hill or mountain, and as he reached the top there were more Native Americans or Indians waiting for him. He was surrounded, in a desperate situation. As the story or legend goes, at that point, Major McColloch went to the edge and, on his horse, with his rifle in hand, leapt off the side of this mountain or hill. The Native Americans rushed to look down, feeling that he must have died, and looked down, as the legend goes, to see him ride away on his white horse. They say he made this 300-foot leap on a horse. I don't know if he did or didn't, but that is how the story goes.

What does that have to do with what we are facing here in the Senate? It is personal, but I used to drive Route 40 in those days between St. Louis and Washington, DC, when I went to college here at Georgetown. I had a 1962 red Volkswagen, and I used to drive it back and forth. No. 1, it was a long trip. It was a long trip because there were not many opportunities to avoid cities. You went right through the middle of Indianapolis, right through the middle of Columbus, and right through the middle of Wheeling, WV. On the famous hill or mountain of McColloch's leap, traffic would slow to a crawl—so slow that although I never stopped, I was able to read the sign above McColloch's leap because I was stuck in traffic and it was right in front of me.

I always thought about that—well, someday I will go back and take a closer look at it. Well, I did get back to Wheeling and found out that the old Route 40 has changed a lot, and it doesn't go through Wheeling, WV. I don't get to see that sign on the side of the building, ''Marsh Wheeling Stogies,'' and all the places that used to be there, because of the interstates.

There are amazing interstate opportunities now around Wheeling, WV; around Columbus, OH; around Indianapolis; around St. Louis; around Chicago, and it calls to mind one of the issues we are facing here at the close of this session: Why do we have such a great Interstate Highway System? Three words: Dwight David Eisenhower, the President of the United States, the successful general who led the D-day invasion and our conquest in World War II. When he was President, he envisioned the creation of an interstate highway system in America. Where did he get the idea? From Germany. He looked at their highway system and realized what an asset it was to that nation at war, that they could move people and supplies in such an efficient manner on the autobahns. He had a vision that the same thing would be available for America. He called it the Interstate Highway System. He created it in the 1950s.

Virtually everyone in America today would concede it was a brilliant idea. It has created a backbone for commerce in America. In my State of Illinois, having an interstate near your town or passing through your town is really the best thing you could have for your

economy except for one other thing—having the intersection of interstates nearby. Then you know what is going to happen. There is going to be a lot of retail, a lot of commerce, a lot of business opportunities.

So here we have this Interstate Highway System which for almost 60 years has proven to be such a great success in America.

Why do I dwell on this issue in the closing moments—we hope—of this session? There are Members of the Senate who have announced publicly that they want to put an end to this. They have said that from their political point of view, we have to put an end to this Federal, national highway transportation system. They believe it should all be done by States and the localities. They think whatever we have done is fine, but from this point forward, the Federal Government should have no role, no voice. We should not collect the Federal gas tax and put it into the construction of highways and bridges and mass transit across America.

That is their position. You would dismiss it as just a marginal political position, but it turns out they have power within the Republican Party. Add to that group those who believe we should not be collecting revenue—any more revenue—for the Federal highway trust fund. It explains where we are today.

Because of the opposition of these two groups within the Republican Party, those who want to do away with the Federal highway program and those who are unwilling to talk about any revenue for the program, today we are going to be asked for the 33rd short-term extension of surface transportation programs. Just to put this in perspective, we used to pass laws that reauthorized the Federal highway trust fund, Federal transportation trust fund for 5 and 6 years. That makes sense, doesn't it? If you are going to build a highway, it takes some time. It took a long time in Wheeling, WV, and Chicago and St. Louis. You need more than just a few months' commitment, you need several years of commitment to make an investment that pays off for America.

So we used to pass these transportation bills when I was in the House, even in the Senate. It was the easiest political lift that we were assigned. Why was it so easy? Because Members of Congress could not wait to go home and announce that Federal highway funds were going to come back home and make a difference. I was one of them. I do not know how many shovels I have collected over the years from groundbreakings for highways or scissors for ribbon cutting. We do a lot of that as politicians.

This Federal highway trust fund was a mother lode of public relations opportunities for Members of the House and Senate. Why? Because in my State 75 to 80 percent of all the money spent in Illinois on highway construction comes from Washington.

So if we can pass this bill, we can point to projects that make a difference. When I was a Congressman, there was a stretch of interstate called the Central Illinois Expressway that starts on the eastern border of my State at Danville and goes all the way across Central Illinois to Quincy, which has dramatically improved the economy of that region—dramatically.

I was happy to—every time we would complete a segment—be there for a photo and a press release. But then the argument started that maybe we should not do this and maybe we cannot afford to ask those who burn gasoline to pay a tax to build new highways and to repair the old ones.

Now we are stuck in this situation where we cannot pass a Federal highway bill. Madam President, 32 times now—32 times—we have given short-term extensions of surface transportation programs. This one is almost laughable. Listen to this: We are going to extend the Federal highway trust fund for 60 days. What can you build in 60 days? Well, you can fill a pothole—maybe quite a few of them, as a matter of fact. But if you are going to repair a bridge, 60 days does not really give you much to work with. If you are going to build a new highway, that is out of the question.

So what we are doing, limping along, extending the Federal highway trust fund for 60 days, 6 months, sadly, is ignoring the obvious. There are darn few things you can point to with certainty that the government can do to help build the American economy, but one, I am sure, is infrastructure, which used to be a bipartisan issue. Democrats and Republicans alike agreed: build the infrastructure for business to keep businesses, to attract businesses, and to create opportunities for jobs in America—not anymore.

Under the Republican leadership of the House and the Senate, they have refused to even schedule a hearing for a markup for the Federal highway trust fund. Nope, not going to do it. They want to extend this Federal highway trust fund for 60 days. They, I guess, believe that if you fill enough potholes you can build a highway. I don't think so. They think America can patch its way to prosperity. I don't think so.

I think we have to look at the obvious. If we are committed to this country, to its future, to building the economy and creating jobs and keeping them, if we want our children and grandchildren to have infrastructure that builds competition into the 21st century, you cannot do it with a 60-day highway bill. It cannot be done. I had a long discussion with my Democratic caucus over the last several weeks and told them I think we are making a serious mistake. I think this ''go along, get along, 60 days, we are living for a week for Memorial Day'' attitude has to come to an end.

I think the Republican leadership in the House and Senate has to stand and accept responsibility. That means passing a Federal highway bill, a Federal transportation bill. It is not just highways and bridges, as critically important as they are; it includes mass transit.

In the State I represent, Illinois, downstate we love our highways. You get up to the Chicago metropolitan area, we love our highways still, but without mass transit we could not move all the people we need to move to keep the economy humming in the Chicagoland area. Twenty percent of this Federal Transportation bill goes to mass transit. Now, I am all for it. I support that; more people in trains, more people in buses, fewer people on the highways, less congestion.

I think we ought to look at the big picture, too, even beyond the Federal Transportation bill. Can you imagine when that tragedy occurred on Amtrak just a little over a week ago—I believe eight people lost their lives and hundreds were injured—that the very next day, the next day, the House of Representatives held a hearing and decided to cut the appropriations for Amtrak. It is a classic case of ''what are they thinking?'' We want Amtrak to be safe, reliable, efficient. The people of America have told us they want it to grow.

If you want to ride an Amtrak train in my State, coming into Chicago or going out of Chicago, you better get a reservation because those cars on Amtrak trains are packed. Sadly, most Amtrak rolling stock is about 30 years old, and we are not investing in Amtrak for our future. Where I live, Amtrak makes a big difference. Without Amtrak service out of Chicago, headed downstate in Illinois, I can tell you a lot of university presidents will tell you they will not have enough students.

The students come from Chicago down to Champaign-Urbana to the University of Illinois; to Charleston, at Eastern Illinois University; Carbondale for Southern Illinois. They take that west side of our State run on Amtrak down to Quincy University in Western Illinois, Knox College.

Over and over again, Amtrak service is a critical part of our State and its economy. Yet those in leadership on the Republican side don't believe in it. They want to see it go away, just like they want to see the Interstate Highway System come to an end. I think they are wrong. I think they are short-sighted. I think the public of this country has to speak up.

So I guess I am serving notice here. This 60-day extension will go through. I understand that. But from this point forward, it is not going to be automatic anymore. It is not going to be: Well, we will do another 60 days and then we will do maybe 180 days. No. I think we need to have a moment in the Senate and in the House where this convenient extension, at the expense of America's future, comes to an end. It is time for the Republican Speaker and the Republican majority leader to lead, to call together their committees and to pass Federal highway trust fund.

They have 60 days—60 days from the end of this month to get it done. That

is enough. I hope they do it. Because if they don't, many of us are not going to stand by again and say: Let's just let this new approach of patchwork America become the symbol of our future.

The second issue which we still have not resolved, is what to do about the PATRIOT Act. It was 9/11/2001. I was in a meeting just off the Senate floor. We had just seen, on a small television in our room, the second plane crash into the New York Trade Towers. It was pretty clear at that moment this was not just an accident. This was done by design.

It was not 15 minutes later that somebody broke into the room and said: Leave immediately. Get out. There is another plane on the way. We evacuated the United States Capitol Building. I have never seen anything like it in my life. Tourists everywhere ran out those doors and stood out on the grass and looked at one another and said: Where are we supposed to go? What are we supposed to do? It had never happened before.

Because of that experience and the tragedy of losing 3,000 American lives, we came together as a nation and said: We are going to stop this from happening again. We passed something called the PATRIOT Act, which empowered our government to go further than it had ever gone to keep us safe. We put a sunset on it. That was a wise idea. We said: It is not permanent law. It is going to be reviewed in a matter of 2 or 3 years because we are acting now with this emotional feeling about what has happened to America. We think we are doing the right thing, but we want to reflect on it and revisit it on a regular basis.

Why? Because we are dedicated to the safety of this country, No. 1—security and safety—but we are also dedicated to the rights of American citizens, our rights to privacy. So we wanted to strike the right balance. We thought we did, but we would return to it. Now, we are returning again.

Here is the basic question we face; that is, what will be the reach of our Federal Government in gathering information to keep us safe? Specifically, in this case, we are talking about telephone records, not the substance of your phone conversations but your records. Whom did you call? How long did the call last? Whom did that person call? How long did the call last? Maybe two or three generations of telephone information.

''Bulk collection'' is the term that is used. It means, basically, that if you suspect someone in my home downstate area code of 217 in Illinois, if you suspected someone in that area code of being involved in terrorism or connected with a terrorist, the Federal Government would have the power to reach in and gather all of that phone information from area code 217.

You might say to yourself: Well, why would they want to take all of it? They certainly have a name or telephone number of the suspect. No, bulk collection suggests gathering all of that information. Many of us have questioned over the years whether that is needed or if it was too far.

I have offered amendments in the past which were unsuccessful because we did not know details about what the government was doing, and I could not disclose it. It was classified at that time, how much we were gathering, how often we were gathering. So over the years, my amendments would not succeed, but the cause continued to grow, to the point where we now have a USA FREEDOM Act, which says, basically, the Federal Government can reach into area code 217 to go after a suspect, that suspect's phone records, and the people that suspect may be in touch with.

So we are more or less localizing it, particularizing it, going to an individual rather than collecting all of this information, bulk collection. This is what USA FREEDOM Act does. It limits government reach. Now, we do not want to limit it to the point where it endangers us. So we went and asked the professional, the intelligence agencies and the Department of Justice: Is this new version of the law enough to keep America safe?

They came back to us and they said yes. As a result, we have a bipartisan bill, which has passed the House of Representatives, Democrats and Republicans, supported by Speaker BOEHNER, the Republican leader, passed overwhelmingly the USA FREEDOM Act, and it has now come over the Senate. Why do we have to take this up now? Because at the end of May, the authority of the Federal Government to collect information on telephone records expires. The sunset I talked about recurs.

So we have an obligation to do something before the end of May. I believe we should call up the USA FREEDOM Act that passed in the House of Representatives and pass it here. We are told by the President, the Attorney General, the head of our intelligence agencies that this is enough authority to keep us safe and not go too far. I failed to add, a recent court case in the State of New York found that this bulk collection of telephone records was illegal. So we clearly have to act and do something. We can, but it is tied up in knots. This morning, the majority leader came to the floor and took exception to some Members of his own party as well as my party and our position supporting the USA FREEDOM Act. I hope that he will give us a chance to pass that, and I hope there is a bipartisan majority to pass it.

The last issue which I wish to address is the trade bill that is pending. It is a controversial measure. I will not go into any depth. I can't add a great deal to what has been said by so many people on the floor about this legislation. But the currency question raises an interesting question for us. There are ways to have unfair trade practices that are not very obvious, and there are some that are. One of the obvious ways to deal unfairly in trade is to dump a product in another country.

What does that mean? It means if you are going to create and fabricate a ton of steel in Brazil and then sell it in the United States for less than your cost of production, you are dumping it. That is exactly what happened to us about 12 years ago. Brazil, Japan, and Russia decided to dump steel in the United States.

Why would any country want to sell steel at lower than the cost of production. They are going to lose money on it, right? They saw that in the short term, but in the long term they knew what would happen. U.S. steel producers couldn't compete. They couldn't sell at that price. So they kept dumping steel in the United States until more and more steel companies in America went out of business.

Oh, they filed their grievances for unfair trade practices, and therein lies the problem. Those grievances—those complaints—went to the International Trade Commission, which sat down to study the issue and make a decision on the issue. By the time they made a decision and found out that yes, there was dumping on, and yes, it was unfair to the United States, all of the U.S. steel companies that were affected had lost and gone out of business.

So when you have a trade agreement, it isn't just a matter of having provisions. They need to be enforceable in a timely fashion or we will lose business and we will lose jobs in America.

We have two other issues before us now. One of them relates to currency. You can price a product by the value of your currency against another country's currency. China and Japan have developed quite a reputation in the world for their currency manipulation to make sure they always had an advantage over the United States, no matter how good we were.

So currency is an important issue that has been brought up in an amendment today, and it is an indication to everyone who follows this debate of the complexity of the debate on trade.

There is a second issue that was brought up by Senator WYDEN of Oregon, who is the ranking member of the Senate Finance Committee, and that is the whole issue of what to do when you have a dispute with another country about a provision of law.

Here is an illustration. Australia passed a law, which required warnings on their tobacco packaging so that people in Australia understood the health risk of using tobacco. That is not uncommon. We do it in the United States. But Philip Morris, an international company that had offices in Hong Kong, protested to Australia that these labels, which discouraged people from buying their tobacco products, would cost them business. And they used this investor trade dispute mechanism, which meant they didn't have to go through the courts of Australia. They went through this basic mechanism,

this tribunal created by the trade agreement. The net result of it was that Australia faced this prospect: Either to remove the law requiring labeling or to pay Philip Morris for the effectiveness of that labeling on their profits.

The argument for this separate tribunal is that you cannot always trust the courts of the country. I heard that from my friend from Oregon. But also, when you take this out of the court system and let it be decided by corporate leaders, it really puts you at risk.

What is going to happen when some company protests in America about our environmental laws, about our banning toxic chemicals, about our tobacco warnings? That means in addition to going through the courts of the United States, it may also go through a tribunal. I worry about that. Again, that is an aspect of trade which most people don't think about, but it could affect each and every one of us very personally.

We are likely to finish this session this weekend, I hope, and we have three important issues. We are probably going to extend the highway trust fund for 60 days—and I hope that comes very soon.

I see my friend from Tennessee on the floor. I want to say a word congratulating him for his leadership on the Senate Foreign Relations Committee and bringing about an extraordinary bill which passed on the floor of the Senate related to the negotiations with Iran. It is one of the highlights, I might say to my friend from Tennessee, of what we have achieved this year. I thank him for that.

I don't know if he serves on any appropriate committee, but if he could take his skill and wisdom to create a bipartisan highway trust fund bill, we need it, and I hope we can do it.

Secondly, I hope we can pass the USA FREEDOM Act. It is the right thing to do, striking a balance between security in America and privacy.

Finally, we are likely to complete this part of the trade debate. I hope we have a fulsome debate on the amendments, which raise some important issues, two of which I have spoken to this morning. It is important that we do this business and we do it right. A lot of people are counting on us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Madam President, I rise today to speak on the matter before us, which is the trade promotion authority that is so important to our Nation.

I realize that whenever we deal with issues such as this, there are always parochial issues that people deal with in order to make sure their State's interests are represented well. I realize, for instance, that issues such as the Ex-Im Bank are very important to various people around our country based on manufacturing operations that happen to be in their States, and I respect that.

I appreciated yesterday that we were able to move beyond an issue that was holding us up and get to a place where we are going to be able to vote on some final amendments and, hopefully, move trade promotion authority into fruition.

I know we have talked a lot about these parochial issues. I want to move back to those in just one moment, but I want to talk about the importance of trade promotion authority and an agreement that I hope will come to fruition after we pass this, which is TPP.

I know that many in our country—especially now as we see things on our television screen and in newspapers about unrest that is taking place around the world—have been concerned about our foreign policy. We have been concerned about the effectiveness of what we have been doing.

One of the areas that our committee focused on this last week was much of what is happening in the South and East China Seas at present. Because of those activities, I was in Southeast Asia within the last 12 months.

Let me just say that there are concerns there among friends, people who want to move more toward a Western-based value system in their countries. They are very concerned about many of the activities that are taking place in the South China Sea but also about the economic dominance that is occurring now in China as it continues to export not only its strength into the South China Sea but also its economic dominance.

They have been very concerned about the fact that our pivot to Asia really hasn't borne much fruit. They haven't really been able to see anything very substantial taking place in that regard. I think people on both sides of the aisle have concerns about what is happening in that area.

But here we have an opportunity to do something that has nothing to do with military might, has nothing to do with things that could evolve down the road such as kinetic activity or anything along those lines.

We have an opportunity now to hugely shape that part of the world by passage of this trade promotion agreement, which will allow the countries to finally put their last deal on the table. Without this, there is no way we are going to get to a final TPP agreement that will bring that region more closely aligned to the United States.

It calls us to do much greater business with them, which will help people in Tennessee. It will help people in West Virginia. It will help people all across this country to be able to export goods to other places. But, importantly, it will draw those countries more closely to the United States, and it will act as a buffer against the dominance that is taking place now with China.

In meeting after meeting, constantly I was asked: Will the United States come together and deal with this issue in an appropriate way? Will the United States actually be our partner? Will the United States work with us to make sure that our economies expand as the United States' economy expands? Will we be able to count on the United States to enter into an agreement where we have a balance, where we have the opportunity not just to export our goods to China and deal with China but also have the opportunity to deal with the United States? Can we count on the fact that the United States is going to promote free enterprise, is going to promote the rule of law, is going to promote anticorruption, is going to move away from state-owned enterprises, which in many cases is dominating that area?

I just want to say that TPP—and passage of TPA, in order to cause us to come to a final agreement on TPP—is in our national security interest. It is the best way for us to counter what is happening in the region that we consider to be a threat. It is the best way to promote American values.

In the process, what we are doing is actually raising the standard of living of Americans. So this is a win-win. Again, I know we have a lot of parochial issues that people care about rightly—I don't challenge that—and that could possibly get in the way. I hope that over the course of the next several hours, we will figure out a way to appropriately deal with amendments that allow people to voice concerns, especially concerns that they have in their own respective States. But I hope, when we move beyond that, when we move beyond disposing of those amendments as a group, that we will come together and pass this TPA, which, more than anything else we can do now in the region, will cause us to be a bulwark and will cause us to allow people to move toward the Western values that we hold so dear.

That brings me to an issue, first, on the national security front. We have a host of former Secretaries of Defense who have signed a letter—people on both sides of the aisle, former generals who have worked in the region. They know how important TPA is and TPP following on. They know how important they are to our national security interests.

In addition, I think you know we have had 10 Treasury Secretaries who signed a letter talking about one of the amendments that may be on the floor dealing with currency.

I don't know what the office of the Presiding Officer is like right now, but we are being inundated with emails, especially from the auto industry, regarding this currency issue. During the crisis, I know the Presiding Officer was serving in the House of Representatives, and I was in the Senate. During the auto crisis, the Senate debated issues relative to the auto crisis. I know the House did the same. But during that crisis, President Bush, late in December, decided that he would use

U.S. taxpayer monies to bail out the auto industry. And President Barack Obama, who was elected and came into office shortly thereafter, followed up on what President Bush had put in place. Through something called TARP, which was unexpectedly put in place to be utilized to bail out the financial industry—again, something that was regrettable and had to take place—the auto industry was bailed out. Taxpayers of the United States bailed out the auto industry to the tune of $80 billion. So $80 billion we invested in the auto industry.

What that did was not just bail out the large entities that needed the money, but it bailed out the supply chain that worked to support what they did in their manufacturing operations. And so the taxpayers of this country, in a massive way, in an unprecedented way, back in 2008 and 2009, injected taxpayer money—taxpayer money—into private enterprises to make sure they would survive. It was obviously controversial. Today, obviously, many jobs have stayed in place as a result of that. People certainly have differing opinions about what should have happened during that time.

I fear what is happening right now is that the auto industry is back and asking for another bailout. In our office anyway, and I think other offices around the Capitol, we are hearing from the auto industry right now about a currency provision—a provision they want inserted in TPA in order to give them another bailout. They want to ensure, as we move into this agreement, that they will have a competitive advantage.

I think all of us understand that the President has said he would veto TPA if it has this currency provision in it. We have had Treasury Secretaries—10 of them, highly respected on both sides of the aisle—who have told us we should not have currency provisions of this type in a TPA agreement. I think we understand the difficulties having these currency provisions in TPA will create in actually completing the TPP agreement, which again I have mentioned before. Obviously, it is important to us economically, but it is hugely important to us from a national security standpoint and from our national interest standpoint.

So I know these currency issues sometimes are difficult to deal with. I think it is important certainly for Senators to be able to express concerns about things that may happen in their own States, and I respect that. I respect that, but I hope as a body we will rise above giving another bailout to the auto industry because, if we do, it will greatly complicate our ability to enter into an agreement called TPP, which will be in our national interest, it will be in our economic interest, and it certainly is something Treasury Secretaries, Defense Secretaries, and others who know of the great national interest at stake oppose.

I thank the chair for the time. I hope as a body we will do what is good for our Nation and not just for a small group of people; that we will do something that will stand the test of time; we will do something that will increase the standard of living for these pages who sit before us today and cause them to be safer; that will cause American values to be more prolific and certainly benefit our Nation's economy.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Madam President, I ask unanimous consent to speak as in morning business.

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

HIGHWAY TRUST FUND

Mrs. SHAHEEN. Madam President, in just 10 days, authorization for the highway trust fund will expire. The fund will run out of money entirely by the end of July, which means transportation projects in New Hampshire and across this country will grind to a halt.

What is Congress's response to this crisis? This week, leadership will bring to the floor yet another inadequate short-term extension of the highway trust fund authorization, and there is no plan whatsoever to address the insolvency of the fund. In other words, once again, we are kicking the can down the road. But in this case the road is overwhelmed by traffic, badly in need of modernization, and filled with patches and potholes. For a country that seeks to remain competitive in the 21st century global economy, this is totally dysfunctional and unacceptable.

I know my colleagues and the Presiding Officer travel around the city of Washington. Sometimes I feel like I am in a Third World country when I travel along the roads in DC. There are few more basic and necessary functions of government than providing for modernized highways, bridges, and other infrastructure. Yet Congress is grossly neglecting this responsibility. China spends about 9 percent of their gross domestic product on infrastructure, Brazil spends about 8 percent, but infrastructure spending in the United States has fallen to just 2 percent of our GDP. That is half of what we were spending in the 1960s.

Our highways and bridges face a more than $800 billion backlog of investment needs, including nearly one-half trillion dollars in critical repair work, and Americans spend a staggering 5.5 billion—that is billion not million—hours stuck in traffic each year. Yet earlier this month, the majority party in Congress voted almost unanimously for a budget resolution that will slash Federal funding for transportation by 40 percent over the next decade. This is just irresponsible. This isn't about cutting fat and extravagance from the transportation budget; this is about cutting the muscle, the sinew of our Nation's critical transportation infrastructure.

Last week, I went with the mayor and the city manager to Concord—New Hampshire's capital city—to inspect one of three bridges that are critical to the city of Concord. It is rusted out and it is now closed—the Sewalls Falls Bridge. Our office had worked with the city and U.S. DOT to get the approvals to replace this bridge. The city of Concord lined up all the permits—and then nothing. Because of uncertainty about Federal funding for the project, it was stopped dead in its tracks, until the city and State last week, when they realized we weren't going to act, stepped in with short-term funding in anticipation we would finally do the right thing.

Well, thousands of other road and bridge projects across the country have been put in this same jeopardy and limbo because of our failure to do our job. This neglect is creating bottlenecks in our economy, it is hurting our global competitiveness, and it is killing jobs, especially in the construction trades, where employment still has yet to recover from the recession. According to a Duke University study, providing Federal funding to meet the U.S. Department of Transportation's infrastructure requests would create nearly 2½ million jobs.

Earlier this month, I joined with a bipartisan group of eight Senators who previously served as Governors: Senators KING, ROUNDS, KAINE, HOEVEN, WARNER, CARPER, MANCHIN, and myself. We sent a letter to our Senate colleagues urging them to commit to fully funding national infrastructure priorities and putting a stop to the destructive, dysfunctional short-term fixes that have become routine in recent years.

Madam President, you are too young to remember, but I remember being in elementary school when Dwight Eisenhower championed our great Interstate Highway System. That was a visionary move. I remember talking about it in class and being excited about it. The National Interstate and Defense Highways Act of 1956 ensured dedicated Federal funding to build a network that today encompasses more than 46,000 miles of roadways. That system has transformed our economy and it has created countless millions of jobs, but it is now six decades old. Its dedicated funding mechanism—the highway trust fund—is in constant shortfall and today is just 2 months away from becoming insolvent.

So for Congress to pass yet another short-term extension is damaging and dysfunctional. It kicks the can down a road that is crumbling, congested, and increasingly uncompetitive. It is time for Congress to come together, on a bipartisan basis, to break the cycle of patchwork fixes. It is time to pass a 5- to 6-year funding bill that will allow government at all levels to plan long-term capital investment projects and to build a 21st century transportation system that meets the needs of our 21st century economy.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

EXCITING NEWS ON CANCER

Mr. TOOMEY. Madam President, I rise to speak about an amazing presentation I have had the privilege of witnessing twice now in the past several months at the University of Pennsylvania, at the medical center there. I want to speak a little about the work some scientists and doctors are doing that is extremely exciting and has great implications for all of us.

Let me start with a little background and some facts. In 2014, over 585,000 Americans died from cancer. There were over 1.6 million new cases diagnosed. I think it is fair to say that every one of us has a family member, a very close friend or we know somebody closely who has been afflicted with some form of this terrible disease. The fact is cancer is on the verge of overtaking heart disease as the leading cause of death in America.

Now, we have made a lot of progress on many forms of cancer, but we still have a long way to go. I want to speak a little about a very exciting new therapy, but let's start with talking about cancer a little bit itself.

The fact is cancer cells have this protective shield, if you will. It is a shield that allows the cancer cell to hide from our immune system. If our immune system were able to function normally with respect to cancer cells, we wouldn't have cancer. The immune system would destroy the harmful cells, but that doesn't happen in cancer, and it is because of this protective shield. So imagine if we could develop a therapy that would penetrate that protective shield and allow our immune system to break through and destroy the cancer cells.

Astonishingly, the very viruses that have been responsible for killing millions of people around the world—HIV, polio virus, measles—are now being used to create exactly this capability—this capability to break through cancer's protective shield.

Researchers at the University of Pennsylvania—a team of researchers led by Dr. Carl June—have developed a process to harness the body's immune system and enable it to identify, track down, attack, and destroy an important form of leukemia, a blood cancer that is most often found in children. In their trial, 90 percent of the patients with this relatively rare form of recurrent leukemia went into remission after they got this groundbreaking treatment and their cancer has not returned.

Dr. June and his colleagues don't ever say this, but they may be on the verge of curing leukemia, and it is very exciting. So let me talk a little bit specifically about this form of leukemia. Acute lymphoblastic leukemia is the most common cancer in children ages 1 through 7. For young children, this is the most common form of cancer that afflicts them. There are 60,000 cases in the United States alone of acute lymphoblastic leukemia. It is hard to say, so it goes by ALL. This cancer results when abnormal white blood cells accumulate in the bone marrow. The leukemia cells then are carried through the bloodstream to other organs and tissues, including the brain, liver, and other areas, where they continue to grow and divide.

Now, most ALL patients can be successfully treated with conventional chemotherapy, expensive and sometimes dangerous bone marrow transplants, and stem cell transplants. These therapies have improved enormously, and they work in most cases. I think about 80 percent of ALL cases can be cured with these conventional treatments. But the recurrent ALL—those who don't respond and are not cured by these conventional treatments—their prognosis is much worse. Approximately 3,000 pediatric patients relapse after the bone marrow transplant procedures, and most of these relapses are early relapses and, candidly, have a pretty dismal outcome—only a 15- to 20-percent survival rate for children with these kinds of relapses. This is where this new therapy comes in. It is called chimeric antigen receptor—or CAR–cell therapy.

What happens is doctors remove T-cells from the cancer patient. T-cells are a type of white blood cell we all have as part of our immune system. They then take those T-cells and they insert new genes from an inactive, harmless component of the HIV virus. They actually use part of the HIV virus to get into the T-cells, which gives the T-cells a new capability. Specifically, they develop the capability to identify and link to a protein that is on the surface of the cancer cell. That is the shield that protects the cancer cell. This enables the T-cell, in turn, to then destroy that cancer cell. So that is the idea. The T-cell is taken out, it is modified with a component of the HIV virus, and it is then injected back into the patient, where it multiplies massively and begins this wonderful search-and-destroy mission—searching for the cancer cells it has been programmed to find and killing them.

This treatment is specific to every individual patient and works in part because it works with a patient's own T-cells. So that creates a whole set of protocols and challenges. You have to make sure that you are withdrawing a person's T-cells. You can go through almost a manufacturing process whereby you transform them so that they can be used for this purpose.

One of the most exciting things about this therapy is that after a patient has been treated, after they have gotten their modified T-cells put back into their body and after the T-cells have served their purpose, they don't just vanish; they remain in a person's system. They remain as part of the immune system, sort of on standby, ready and able to attack if the cancer should emerge.

They are still in the trial phase of this new process. Dr. June and his team were willing to take on the most difficult cases. In fact, that is all they were allowed to take on initially. The first 30 patients they tried this therapy on had already undergone chemotherapy several times and the chemotherapy had failed. In fact, everything had failed for these patients. They had no treatment options left. By the time they got to Dr. Carl June and his team, these patients had weeks to live.

In the first trial, 27 of the 30 patients were cancer free 1 month later—So 1 month after receiving the treatment, no cancer—and 78 percent of the patients were alive 6 months after the treatment.

Now, 125 patients have received this personalized cellular therapy at the University of Pennsylvania for several kinds of leukemia. They have modified the treatment to address other forms of cancer, including non-Hodgkin's lymphoma, for instance. In more than 90 percent of the pediatric leukemia cases they treated, the patients are still in remission. Four out of five adults with non-Hodgkin's lymphoma have had complete remissions.

This is amazing stuff. It is very exciting. Scientists, medical researchers, and doctors across the country who are following this have been blown away by the success, and they refer to it as ''a major breakthrough,'' as ''phenomenal,'' and it has been what ''we've been . . . hoping for.''

Just last year, the FDA agreed that the progress is so stunning that they granted what they call ''breakthrough therapy'' designation for this therapy, for this treatment, because of the success they have shown in the early trials. This designation is going to allow Dr. June's team to treat more patients more quickly who are in these very difficult circumstances.

In fact, the University of Pennsylvania is already working with Novartis in anticipation of the time that they will be able to roll this out as a standard treatment, where it will one day—hopefully soon—no longer be considered experimental and no longer be the last resort for patients but an early resort. The conventional treatments—chemotherapy and bone marrow transplants and stem cell treatments—tend to have very unfortunate adverse side effects. It has been necessary because they can be successful. But one of the wonderful things about this therapy is there are no lingering side effects.

So it is enormously encouraging. It is very exciting. One of the things that are most exciting about this is that this technique conceptually could very well apply to any number of cancers, maybe all cancers. It is not a small matter. It is a challenge. But these guys are meeting this challenge. The challenge is to design the transformation of the T-cell in a way that will pierce that shield, that unique shield for each form of cancer, and they are making remarkable progress. They

have also made tremendous progress on fighting multiple myeloma, which is another blood cancer that is very serious.

I should point out that Dr. June and his team at the University of Pennsylvania are not alone in pursuing this general direction. MD Anderson in Texas is working to use the common cold virus—the virus that causes the common cold—to help fight brain tumors in a similar fashion.

Penn researchers have already developed a way to engineer immune cells in mice to fight a very dangerous form of brain cancer, and that has been so successful in the animal trials that this fall they will be able to begin human trials on this as well. This kind of brain cancer that they will be trying to treat affects over 22,000 Americans. It is called glioblastoma. People who are diagnosed with stage IV glioblastoma are in very dire circumstances. The mean survival rate is less than 18 months. This is, in fact, the form of cancer that took the life of Senator Kennedy, a former colleague of so many of us. This is extremely exciting. And ''60 Minutes'' did a profile on some doctors at Duke University who are using a reformulated version of the polio virus. Instead of HIV, they are using the polio virus in a similar fashion to enable our immune system to attack this brain cancer, glioblastoma.

I am, frankly, fascinated and incredibly excited about the progress these scientists and these doctors are making. But along the way, to get there, it costs money, and there has been a struggle for the funds to get this done. Dr. June's study has been supported by the NIH, by the Leukemia & Lymphoma Society's Specialized Centers of Research Grant Program, and a Stand Up To Cancer-St. Baldrick's Dream Team translational research grant.

In 2008, the NCI had originally denied funding because they thought this was perhaps too risky. Fortunately, the Leukemia & Lymphoma Society and the Alliance for Cancer Gene Therapy stepped in.

After they treated the first several patients, despite their success, they ran out of money and they had to stop treating patients for over a year while additional funding was lined up.

The fact is, this research funded by the NIH has given us tremendous strides in early detection and treatment methods and survival rates for a variety of cancers but especially for this work.

I know my colleagues and I are committed to continuing to fund the kind of research that makes these breakthroughs possible in a responsible way. I wanted to come down to the floor today and talk about how important this is and how exciting this is. I personally think we are in an extraordinarily exciting moment for health care for our whole society. Technology is producing spectacular breakthroughs, and it seems to be happening on an accelerating basis. Some of the big, gigantic intellectual breakthroughs of recent years—the Human Genome Project, the gene sequencing—the technology that is available now wasn't even imagined a few years ago. The combination of these things is enabling us to make discoveries and breakthroughs and treatments that were beyond human imagination just a few years ago. So I think we could be on the threshold of some absolutely stunning and wonderful developments. Personalized medicine is a big part of it. Understanding how our genes contribute to the health care problems we have but also can be used to combat these problems—I think this is all readily within reach. I am very excited about it.

In closing, I guess my message is that when we think about where we are and how close we are to these stunning cures for some amazingly devastating diseases, I think we should set our goal at curing these diseases. Our goal shouldn't be to figure out how we treat this, how we extend life for a few months. We will do that for as long as we have to, but our goal should be to cure. Our goal should be to cure cancer. Our goal should be to cure heart disease. Our goal should be to cure Alzheimer's. We are going to be able to do this. We should make this a goal. We should make this a priority.

We have a lot of competing priorities for the limited resources available to the Federal Government. I can't think of any that are higher than this extremely noble effort, and I can't think of any reason not to support it. It is within reach. The progress is stunning and exciting, and it is happening all across America and very much in Pennsylvania. I am proud of the work that is being done in Pennsylvania, and I look forward to seeing it continue.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Madam President, I am speaking today on the underlying bill, but I do want to indicate, supporting my friend from Pennsylvania, that there is incredible, exciting work being done with the National Institutes of Health that is focused on those cures. I think the challenge for us is that the budget that was passed will actually end up cutting NIH, and with this very bad policy of sequestration that I hope we are going to be able to fix—if that continues, then we will not only not have the ability to move forward on exciting cures, but we will actually be seeing NIH cut, which I think would be foolish and devastating to all of us in the long run and, for a lot of reasons, going in the wrong direction. So I hope we can work together on a bipartisan basis to fix that.

AMENDMENT NO. 1299

Madam President, let me first say, coming to the floor on the Portman-Stabenow amendment, that I ask unanimous consent to add two more cosponsors today: Senator TESTER and Senator MARKEY. That brings us to a total of 30 bipartisan cosponsors on this very important, commonsense amendment outlining the importance of the biggest 21st-century trade barrier, and that is currency manipulation. So I thank everyone who has joined together to cosponsor this.

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

Ms. STABENOW. I also know there has been a tremendous amount of energy going on trying to defeat this amendment in the last day, and there are a lot of comments being made on the floor. I do want to first of all say in response to comments from someone whom I greatly respect, the Senator from Tennessee, who has played an incredibly important role in moving forward on some important foreign policy issues, that I would caution that we call support for manufacturing—whether it be autos or others or supply chains or materials manufacturing—somehow a bailout when we are talking about protecting American jobs—I would point to the fact that there is a very important company, Alcoa, in Tennessee that just received an advanced technology vehicle loan. I was proud to author that loan program back in 2007 in the Energy bill. They make aluminum, as we all know, and they are retooling to be able to benefit from Ford Motor Company's policy of moving to aluminum to take 700 pounds out of the F–150 truck to make it more energy efficient. Alcoa is benefiting, a Tennessee company. I don't consider that loan a bailout any more than I consider any other loan programs we put together for manufacturing a bailout.

But I would suggest that we have literally millions of jobs across our country connected to the supply chain, whether it is autos, whether it is dishwashers, whatever it is that we are making.

We have manufacturers—large and small—telling us that if we are going to move forward and give negotiating objectives to this administration to negotiate a trade agreement with 40 percent of the global economy in Asia, we better understand that the No. 1 trading barrier used by Asian companies is currency manipulation—No. 1. I find it astounding. It would almost be funny if it were not so crazy. There are these arguments, on the one hand, that somehow, setting up a negotiating principle and just saying that if you negotiate something on currency, we want it to be enforceable for the first time—not just words—we have a lot of words. We have years and years of lots of words about currency manipulation. But this time, if you actually negotiate something, we want it to be enforceable. And somehow that is going to bring down the Trans-Pacific Partnership. If that is the case, then we have a lot more to be worried about than this amendment, in my judgment, in terms of what sounds like not a very good agreement overall.

We are continually hearing, on the one hand, that things are getting better with China, that Japan does not do this anymore, and that the Bank of Japan does not do this anymore. But if they do not do this anymore, then why do they care? How can anyone with a straight face say they will walk away from a major Trans-Pacific Partnership because we say to our negotiators, on the list of things we think are important on behalf of American businesses and workers, that we count currency manipulation in that list. And by the way, if you do something—and we do not prescribe what it ought to be—it ought to be enforceable.

I am astounded at the amount of energy going into this to say this is a poison pill. The reality is that in the House of Representatives this amendment would actually pick up votes, and there is going to be a lot of need to pick up votes in the House of Representatives.

I do not know anybody who says they are voting for this and that somehow because this is in here—or somebody who is not voting for it—they would not actually vote for the TPA.

It is amazing to me, and it is amazing to me that my partner in this is a former U.S. Trade Representative who sat at the negotiating table, who supports TPA, who is saying that this is reasonable and will not interfere with the ability to negotiate.

As I said before, I would like to go further. I would like to say that you do not get fast-track authority unless you do something on currency because this has cost us over 5 million jobs and counting. But that is what this amendment says. This creates maximum flexibility for the administration. It simply says on the list of things that are important that we care about wages, we care about the standard of living, we care about protecting the environment, we care about intellectual property rights, and we care about currency manipulation. And if you put something in there, it should be enforceable under the international rules under the WTO and meet the definition of the IMF. We are not mandating the outcome of any particular negotiation. If simply having this in here means that Japan walks away, then there is something else going on here that we ought to all be very, very concerned about.

We have also heard that this will affect countries to attack us on our domestic policy, including quantitative easing. Our amendment explicitly exempts domestic monetary policy. In fact, in the text of the amendment, it says: ''Nothing in the previous sentence shall be construed to restrict the exercise of domestic monetary policy.''

In the side-by-side by the leaders of our Finance Committee—by the way, they have no such exemptions, which is interesting. Some have contended that by adopting our amendment, particularly Japan will walk away. They really cannot have it both ways. Either the Bank of Japan is or is not doing what they have done for 376 times in the last 25 years—376 times, despite the fact that they signed on the dotted line with 188 countries, signed on the dotted line through the International Monetary Fund: We are part of the IMF, and we will not manipulate our currency. And they have done it 376 times. So if they are not going to do it anymore, why should they care that we put this in as a priority for the United States, for our workers and manufacturers? And if they care so much and if they would walk away just by our simply raising this and saying we ought to do something enforceable, it is obvious there is going to be 377. And we ought to all be extremely concerned about that, because what does that mean? What are we really talking about?

It means foreign products are cheaper here and American products are more expensive there, and in a global economy, when our manufacturers are competing not to get into Japan but competing around the world with Japan, we have already seen the results at other points in time—anywhere from $6,000 to $11,000 more on the cost of one vehicle. Think about that. As a consumer, you are going to buy a car, and there is a $6,000, $8,000, $10,000, $11,000 difference in price. That is a big deal. That is a very big deal. I mean, for all of us who say we want a level playing field on trade, that our people are smart and competent and compete successfully with anybody, we ought to care about this—that when the Bank of Japan intervenes, we are seeing anywhere from a $6,000 to $11,000 difference in the cost of an automobile. This has cost us over 5 million good-paying jobs in America.

I thought that was supposed to be our priority. That was our job—to be fighting, but not for the Bank of Japan. In fact, Ford Motor Company says they will compete with anybody around the world, but they cannot compete with the Bank of Japan. So this is about a level playing field.

Why does it matter? It is not just about selling in Japan. Unlike America, the Japanese have a preference for buying their own vehicles as a matter of patriotism in their country. I wish we had the same. So it is not just about getting into Japan, the little, small islands of Japan. It is about competing with them on everything in between. It is about the 1.2 billion people who live in India, where we are trying to sell to them and Japan is trying to sell to them. If they can sell a vehicle for $6,000 or $10,000 less, what do you think is going to happen? It is about the 200 million people in Brazil, whom we are trying to sell to and Japan is trying to sell to.

They are fighting so much, even having a negotiating principle that says: If we put language in, it ought to be enforceable. If they are fighting so much, it must be because they are really looking at those countries and saying: You know what; we want that $6,000 difference. We want that $10,000 difference. We do not want anything to get in the way of that.

Frankly, protecting Japan, Japanese automakers and suppliers, and Japanese workers is not our job. It is not our job. Our job is to stand up for American workers and American businesses, and that is what this amendment is all about.

By the way, the issue of currency manipulation affects every part of the economy—agriculture, medicines, and every part of the economy. All we are saying is to give us a shot here. Give American manufacturers and workers a shot, at least by saying in fast-track that we want something done on currency. If you do it, it should be enforceable.

Countries have been signing up for years saying they will not manipulate their currency and nobody has ever enforced it. No one has ever enforced it. All we are asking is if we negotiate something, it should have enforceable standards. It is not enough to have a handshake agreement anymore.

How many years do we have to go on and how many millions of jobs do we have to lose, when all we get is good-faith assurances and handshakes?

Let me say this. I hope when this debate is done, the intensity to defeat this amendment that our manufacturers promote—by the way, they always support free trade. These are folks who are in the global economy, and they want to trade. But if we are going to put aside American manufacturers, American suppliers, American workers, I hope the next thing we will do is to focus on fast-tracking the middle class and have as much intensity, as many late-night calls, and as many meetings together to make sure we have a minimum wage in this country, to make sure we have a long-term investment in transportation that will not only deal with safety and fixing roads and bridges and transit and rail for our farmers but that creates millions of jobs. I hope we have as much intensity on that.

I hope we have as much intensity on lowering the cost of college so kids have a fair shot to do what we want them to do, which is work hard, to get the grades, to go to college, and to go to work. I hope we have as much intensity around that.

If we had more intensity around fast-tracking the middle class, we would not have to worry so much about what we are doing on trade agreements.

I hope we have intensity about closing loopholes that are allowing companies to go overseas on paper while they still drive on our roads, breathe our air, drink our water, and send their kids to schools here but avoid paying their fair share because they moved on paper.

I hope we have as much intensity around that. I hope we have as much intensity about making sure that in this global economy, we have a race up to increased standards of living, wages with which you can care for your family and send the kids to college and do

all the things that we want to do for our families rather than having a race to the bottom where somebody is told if you just work for less and lose your pension and health care, we can be competitive. So let's have fast-track. Let's have fast-track about the things that really matter to people in this country, which is getting back to having a middle class where you can stay in the middle class.

While we are at it, let's pass an amendment that makes it clear we get how important currency manipulation is—when we are giving up our right to amend a trade agreement, when we are giving up our right to be able to use a 60-vote threshold on a trade agreement. And at least there ought to be a provision in there that says: Do your best on currency. And, by the way, if you get some language, how about we make it enforceable this time? Five million jobs and counting—that is what we lost and that is enough.

I hope my colleagues will come together and support the Portman-Stabenow amendment.

The PRESIDING OFFICER. The Senator from Georgia.

MEMORIAL DAY

Mr. ISAKSON. Madam President, as Chairman of the Veterans' Affairs Committee in the Senate, and on the eve of Memorial Day, I think it is appropriate that we pause for a moment. We debate as Democrats and Republicans today on the floor of the Senate currency, trade, national security, fast-track, and the issues of the day in a contentious debate. We do so freely. We do so without fear of retribution. We do so when we go home tonight knowing we are at peace and comfort and knowing that we are in a safe nation. We are because of the men and women who have worn the uniform, sacrificed, and given their lives so America could exist today.

I think it is only appropriate that each of us on the Senate floor take a moment to pause and give a prayer for our soldiers who risked their lives and gave their lives for our country.

For me, as the Chairman of the Veterans' Affairs Committee, I make an effort to go to the American cemeteries all over the world to make sure we are still taking care of them and honoring those who sacrificed the way they should be honored.

I want to share with the Senate a brief story to point out how important Memorial Day really is.

On Memorial Day in May of 2007, I went with Senator BURR and other Members of the Senate to the American Cemetery in Margraten in the Netherlands where over 8,000 Americans are buried who fought in the Battle of the Bulge to root the Nazis out of Germany and liberate the Jews from concentration camps. They were successful, but they died.

I walked down the rows of crosses and Stars of David looking at each name—ostensibly looking for Georgians so I could say a brief prayer for them. I came to the end of row H, toward the back of the cemetery, the last cross in that cemetery, and it said the following: Roy C. Irwin, New Jersey, died December 28, 1944. A tear welled up in my eye because that was the day I was born.

Mr. President, 70 years later I have existed as a free person in a free society, been elected to the United States Senate, served in the military, raised a family, have had nine grandchildren, and have had all of the joys everybody in the Senate has had thanks to people like Roy C. Irwin, who on the day I was born died on the battlefield of the Battle of the Bulge in the Netherlands while fighting for democracy, freedom, the liberation of Europe, and saving the Jewish people.

No matter what we debate or how contentious it gets, we must remember what Memorial Day is all about. It is about those who made the ultimate sacrifice for you and me to engage in this debate and to move our country forward.

One other point. We should say a special prayer for the parents of those young Americans who fought and died in Iraq and Afghanistan and the current wars today. We had a tragedy with the fall of Fallujah, and we had a tragedy with the fall of Ramadi. We need those parents to know their sons and daughters did not die in vain; they died for a cause that ultimately will prevail because we, as Senators, will see to it that America does what America always does, and that is liberate the oppressed of the world and only ask for one thing when we leave, and that is a couple of acres to bury our dead who sacrificed for democracy, freedom, and liberty.

On this Memorial Day, as chairman of the Veterans' Affairs Committee, I say thank God for the American soldiers who fought and died for our country, and thank God for the United States of America.

I yield back my time.

The PRESIDING OFFICER. The Senator from Alabama.

AMENDMENT NO. 1299

Mr. SESSIONS. Madam President, I appreciate the opportunity to share some remarks and show my support for the Portman-Stabenow currency amendment.

I think we are at a point in world history and world trade where our mercantilist trading partners have gotten to be very clever. On occasion, they use a variety of tools, some of which are used all of the time. Among these, we are seeing that we are unfairly subjecting American manufacturing to currency manipulation, and this is not free trade. It is not free trade. Currency manipulation and other trade barriers are just as much of an obstacle to free and fair trade as are tariffs. That is one of the things that we have to get a handle on if we are going to protect our workers here in America.

After the Korea trade agreement, which I voted for, the numbers did not materialize that were promised. In 2010, before the trade agreement passed, President Obama's Web site said:

> . . . the U.S.-Korea trade agreement . . . [would] add an estimated 70,000 jobs from increased goods exports alone, with additional job potential from the further opening of Korea's large services market to American firms, and other measures.

Well, that is what I had hoped would happen. He said it was an advancement of the idea of free and fair trade and so forth.

His own Web site said that the U.S.-Korea trade agreement would increase exports of American goods by $10 billion to $11 billion and that the agreement would help create 70,000. Well, I guess 4 or 5 years have passed now. Have we achieved a $10 billion increase in exports to our ally, our friend, our tough, smart trading partner Korea? Did we get that kind of improvement? The answer is no. We are at $0.8 billion, less than $1 billion. But what about Korea's imports to the United States? Did they go up or down? Korea's imports to the United States during this time have increased by $12 billion. It almost doubled the trade deficit between our countries.

I am saying this because it raises a fundamental question: What is happening here? In this trade agreement, people have been pretty careful—the promoters of it. They have not promised it would reduce the trade deficit, they have not promised it would create new jobs, and they have not promised it would increase wages. They suggest it. They say things like it will increase job prospects or wages in export industries. Well, we only export 13 percent of what we make. So this has been the only promise that they made.

I have asked the President—written him—and asked other colleagues: Tell me if you believe this agreement is going to increase jobs. Tell me what studies and documents you have that say it will increase wages. Tell me or show me any reports or data that would suggest this trade agreement we now have before us would in some way reduce our surging trade deficits, which hit a virtual record last month—or at least in March. They are not going give an answer, and I have to tell you why—because jobs are going down, not up, and the trade deficit is going up and not down, and that is not good.

Well, why do they persist in this? I suggest that it is an ideology. I have suggested that it is almost a religion. We are for any trade agreement or any file or stack of papers that has ''trade agreement'' on it. Why? Well, I recall that back in the late 1990s, then-Federal Reserve Chairman Alan Greenspan was before I believe the Budget Committee, which I was a member of, and I asked him a question. The question was this: Mr. Greenspan, if we are trading with a country and they stop buying all products from the United States and block our sales to them but want to sell products to the United States

and want us to buy their products, should we buy them or not buy them? That is a pretty simple question, and I remember it well. Should we buy from them? What do you think his answer was? Yes.

I believe that is an extreme idea. I think that is an idea that in theory could have some validity, but you have to know, colleagues and friends, it is out there. It is a fundamental part of the movement for trade agreements that people don't really care whether they are reciprocal or not, and they are not worried about whether they shut down plants and facilities in your community, whether people lose their jobs, because their theory is that you are getting a better product at a cheaper price, and that is the only thing that counts, that is the most important thing, and somehow this is going to all work out.

The Wall Street guys who manage capital can move their capital to anyplace in the world, and they think they will do fine. But nobody is thinking about what it is like in the real world where people's jobs are at stake, where our steel industry is under stress and we are facing competition that is not fair. I just feel strongly about that.

I am reversing, in a way, my position on trade. I believe it is time for this country and this Congress to begin to ask tougher questions about why we continue to have huge trade deficits, why we continue to have a decline in wages, a decline in median family income—$3,000 since 2009—and why all of these things are happening. Part of it is that we have been unwilling—unlike our trading competitors—to ask these kinds of questions. I think we are operating on a religious view of trade.

How do you deal with that?

Mr. Dan DiMicco wrote a very important article in Forbes magazine a few months ago. The title of it is ''Fast Track' To Nowhere: Congress Shouldn't Give Obama Power To Ram Through TPP.'' He is a former CEO—actually, CEO emeritus, I think—of Nucor Steel. They have steel plants all over America, and they are in one of our most vibrant, competitive industries. They deal with foreign competition every day. He lives with it. Currency and issues like that are critical to him and anybody in the steel industry, automobile industry, or manufacturing industry. These things are real. It is not academic. It is not theory. It is real.

He said a number of things in this very important article. He talked about the cheerleaders for trade and said they make a big mistake.

> That's net trade—not gross trade. In other words, net exports increase our economic size while net imports shrink it. This is not a liberal plot, or a Tea Party plot, or a protectionist plot. It is basic and uncontroversial economic math that the TPP cheerleaders either don't understand or don't want to.

He goes on to say:

> In 2013, the U.S. economy amounted to $16.8 trillion. Consumption was 68% of GDP. Investment was about 16%. Government procurement was about 19%. But net trade subtracted about 3% from our economy (because imports exceeded exports.) This shrinkage is cumulative, compounding year after year.
>
> America is the picture of an unbalanced economy, disproportionately relying upon unsustainable consumption. Investment is too small. . . . Stated another way, we need to produce more of what we consume.

Isn't that true? So this theory—it doesn't make any difference where products are made as long as they are cheaper? This is comparative advantage? People can manipulate their currency, they can subsidize their industry so they can have more exports, more people working, and it makes no difference to us, and we can allow American businesses to fail?

Then he talks about mercantilism. This is the strategy of most of our competitors. He said: ''Free trade was crafted as an antidote to mercantilism, not an enabler of it.'' So he says our trade policies have not confronted our competitors' mercantilism and therefore we have enabled them and have allowed them to continue.

Then he quotes President Reagan. I know a lot of people say President Reagan believed in total free trade. He did not. He was a realist.

This is what Mr. DiMicco says:

> President Reagan gave a speech that established the principle of ''free and fair trade with free trade and fair traders.'' More specifically, he established the 3 R's: Rules, Reciprocity, and Results.
>
> ''Rules'' mean that the trade must be rules based and every nation should follow them. ''Reciprocity'' meant that there will be reciprocal reduction in tariffs, quotas and other barriers rather than one-sized reduction. ''Results,'' the point forgotten most, meant that America must gain a net benefit from trade arrangements rather than being taken advantage of.

I believe it. My father always taught me that a good trading agreement, a good contract, a good business deal was when both parties received advantages.

Another person who knew Ronald Reagan well was Clyde Prestowitz. Clyde was the President's counselor to the Secretary of Commerce in President Reagan's administration and Vice Chairman of President Clinton's Commission on Trade. He negotiated Asia trade agreements with Japan and others. He was there. In his article he makes a very harsh statement about President Obama's statements. He said: Will the Japanese be driving Chevys in Tokyo?

The President suggested we want to see more American-made cars being driven in Tokyo. He quoted the President as saying:

> Why wouldn't we want to rewrite those rules so there is some reciprocity and we can start opening up the Japanese market? That would be good for American workers.

Mr. Prestowitz responded to the President's statement saying:

> Hearing that amazingly ignorant statement one could only wonder if there is no one in the White House to prevent the President from embarrassing himself. Apparently he is unaware of the endless efforts of U.S. trade negotiators over the past 50 years to open up the Japanese market. As one of the Reagan administration's lead negotiators with Japan and as the Vice Chairman of President Clinton's Commission on Trade and Investment in the Asia-Pacific Region, I can assure the President that reciprocity in trade with Japan has been the aim of every agreement signed by both Republican and Democratic administrations for half a century. I can also say that virtually no former U.S. negotiator believes the TPP will achieve reciprocity with Japan.

They have nontrade barriers that Mr. DiMicco lays out in his article; he names them. These are not allowing for free trade, reciprocal trade that produces results that are beneficial to America.

We can do better. We absolutely need more trade. We need to continue to negotiate good trade agreements, but this creates a situation that is dangerous.

What kind of numbers do we have about this agreement? Do we have any studies, anybody who says anything other than what I believe, which is that it is going to be a net negative to our balance of trade?

Well, the Wall Street Journal, that usually support trade agreements, had an article by Mr. Mauldin that examines a study by Mr. Peter Petri, professor of international finance at Brandeis University. This was just released this week, May 18—or at least this article was. He talks about the auto sector. Mr. Petri has done this study—the only study I know of that has dealt with the question.

The article says: In the transportation sector, led by cars, the TPP could boost imports to the United States from Japan by $30.8 billion by 2025, compared with export gains to Japan of $7.8 billion, according to Mr. Petri. That sounds like the Korea agreement.

So we would export $7.8 billion more, but Japan would export $30.8 billion more to us. The result is what? Less American manufacturing on net, more cars being bought from abroad, and a greater detriment to our trade balance. That is just the way it is.

So I believe we need to get away from the religious view of trade and we need to do what President Reagan said, which is to look at the results. Don't tell me some theory. Let's live in the real world. It is our duty to see our manufacturers, our workers get a fair chance to compete in the world marketplace. We are not sufficiently there now.

A part of this trade agreement that I have mentioned before and that I am very concerned about and that has gotten very little discussion and that needs to be discussed, I will take a minute to discuss it.

According to the Congressional Research Service—our own group—the TPP's ''living agreement'' provision is ''unprecedented.'' Indeed, I am one of the few, I think, who went to the secret room to read the secret document, and when it described the living agreement, it said it was unprecedented. I presume

I will not be arrested for making that quote from the secret document.

The United States Trade Representative's Web site is very candid about the purpose of this living agreement provision. It is to ''enable the updating of the agreement as appropriate to address trade issues that emerge in the future as well as new issues that arise with the expansion of the agreement to include new countries.''

It creates a commission—another commission—consisting of representatives from each member nation, which has vast powers to govern the agreement and govern, to some degree, the countries that participate in it. Among the powers given to the Commission is the authority to consider any matter relating to implementation and operation of the agreement and to consider amendments and modifications.

What we have to understand is that this is a new entity, an international entity, of which we are a member, and it gets to meet and vote and set new behaviors unlike what we approved in the Senate. But it can be amended as time goes by. It is unprecedented. This has not been done before.

While the TPP states that those amendments must be agreed to ''in accordance with the applicable legal procedures of each party,'' that phrase is not defined. The TPP ''Chapter Summary''—a book that is provided to Members when we go to the secret room—states that this amendment process would occur similar to the process that occurs under the WTO, the World Trade Organization.

So it says how the—the procedure is being handled like WTO. But under WTO and its implementing legislation, changes to the agreement and the addition of new parties are not to be approved by Congress, and, more importantly, not by consensus or a unanimous vote. The ''Chapter Summary'' states that this process will be similar to the WTO under which the WTO can be—members can be added and certain amendments adopted by a two-thirds vote.

So it gives the appearance of having consensus as the basis.

In addition, new member nations under WTO can be added by only a two-thirds majority vote—that is pretty clear—and apparently would be cleared under this agreement.

So we have asked the President: What does this mean? Can China be added by a simple majority vote? We vote no and it happens anyway?

We asked the U.S. Trade Representative staff about this situation. They didn't have an answer. This is a staff of the administration pushing for the bill. They simply asserted that changes to the TPP affecting U.S. law would require congressional approval. We asked whether USTR would agree to make that explicit in the TPP so we didn't have—wouldn't have any ambiguity, and they have declined to give us a reply.

So if it is true that congressional approval is required, then why shouldn't they be willing to have it explicitly in the TPA and the TPP? In fact, there are already examples in the TPP of other countries making clear that certain procedures must comply with their domestic law. Why don't we make it ours? I have offered an amendment to that effect. I am disappointed that it is apparently not going to be given a vote.

While the TPA states no standard trade agreement that has not been legislatively implemented can trump existing Federal, State or local law or prevent any Federal, State or local government from amending or modifying its law, the implementing legislation of a trade agreement would do these things and could—and certainly will—in many areas. It will delegate congressional authority when we pass it to the new TPP Commission.

So by voting for it, we have delegated authority, it will be contended and probably correctly, that we gave it to them to amend the law. This is especially important because the whole purpose of fast-track is to implement and expedite this legislation.

So I think these trade agreements need to be considered carefully by Congress and the American people before the United States cedes one iota more of American authority and sovereignty, and Congress must retain the power to carefully review and vote on all future changes to these trade agreements.

So I have offered this amendment. As Mr. Mark Hendrickson recently wrote in Forbes magazine, discussing what I had said about this: TPP cannot be an ''open-ended document'' lest ''the rule of law and republican government itself be lost.''

That is why TPA must provide strong and enforceable protections against this kind of overreach.

We just have to be careful. The normal process for treaties is a rigorous one. It requires, in the end, a two-thirds vote. So they have written this not as a treaty but as an agreement. It will be moved forward in a way so that when the final agreement hits the floor, it will be unamendable, it will be not subject to a 60-vote threshold to move forward, and it can be passed within 20 hours, without a single amendment, on a simple up-or-down vote.

I really believe it is time for us, colleagues, to move away from a religious view of trade to ask what is happening in the real world. If our businesses, our manufacturers, and our American workers are not being treated fairly on the world stage, we should take action to ensure they are. I believe in trade, and I have supported it over the years. But I think it is time for us, in light of declining wages, a declining middle class, surging trade deficits, to ask ourselves: Can't we do better with our trade agreements? Here we have this huge one, representing 40 percent of the world economy, creating a new commission with all kinds of powers to be able to add new members that we may not approve of, and we are just going to pass it, hardly without reading it. Very few Senators have been to the secret room to see what is in the document.

Mr. President, I thank the Chair and yield the floor.

The PRESIDING OFFICER (Mr. PERDUE). The Senator from Florida.

ISSUES BEFORE THE SENATE

Mr. NELSON. Mr. President, I am going to speak on the three bills that are pending before the Senate: The trade bill, the highway bill, and the continuation of the PATRIOT Act.

Every one of us is in love with our cars. America is in love with their cars. Every one of us can remember the first time we learned to drive. I started out on country roads in an International pickup truck with cow bodies on the side—those are the wooden slats that go out—so I could put my heifers on the little Ranch that I had, so I could haul them around. That is how I got to and from high school. Every one of us has a different story like that. America has been spoiled because of the automobile. It has now become an exceptionally creature-comfort room in which we can suddenly climb in and lose ourselves in beautiful music, comfortable seats, while easily accessible in the cup holder is a cup of coffee. But America's love affair with the automobile will not do us any good if we don't have any roads to drive on and especially if the roads are just filled with potholes or if you can't go across the bridges because they are in danger of falling down.

Of course, that leads us to the obvious; that here in front of us is the highway bill, a transportation bill which involves other things as well—transportation safety and considerable transportation enhancements in urban areas. But we can't get together, even though probably every one of the Members of the Senate would agree we have to pass a highway bill.

The problem is we can't figure out how to fund it. It has to be funded with something called revenue. It either has to be taken out of the general revenues of the U.S. Government—and Lord knows those revenues are being cut back with this meat-cleaver approach across the board called the sequester, the results of which—for example, we have had the Joint Chiefs up here telling us this is going to severely hamper their ability to protect the national security. We have had the head of NIH up here telling us about the consequences of the sequester in the past. A few years ago, when the sequester kicked in, he had to cancel 700 medical research grants, all of which almost all of us would support because of the extraordinary medical research successes that were going on. So general revenue out of the U.S. Treasury is going to be hard to come by to fund the highway bill. If we do this month, 2-month, 6-month extension, all that is saying is that we are going to pull that out of general revenue.

Then, transportation companies, departments of transportation back in our respective States, can't plan on building the roads because they have to have such lead times for the design and engineering and the eventual building of the roads. It is similar to building an aircraft carrier. Money cannot be appropriated for an aircraft carrier in 1 year. It is going to take, in the case of an aircraft carrier, a decade to build. Well, it doesn't take a decade to build most of our roads, but clearly one has to plan ahead to know the money is there so you can proceed.

What good is America's love affair with the automobile if we don't have the efficient roads to drive on? Where is the money coming from? Well, some people have suggested a sales tax, others have suggested updating the gas tax, and others want to look to general revenue. It is time for us to come together and determine what that should be.

I can say to the Senate that this Senator will consider anything that will give us the revenue so we can build this crumbling infrastructure, particularly roads and bridges. One of the things that immediately does is it creates all kinds of jobs. I have seen one commentary. I don't know that this is accurate, but it illustrates the point. If you spend $1 billion in building roads, there is some huge number of thousands and thousands of construction jobs.

So let's get real. Let's come up with the revenue. Now that is the Finance Committee. One place to start is the gas tax. The gas tax has not been updated. Also, when it is updated, it needs to be calculated for the increases in the cost of living over time. Since it is a user tax, it perhaps needs to be combined with other sources of revenue because we are going to have to face the music and come up with the revenue. One of the issues that is holding us up right here, right now, on a Friday afternoon just before Memorial Day weekend, is figuring out what we are going to do on continuing the highway bill authorization.

Mr. President, one of the other issues in front of us is the trade bill. This Senator is one of the Democrats who has voted for the trade bill known as fast-track, which is to enact a procedure that when the Pacific trade agreement is negotiated, finalized, and announced, it can be considered by the Congress, after ample time for examination, and it would then be considered with an up-or-down vote, instead of the normal process where it would be subject to amendment.

Put a trade bill together with another 11 nations in the Pacific region. If it were subject to the amendatory process in the Senate and the House, it would get pecked to death. It would never survive the legislative wars; thus, the need for this trade promotion authority, the TPA, that we have in front of us.

I believe we will pass it, I believe it will be an overwhelmingly bipartisan vote, and I believe a big vote out of the Senate will send a significant message to the House, where there are some rumblings of a problem. At the end of the day, when the Joint Chiefs come in front of you and say that this is one of the most important things for them for the national security interests of the United States in that region of the world, the Pacific arena, then at the end of the day, it likely will pass, and in this Senator's judgment it will be in the interests of our country.

Mr. President, the third issue that is before the Senate is the PATRIOT Act. Now, every one of us, if we were here—whether you were here or not, you remember exactly where you were on that fateful day of September 11, 2001. A number of us were in a room right off the floor, right over here on the west front. We were in a meeting with the Democratic leader, the majority leader, Senator Daschle. The meeting started at 9 a.m. We saw on this grainy black-and-white TV what had happened in New York. The human mind wants to play tricks and deny the reality of what was happening; that, in fact, it was no accident that two planes had flown into the two distinct towers of the World Trade Center, but all doubt was cast aside when suddenly someone burst into the room and said, ''The Pentagon has been hit.''

We leapt to the window overlooking the west side of the Mall and looked in the direction of the Pentagon, and sure enough there was the black smoke rising where the third plane had hit. I immediately raced to a telephone to try to reach my wife because we had just moved into an apartment overlooking the southwest corner of the Pentagon. I wanted to tell her to get out of the apartment and move down into the basement. I couldn't reach her.

By the time I came back, the room was vacated. Out in the hallway, I saw security take the majority leader and the minority leader off in a different direction to a prearranged place for the congressional leadership in times of national security threats and national attack. I will never forget going down those major stairs right out this door of the Senate Chamber, and at the bottom of the stairs the Capitol Police shouting at the top of their lungs: Get out of the building. Get out of the building. Run. Run.

They had heard the reports that there was a fourth airplane inbound. That was a fateful day.

I huddled up outside with Senator Rockefeller, trying to get hold of our staff to tell them to vacate. Later in the day, the Capitol Police told Senator Rockefeller and me not to come back to the Capitol Complex. We ended up at Senator Rockefeller's home. I was still desperately trying to get my wife on the telephone. I will never forget the eerie silence over Washington because all air traffic had been stopped, and that silence was pierced by F–15s and F–16s as they were flying CAPs over the Nation's Capitol.

Well, because of that attack that killed some 3,000 Americans—the first time, by the way, that we were rudely awakened to the fact that our national security was not protected here at home by two big oceans; that an enemy could, in fact, attack and attack within—then how to go after them to prevent it in the future.

That led to the PATRIOT Act. That led to trying to give our intelligence community and the NSA, the National Security Agency, the tools to, when the bad guys are planning—wherever they are, abroad or here—and we get some snippet of evidence that they are planning a dastardly deed, we can give our intelligence community and our law enforcement the tools to try to go after them.

Now, let me give you an example. It used to be that if we would invade somebody's privacy by going after their telephone, we would have to get a court order to be able to tap that telephone. Well, then came the present-day technology. The terrorist does not use just one telephone. The telephone they use now is multiple cell phones and, therefore, you had to update the law to allow you to be able to go after them and see whom they were calling—not from one telephone but from multiple telephones.

That is just one example of how the law was updated. The law was also updated to allow the NSA to be able, at the request of the telephone companies, to obtain the business records—not the private conversations but only the business records—which showed that on such and such a date this number called this number and for how long. All the telephone companies did not comply. A lot of them did.

The PATRIOT Act was enacted to allow a process whereby you would go to a special court classified for national security information, called the FISA Court, and that court would give the appropriate legal authority for the NSA to obtain those records.

Now, this whole disagreement in front of the Senate is over how you hold those business records. It has been misstated on the floor of the Senate that this is obtaining private conversations, invading privacy. This is just a question of how you hold those records.

There will be an attempt to extend the current law, toward which I have some degree of positive attitude, and that is at the request of the NSA. Those records are held by NSA—the telephone business records.

But the legislation that we are going to vote on, the USA FREEDOM Act, is a change—a slight change—of the current law. It says that those records would still be retained by the telephone companies; that they would have to retain those records and not destroy them for some period of time; that if the government suspects terrorist activity, it would go to get a court order to obtain the business records of a particular number or person subject to a judge's order, just as we do if law enforcement or the FBI wants to go into

our home and get evidence. They have to go to a court to show probable cause to the judge that, in fact, there may have been a crime committed.

This is the same process. You go to the classified court that can handle the classified information. The court gives an order to obtain those business records. Why is that important? It is important because we might get a snippet of information about such and such a terrorist or such and such a number that has been used by the terrorist or someone suspected to have been talking to a terrorist. Then, in order to protect ourselves, the intelligence community and law enforcement are going to have to go and get the records so they can see where that call went and then, from that person or number, where it went one more hop, with a limit of two hops.

This Senator prefers not to have those limitations. But that is not what is in front of us. So this Senator from Florida is going to support the USA FREEDOM Act because it is so necessary that by the end of this month the PATRIOT Act does not cease to exist because of all the other provisions in it that allow our intelligence community to try to get the information to protect us before the terrorists can strike.

I can tell you, as a former member of the Intelligence Committee at the time that this PATRIOT Act was drawn up and later amended, and I can tell you as a senior member of the Senate Armed Services Committee, it is my judgment that this is clearly in the national security interest. We cannot take the risk to let the PATRIOT Act cease to exist so that we do not have the tools to protect ourselves.

My final comment is that every day these bad guys are trying to do us in. Every day they are trying all kinds of things to find what is the little flaw or what is the little defect in our defenses. If we do not continue this legislation, as I am suggesting it be amended by the legislation in front of us, then, in fact, we are not giving just a little crack in the door for the terrorists to get in, we are opening up the entire barn door. That clearly is not in the interests of the United States.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

THE MIDDLE EAST AND THE PRESIDENT'S LEADERSHIP

Mr. THUNE. Mr. President, I rise today to speak to the evolving situation in the Middle East. I have grave concerns, as do a majority of Americans, with the President's handling of the current situation in that region of the world. Under this President's watch, the world has become increasingly unsafe. Under this President's watch, despots have dug in, and the most horrific terrorist organization we have ever seen has risen to power and thrives.

This week the reality of this failure was brought to the forefront of the world's attention. The fall of Ramadi marks the capture of another major city. We lost more than 1,300 U.S. soldiers in Anbar Province. Thousands more were wounded. We fought across every foot of Al Anbar and now a handful of ISIS fighters have seized its Provincial capital. For those in Ramadi, this was not just a setback; this cost them everything. Hundreds have already been executed at the hands of ISIS. But the White House does not see it that way. The White House has tried to spin a different narrative, downplaying the significance of this defeat.

When this narrative is challenged, the White House doubles down. The White House Press Secretary said: ''Are we going to light our hair on fire every time that there is a setback in the campaign against ISIL?'' Such comments are dumbfounding and disturbing. The Obama administration is not only demonstrating a complete lack of situational awareness but a total disconnect with how this conflict is being viewed by the rest of the world.

In fact, this week, President Obama chose to lecture the graduating class of the Coast Guard Academy about climate change while Ramadi burned. To ISIS combatants in Syria and Iraq, the fall of Ramadi was a definitive victory. Even if it hands Ramadi back tomorrow, ISIS has shown it still has the capability to make major advances. To those living in Ramadi, ISIS has already won. Regardless of what happens next, for many of those people, their lives have been destroyed.

To potential recruits around the world, ISIS just won again, despite U.S. air strikes and 3,000 trainers for the Iraqi Army. However, according to Secretary of State John Kerry, the fall of Ramadi was only ISIS taking advantage of ''a target of opportunity.''

Does the Obama administration not understand how terrorist organizations operate? ISIS is not going to line up and go toe-to-toe with the United States. It is going to seek out targets of opportunity wherever it can and avoid conflict where it knows it will lose. That is how it operates. That is how it has been operating since the beginning of this conflict, all the way back to January of 2014, when President Obama referred to ISIS as the junior varsity of terrorist organizations.

Ramadi can be retaken. America can defeat ISIS. But we cannot beat ISIS with half measures while consistently underestimating its capabilities. This terrorist organization must be stomped out. It must be defeated.

In Syria, ISIS is now in control of Palmyra, an ancient site with irreplaceable monuments that may soon be destroyed. Called the ''Venice of the Sands,'' this may be yet another historical scar left by ISIS that will never heal.

President Obama often speaks of regional powers needing to step up and take the lead. Well, let's just be honest here for a moment. The United States has the most powerful military in the history of the world. If our President does not show a little leadership, no one else is going to step up and lead.

If we are not going to utilize our overwhelming technological superiority to fight this enemy, at the very least—at the very least—embedding spotters with Iraqi forces to make air strikes more effective, why would others want to contribute their far more limited resources? We need our President to show absolute conviction that defeating ISIS is his No. 1 priority, not trying to reach a mediocre compromise on an Iranian nuclear deal, not having Secretary Kerry fly to Sochi to shake hands with Putin while he still occupies the territory of other countries, and not having a summit at Camp David to lecture our allies on what America thinks is in their best interests.

There is a terror organization killing people, as we speak, in a country that we fought to liberate from a brutal dictator. We had won in Iraq. We had defeated this insurgency until it was determined, for political reasons, that we should pack up and go home. The President claims he does not want to get into another prolonged war.

Well, unfortunately, that is exactly what he is doing. There is no way to defeat ISIS with half measures. There is no way to negotiate with ISIS. Unless ISIS is defeated, it will grow and spread like a cancer. This President, throughout his administration, has shown himself to be crippled by indecision. Against ISIS, we need decisive action. We need it now.

HONORING AMERICAN FIGHTER ACES

Mr. President, I also want to speak today to recognize the tremendous and selfless service of America's veterans. This week Congress honored American Fighter Aces, the 1,447 military pilots who have earned the special distinction of destroying five or more hostile aircraft in air-to-air combat, by awarding them the Congressional Gold Medal.

Of these distinguished aviators, 10 hailed from South Dakota. While they are no longer with us today, their heroism and valor have not only built the foundation of the modern air superiority that our Armed Forces employ today but have shaped who we are as South Dakotans and Americans.

Becoming an ace was no easy feat. In World War I, the pioneers of dogfighting faced perilous situations in wood and canvas biplanes that had limited ranges and could barely top 100 miles an hour. Still, these innovators refined the still-adolescent technology of flight and forever changed the nature of modern war.

Decades later, American pilots proved invaluable in turning the tide of World War II. Fighters flew attack and bomber escort sorties over Europe and attack and fleet protection missions in the Pacific. Just 2 weeks ago, when America and the world celebrated the 70th anniversary of V-E Day, 56 World

War II-era aircraft in various formations flew over the National World War II Memorial, the National Mall, and the U.S. Capitol in an impressive display of the air power that helped secure victory for the allies.

The aerial parade included an F6F Hellcat, which one of my heroes, my dad Harold, flew off the USS *Intrepid* in the Pacific theater.

While my dad was one aerial victory short of achieving ace, his squadron mate and fellow South Dakotan, the late CAPT Cecil Harris, racked up 24 victories.

Harris, a farm boy from Cresbard, SD, ended the war as the second-highest Navy ace. South Dakota also produced the second-highest ace in the Marine Corps during World War II, Medal of Honor recipient Joe Foss. Foss earned the title of ''ace'' in just 1 week in 1942 on his way to a total of 26 air victories.

Foss's service and leadership continued after the war. He helped organize the South Dakota Air Guard unit. He was recalled to duty in the Korean war. He went on to serve two terms as South Dakota's Governor and even as the first commissioner of the American Football League.

Our airport in Sioux Falls, Foss's hometown, is home to the South Dakota Air National Guard 114th Fighter Wing and is appropriately named Joe Foss Field.

South Dakota is also proud and grateful for the service of our other eight aces: Clarence Johnson, from Aberdeen, who was killed in action over Holland in 1944; Robert Graham from Beresford; Robert Buttke from Lemmon; LeRoy Grosshuesch from Menno; Leslie Clark, from Mitchell; Arthur Johnson, Jr., from New Effington; Gene Markham from Turton; and Robert ''Duke'' Hedman, from Webster, who achieved ace in a single day over Burma on Christmas Day in 1941.

When you come from rural America, it can be hard sometimes to see how one might fit into the larger scheme of global events, let alone the defining moments in our history. Yet when the world erupted in chaos over the Second World War, these were 10 South Dakotans in the thick of it. These are but 10 heroic examples of the dedicated selflessness South Dakotans have shown in conflicts past and present. South Dakotans have always punched above their weight when it comes to military service.

As the age of jets arrived and the capabilities of aerial firepower and defense systems have increased, the title of ''ace'' became even more elusive. Still, on Wednesday, we celebrated the 40 American aces from the Korean war, as well as two pilots and three weapons systems officers from the Vietnam war.

The maturation of our air combat capabilities, from the origins of aerial combat in biplanes to the sophisticated airframes and advanced weapons systems on which we rely today, rest heavily on the courage of American fighter aces. These aviators represent the best of our American Armed Forces and helped shape history with their courage.

As we reflect on the gallant service of America's fighter aces, may we also remember all those who answered the call to serve, all those who supported the effort on the homefront, and those to whom, I should say, we are forever indebted—those who made the ultimate sacrifice.

This Memorial Day, as a free and grateful nation, may we remember those who have fought and died for this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. GARDNER. Mr. President, I rise to talk and continue the conversation we were having in the Senate about trade and the need to pass trade promotion authority, all geared toward hopeful entry and final conclusion of a Trans-Pacific Partnership Agreement that this Senate will be able to vote on to approve or disapprove, if it is not a good bargain, and eventual conclusion of a treaty with the European Union, TTIP, and what we can do to make sure we are fashioning a trade partnership in this country to truly grow our economy.

One of the things that have made me so passionate over the years about public service has been the economic circumstance and the conditions of rural America, what happens to Main Streets across our great Nation that are suffering. They have more boarded-up storefronts than they have ever had at any other time in history. Perhaps one of the greatest things we could do right now to help Main Street, to help create new jobs and opportunities, is to pass trade promotion authority later today, tomorrow, whenever we get to it—to make sure it passes without provisions that could break up any future negotiations but do so in a way that allows agreements to be entered into like the Trans-Pacific Partnership—all benefiting rural America and particularly rural Colorado.

To make rural America more successful, we have to find new ways to bring new value to those things we can produce in rural America, whether it is wheat crops, corn crops or a small manufacturing business. How do we add value to what is produced in and across rural America?

According to a 2012 Peterson Institute for International Economics study, it is estimated that industries across this country could see a 2-percent increase in added value as a result of a finalized Trans-Pacific Partnership Agreement. So when we talk about adding value to crops, and we talk about adding value to goods produced in rural America, this study shows that if we pass the trade promotion authority and move to the successful conclusion of TPP, it adds value to what we produce across this country, creating jobs and opportunity.

There are a lot of people who are concerned about the trade promotion authority, people who are maybe opposed to it, people worried it may not create the kind of value others believe it will.

But the conservative Heritage Foundation had a study that showed trade was adding $1.7 billion to our GDP in 2013. In fact, this same study showed that, according to the Heritage Foundation, trade brings value to the average American household of over $13,000 per family. That is $13,000 per family added to income in a household, that they would be able to succeed with to achieve greater opportunity, to raise their value of life, to raise their quality of life—all because of and possible through trade.

Trade promotion authority is the first step we will take in this Chamber and across the hall to the House of Representatives to make sure we are giving the tools to our negotiators to develop the best, strongest, possible agreement.

Now this agreement doesn't just say do whatever you want, this agreement has sideboards on it, firewalls that create opportunities to enter into the best deal possible to direct our negotiators to tear down barriers.

Some of the concerns I hear from people who may be unsure about the passage of trade promotion authority seems to be: This is about big business, isn't it? This is only going to benefit those corporations that are the biggest in the United States.

But that is simply not true, because what free-trade agreements allow us to do is to tear down trade barriers. It allows us to break those barriers that are creating impediments to doing business. In fact, if you are in a big business, corporate welfare has become a common way that you are actually trying to succeed in this country. Corporate welfare, where you have a lobbyist you can pay—or a team of lobbyists you can pay—to provide, to get or to gain a special tax preference or maybe there is a trade barrier you would like thrown up against some other nation that is importing goods into the United States, and this big corporation says, you know what, we think we can stop this through special interest favors—so what is an advantage in big business is corporate welfare.

By entering into a free-trade agreement by passing trade promotion authority, allowing us to tear down those trade barriers like the TPP will, it actually helps all businesses in this country by eliminating corporate welfare, by taking out the advantage that a big business has to hire lobbyists to curry favor through legislation, giving small businesses an equal opportunity with that value that they added through a trade agreement to sell their goods around the world.

So the Trans-Pacific Partnership, trade promotion authority, these are agreements that focus on sending goods from Main Street to Malaysia,

what we can do to create economic opportunity in Colorado and beyond, because everybody in Colorado is benefitting right now from free markets and free trade; 265,000 Colorado jobs are supported by trade with nations that are represented in the Trans-Pacific Partnership. In fact 48 percent of all Colorado goods, 48 percent of the goods we create in Colorado, were exported to nations represented in the TPP, the Trans-Pacific Partnership.

In a State that exported over $8.4 billion worth of goods, we can see the kinds of jobs and economic opportunity that trade promotion authority will lead to. In fact, there have been economists who have talked about pillars of our economy; one pillar being lower taxes, one pillar being spending restraint, one pillar being lessening the regulatory burden on businesses around this country. But another pillar is trade, the ability to create goods in the United States to send them overseas. That creates jobs and opportunity for all of us. Whether it is our agricultural commodities, whether it is manufacturing in Colorado, aerospace or technology, we know we will benefit from a strong agreement that tears down barriers giving big and small businesses alike the opportunity to enter into a promising economic opportunity that we will all share in.

MEMORIAL DAY

Mr. President, I also rise to talk about this upcoming weekend. People and families across this country will be celebrating Memorial Day, sharing time with family and friends celebrating the weekend. In Colorado, normally you would be celebrating by possibly going to the lake or going on a hike in the mountains or down the river, but unfortunately the weather may not be as nice as it has been in past years. We are receiving much needed rain and moisture, but it may not let up in time for a lot of the outdoor activities that we would normally enjoy over Memorial Day.

But one thing that will not be dampened, one thing that will not stop is the observation of Memorial Day and the tribute, the thoughts, the remembrance that we pay to those who served our country. Now, it may be a little wetter than normal, there may be more tents than perhaps the jackets we usually have, but Coloradans across the State will still go to the cemeteries paying their respects. They will still share stories with their families about the members of their family who have served this country, who have given so much and sacrificed so greatly for this country.

It is 70 years ago this year that one of the Colorado Guard units was involved in World War II in the liberation of Dachau. Seventy years ago, Felix Sparks was one of the first to arrive on that atrocious scene. That is something that will no doubt be on the minds of many veterans in this country and in Colorado this year, the sacrifices they have given so people all around this world will be able to enjoy liberty, share in the democracy that free people have, and where we can continue to provide opportunities to enrich liberty, to promote democracy. That is what this Nation will continue to do thanks to the sacrifices of our veterans and the noble goals and efforts of those men and women in uniform today.

I wish the people in this country a very good Memorial Day.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Colorado.

ORDER FOR RECESS

Mr. GARDNER. Mr. President, I ask unanimous consent that following the remarks of Senator BLUMENTHAL for up to 5 minutes, the Senate recess today until 2 p.m., and that the time during recess count postcloture.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Connecticut.

MEMORIAL DAY

Mr. BLUMENTHAL. Mr. President, I join my friend and colleague from Colorado in celebrating and saluting on this historic day the service and sacrifice of so many of our military men and women who have given their lives so we can enjoy the precious freedom all of us will benefit from over this weekend. The freedom to gather as we wish, speak as we please, worship, and gather together with friends—all of these freedoms are due to the service and sacrifice of the men and women whose lives we celebrate this weekend.

IDENTITY THEFT OF VETERANS

As it happens as well, my office is issuing a report that shows our veterans and servicemembers often are victims of practices around the discounts and promotions that will be offered this weekend. Many retailers will offer sales and discounts to our veterans and, in fact, our veterans are twice as likely as the ordinary population and the general public to be victims of identity theft and fraud because they are asked to provide information in connection with taking advantage of these discounts.

I am proposing reforms to be adopted by the Department of Defense under existing authority, and these reforms will save veterans from identity theft and fraud when retailers offer discounts but demand sensitive personal information.

A national recognition of service card will honor our heroes and save them from scammers who may prey on them after they provide this information. Retailers who commendably—and I emphasize commendably—offer veterans discounts, especially around this holiday and others, should not put them at undue risk in verifying their status.

As Memorial Day approaches and as we celebrate it today, the Department of Defense should adopt the recommendations of the report I am offering today. And I will offer legislation, if necessary, to compel these kinds of reforms. Our veterans and servicemembers need and deserve commonsense protections so discounts don't become really bad deals. The reforms, such as the national recognition of service card, can guarantee privacy and protection for our veterans and servicemembers, even as they take advantage of the discounts and promotions that will be offered to them over this Memorial Day weekend, and avoid disclosure of information to third parties who may not protect that information as they should.

USA FREEDOM ACT

I want to say a few words about the choice currently before this body in connection with the USA FREEDOM Act and the PATRIOT Act—words that come to mind over this Memorial Day weekend so often and frequently on our lips. This issue before our body is a profoundly important one. It has been framed as a question of whether the Senate passes the USA FREEDOM Act or the short-term extension of the PATRIOT Act that authorities say is a compromise.

There is supposedly a compromise before this body, but let's keep in mind that the USA FREEDOM Act is, in fact, a compromise. It reflects the views of hawks and doves, Democrats and Republicans, the House and the Senate, the Congress, the executive branch, and the judiciary.

Many of us have made significant concessions to reach the USA FREEDOM Act. In fact, I have wondered at times whether to walk away from this so-called compromise because it does too little in the way of reform and perhaps shortchanges the proposals I and others have made to protect privacy and balance that protection with the very profoundly important need to preserve our national security.

A short-term extension is not a compromise. The USA FREEDOM Act is, in fact, already a compromise, and that is why I have opposed and will continue to oppose a short-term extension, even when it is portrayed and depicted as a compromise, as has happened so far.

Another important point here is that a short-term extension will not solve our problem. A short-term extension is simply an invitation for more uncertainty, more litigation, more expense, and, in fact, more compromise to our national security.

The Second Circuit Court of Appeals has made it absolutely crystal clear that if Congress authorizes section 215, the Second Circuit will read it as disallowing bulk collection. That court held: ''If Congress fails to reauthorize Section 215 itself, or reenacts Section 215 without expanding it to authorize the telephone metadata program . . . the program will end.''

That means if Congress passes the so-called short-term reauthorization, phone companies in New York, Connecticut, and Vermont will not be able

to comply with a bulk collection order. Around the Nation, the court of appeal's ruling is the law of the land, or should be given that respect, and it will be unclear around the land and throughout this country what kind of order, in fact, is demanding of them. The result is likely to be legal uncertainty that will last long after Congress decides to act.

The only way to avoid endless litigation is to pass legislation that specifies what section 215 allows, what it does not allow, and the only proposal that does that task is the USA FREEDOM Act.

I continue to believe that one of the central core provisions of the USA FREEDOM Act is that it requires transparency and the adversarial process, containing reforms that I proposed to make sure that this FISA Court is no longer a secret tribunal considering arguments in secret and issuing secret opinions—exactly the kind of court that prompted our rebellion from England. When it operates and when it hears arguments, it should hear both sides—it should hear from an adversary to the government that offers a different point of view. Courts make better decisions when they hear both sides of the argument. That is why I proposed from the start a constitutional advocate who will make arguments against the government without compromising the need for timely warrants and other surveillance and without in any way reducing the secrecy of this court where it is appropriate.

I hope this body reaches a result that includes the USA FREEDOM Act. I hope we pass it. I urge my colleagues to join in supporting it.

I yield the floor.

I suggest the absence of a quorum.

Mr. President, I withdraw my observation about the absence of a quorum.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2 p.m.

Thereupon, the Senate at 1:07 p.m., recessed until 2 p.m. and reassembled when called to order by the Presiding Officer (Mr. PERDUE).

ENSURING TAX EXEMPT ORGANIZATIONS THE RIGHT TO APPEAL ACT—Continued

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I suggest the absence of a quorum.

Mr. LEAHY. Will the Senator withhold?

Mr. WHITEHOUSE. I withhold.

The PRESIDING OFFICER. The Senator from Vermont.

USA FREEDOM ACT

Mr. LEAHY. Mr. President, I have been having a lot of people ask me where we are on the USA Freedom Act of 2015, and we actually have a very interesting, easy choice: We can either pass the bipartisan bill the House of Representatives passed with a majority of Republicans and a majority of Democrats voting for it, or we can let the expiring provisions of the USA PATRIOT Act sunset at the end of the month. Some may prefer that. I think the House made a number of improvements which protect our freedoms and protect our security, and that is what we ought to pass.

Some people have talked about short-term extensions. Well, we could have a 2-day extension or we could have a 5,000-year extension; we would be extending something that doesn't exist. The fact is that the House gave us the USA FREEDOM Act in plenty of time to act upon it, to amend it if we wanted to, to send it back and go to a conference. But now the House has adjourned and gone on recess. If we don't vote for their bill, we will end up at the end of the month with nothing. There will be nothing to extend. We could feel good about passing an extension, but we can't extend something that is dead.

I have worked for more than two years with Members of Congress from both parties and in both Chambers to develop the USA FREEDOM Act of 2015. It is a commonsense, balanced reform bill that protects Americans' privacy, while also ensuring our national security.

The bill doesn't go nearly as far as the bill I first introduced in October of 2013 with Congressman SENSENBRENNER. It doesn't go as far as the USA FREEDOM Act that was filibustered last November by Senator MCCONNELL and others. At that time, the incoming majority leader wanted to wait and see how it would be with a Republican majority and was able to rally his Members to delay reform. But we shouldn't delay it any further. Americans deserve to have their privacy restored and their national security protected. There should be no more excuses.

In the bill Senator LEE and I have introduced and supported, the USA FREEDOM Act of 2015—it has not just our support, it has the administration's support, it has the support of the Director of National Intelligence, the Attorney General, the FBI Director, a supermajority of the House of Representatives, the technology industry, privacy and civil liberties groups, librarians, and the NRA. I mean, when are we ever going to find all these groups coming together? Well, they came together because they know the USA FREEDOM Act is a good bill, and the support for our bill continues to grow.

Just yesterday, national security experts at the conservative Heritage Foundation concluded that the USA FREEDOM Act ''strikes a balance between maintaining our national security capabilities and protecting privacy and civil liberties.'' Why? Because it is a reasonable and responsible bill. When we get the civil liberties groups, the NRA, the Heritage Foundation and privacy groups together, we have something.

I have been here 41 years. I have seen very few pieces of legislation where these diverse groups come together, and they did because the USA FREEDOM Act is a responsible and reasonable bill. But even if they hadn't come together, it is the only option left for any Senator who wants to avoid a sunset of the surveillance authorities at midnight on May 31. We won't be in session. The other body won't be in session. The one thing that will happen is our current authorities will sunset. They will go away. Wow. Can't you hear the cheers from some of our enemies?

Last year when the current Senate majority leader led the filibuster of the USA FREEDOM Act, we were told that the Senate needed more time to consider the issue and that the new Senate would take up the matter under new leadership. All right. We have known the sunsets were coming for years. That is why I brought up the bill last year. There has been nothing done on this urgent matter this year—no public hearings and no committee markups, unlike the six public hearings I held in the Judiciary Committee last year.

In contrast, the House leadership has acted responsibly and decisively. They moved the USA FREEDOM Act of 2015 through the Judiciary Committee and passed this bipartisan bill overwhelmingly.

We had significant debate on this issue this week. I have heard Senators across the political spectrum who have spoken at length on the Senate floor about their views. Most of these Senators have urged us to reform the government's bulk collection program—which is, of course, the same way the vast majority of Americans feel. But there have also been voices urging more surveillance. We have heard the familiar fear-mongering and demands for a data-retention mandate on the private telecom companies. Well, I disagree with those Senators who voiced that perspective, but they have at least been heard.

Unfortunately, the clock has been running. The House worked very hard, they completed their work, and they left. They are not coming back until after the surveillance authorities are set to expire. And the House leadership has made clear that they will not pass an extension. Even if they were in session and we passed an extension, they made it very clear to Republican and Democratic leadership that they will not take it up.

So here is the choice. It is a very simple one. We can let the three provisions at issue expire—some may like that; frankly, I don't—or we can pass the bipartisan and bicameral USA FREEDOM Act of 2015.

We all know that the NSA has for years been using section 215 of the USA PATRIOT Act to sweep up phone

records of innocent Americans without any connection to terrorism. I am sure innocent Americans who may be in the Chamber or who are hearing what we are saying have had their phone records swept up. Well, I don't think anybody would feel very comfortable with that.

We also know that the NSA used a similar legal theory for years to collect massive amounts of metadata related to billions of emails sent to and from innocent Americans—a parent to a child asking, ''how is my granddaughter's cold coming along?'' or ''How did my grandson do in school?'' or somebody writing to a friend, back and forth.

The American people oppose this indiscriminate dragnet collection of their records—not only that, the courts do, too. They found it to be unlawful. The House of Representatives listened to the American people, they listened to the courts, and they voted overwhelmingly to end this program through the USA FREEDOM Act and assumed, of course, that the Senate would do what the courts have said and what the vast majority of the American people said.

Last November, when Senator MCCONNELL convinced his caucus to block the USA FREEDOM Act, I warned that we would not have much time in the new Congress, and that the American people were demanding action. People should go back and see the number of letters and emails that came pouring in to the Capitol saying: We want this passed. Yet, here we are—Congress racing against the clock to act before the sunsets take effect next weekend.

Well, this is a manufactured crisis. I think there are some who hope that enough Senators will be scared by the prospect of these authorities expiring that they will blindly vote in favor of a clean extension even though that will go nowhere. We have all seen this movie before. We know that opponents of the USA FREEDOM Act simply want to delay again. Well, I don't frighten.

Many Americans, especially my constituents, are wondering what opponents of the USA FREEDOM Act have been doing for the past six months? They are rapidly approaching a sunset that has been on the books for years—the original sunset provision written by myself and Republican leader Dick Armey. It is not as though this deadline suddenly snuck up on the leadership or the chairman of the Intelligence Committee, who is just now considering alternative proposals.

Remember, we are just a few days away from the expiration date. But despite this urgency and the extensive debate we have been having for many months, the only bill that has been filed by the opponents of the USA FREEDOM Act is a 2-month rubberstamp of the USA PATRIOT Act provisions—a bill the Senate sponsors know cannot pass the House even if they were in session. And because they are not in session, if we were to pass it here, it would become a ''nothingburger'' because there would be no law to extend.

I read in the press that there may be an alternative proposal in the works. It may include a provision to keep the bulk collection program in place for more than two years. But even if we could legally pass that, it is entirely unnecessary.

Just this week, the NSA Director stated in a letter to Leaders MCCONNELL and REID that the NSA only needs 180 days to transition to the new targeted program established by the USA FREEDOM Act. Not 2 years. The 180-day transition has been part of the USA FREEDOM Act for more than a year. And during all the negotiations about the bill, neither the NSA nor the intelligence community ever raised a concern with me about this provision. In fact, we have on the record that they support it.

I ask unanimous consent to have printed in the RECORD a copy of the May 20 letter from Admiral Rogers, the head of NSA.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL SECURITY AGENCY

Fort George G. Meade, MD, May 20 2015.

Hon. MITCH MCCONNELL,
Majority Leader, U.S. Senate,
Washington, DC.

Hon. HARRY REID,
Minority Leader, U.S. Senate,
Washington, DC.

DEAR SENATORS MCCONNELL AND REID: The USA Freedom Act would establish a 180-day period for transitioning from the current bulk-collection program for telephone metadata to a model where queries would be carried out against business records held by telephone service providers. Several questions have been raised about the feasibility of the 180-day deadline.

Should the USA Freedom Act of 2015 become law, NSA assesses that the transition of the program to a query at the provider model is achievable within 180 days, with provider cooperation. We base this judgment on the analysis that we have undertaken on how to make this model work. Upon passage of the law, we will work with the companies that are expected to be subject to Orders under the law by providing them the technical details, guidance, and compensation to create a fully operational query at the provider model. We are aware of no technical or security reasons why this cannot be tested and brought on line within the 180-day period.

We very much appreciate the time and attention the Senate continues to devote to this important issue.

MICHAEL S. ROGERS,
Admiral, U.S. Navy, Director,
National Security Agency.

Mr. LEAHY. We all know this last-ditch attempt at further delay is just too late. We have two options: Pass the USA FREEDOM Act or let the provisions expire. A growing majority of the Senate—a straight up-or-down vote—supports the USA FREEDOM Act. If we pass it today, the President can sign it today or tomorrow.

Also, the intelligence community says: Is the law going to be here or is the law gone? By passing the USA FREEDOM Act, they can move forward with the certainty they need to protect the American people.

Senator LEE and I, along with a bipartisan group of Senators ranging from Senator DURBIN, to Senator HELLER, to Senator SCHUMER, to Senator CRUZ—and that is going across the political spectrum—are moving for a responsible path forward.

We have worked for 2 years on this bill to end the NSA bulk collection of Americans' phone records. Republicans and Democrats have worked together for 2 years to end the NSA's bulk collection of Americans' phone records, something that every one of us, at a townhall meeting—I do not care what State you are in, if you ask Americans ''Do you want a bulk collection of all your phone records?'' you know what the answer would be: ''Of course not.''

The clock has run out, but there is a responsible choice before us. Let's pass the USA FREEDOM Act today. Then we will have important reforms, we will keep America secure, and we will not have all of these authorities expire.

Mr. President, I see other Senators on the floor.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. Mr. President, I ask unanimous consent for Senator DAINES and I to speak as in morning business.

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

TRIBUTE TO CHUCK JOHNSON

Mr. TESTER. Mr. President, I rise today to honor a great Montana journalist. I got to know Chuck Johnson some 16 years ago when I was running for the State senate, but his distinguished career started long before that.

While attending the University of Montana School of Journalism, Mr. Johnson was accepted to be a congressional intern here with the journalists in Washington, DC. That gave him a taste of political reporting.

In 1972, Chuck Johnson was assigned to cover Montana's Constitutional Convention for the Associated Press. Little did he know at that time that this assignment would launch his professional career covering Montana politics, and little did he know that he would be writing history as he watched Montanans draft one of the most progressive State constitutions in the country.

In his long career, Chuck Johnson covered 9 Governors, 9 U.S. Senators, 10 Congressmen, and more legislative sessions than I can count, including the years I had the honor of serving the great State of Montana in Helena. He pushed for increased media access and stood up for more transparency and for a reporter's right to be in the room. Thanks to Chuck, Montana now has a requirement that political caucuses are open to the press.

Mr. Johnson and his colleague Mike Dennison worked hand in hand for years at the Lee State Bureau and

wrote powerful stories that had sweeping impacts across our great State. So when news broke yesterday that Lee Enterprises was closing its State Bureau and Mr. Johnson would be retiring, the world of politics was buzzing. While a few politicians might be relieved, many of us recognize what a loss for journalism and for Montana this will be. As Chuck leaves political journalism, he leaves a giant hole that will be difficult, if not impossible, to fill.

In the day of a 24-hour news cycle and a demand for immediate information, the people of Montana still count on Chuck Johnson to present the facts. Even though he started writing his stories on a typewriter, he has adapted with the times, learning how to tweet.

Known as the ''Dean of the Capitol Press Corps,'' Mr. Johnson would take young reporters under his wing, teach them how to understand the governmental process, and share his vast knowledge of Montana politics.

From his reporting on taxes and budgets, he has a way of making it easy to make sense to the average reader. But where his reporting really stands out is in his ability to track and understand campaign finance. He has been known to plow through election reports late on a Friday night when all of the other reporters have called it quits and gone to bed, digging for a story, holding elected leaders accountable, and reporting the facts.

It is his integrity, his commitment to the truth, and fair reporting that have earned the respect of politicians and readers alike from both sides of the aisle.

It is in that spirit that I would ask my colleague Senator DAINES to join me.

I yield to the Senator.

Mr. DAINES. Mr. President, I thank the senior Senator from the State of Montana, Mr. TESTER.

I also rise today to recognize the career and service of Chuck Johnson, a longtime Montanan, a Montana reporter who will be entering into a well-deserved retirement at the end of next week.

Chuck's career covering Montana politics began more than 40 years ago when he was asked to cover the Montana Constitutional Convention for the Associated Press. Since then, he has covered nearly two dozen sessions of the Montana State Legislature and countless political conventions.

I remember seeing Chuck late at night at conventions, giving up a lot of his personal time for the sake of covering these stories across our State. He has covered hundreds of elected officials and has been a steady presence on Montana's campaign trail.

Over the past two decades, Chuck has led political reporting for Lee Newspapers, and he spent the past 10 years working alongside his fellow Lee State Bureau colleague Mike Dennison.

If it has to do with Montana politics, Chuck has probably covered it. I am told Chuck has the best political campaign button collection in all of Montana. Chuck's life has been spent in Montana. He grew up in Helena, and he went on to earn his degree in journalism at the University of Montana.

I can speak as a Montana State Bobcat. I know that Chuck is a testament to the quality of journalists produced by the University of Montana School of Journalism. It goes without saying as a Bobcat, I do not always see eye to eye with Chuck on important issues, like who to cheer for during the Brawl of the Wild or which colors are better—blue and gold or maroon and silver. But I do know that Chuck took a fair amount of joy in seeing this Bobcat receive a Montana Grizzlies shirt after a disappointing Cats loss during the 2013 game.

Setting aside our personal allegiances, it has been a great privilege and tremendous honor to work with Chuck in my years representing Montana and being involved in Montana politics.

With Chuck's retirement and the closing of the Lee State Bureau, Montana is saying farewell to not only a talented and dedicated reporter but also a historian of our State and a mentor to countless young reporters looking to make their own mark in Montana's news media.

I thank Chuck personally for his years of service to Montana and his lifelong commitment to making our State's government open and more accessible to all Montanans. He has made a lasting mark on the State of Montana. His depth of knowledge and his lifetime of experience will be difficult, if not impossible, to replace, and his byline on newspaper stories across Montana will be greatly missed.

Chuck, congratulations on your retirement. We appreciate all you have done, and we wish you the very best.

I would like to yield back to the senior Senator from Montana, Mr. TESTER.

Mr. TESTER. Thank you, Senator DAINES. It was a pleasure to share the Senate floor with you this afternoon.

As Chuck Johnson retires and puts away his pen and his notebook, I want to say thank you to Chuck. In this body, we often think we are irreplaceable when we are not. I will say this about Chuck Johnson: It will be a long time before Montana sees someone as good as Chuck in the reporting corps. So, as a body, we honor Chuck Johnson's contributions to Montana, to our country, and to our democracy.

Good luck, Chuck.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BLUNT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

HIGHWAY BILL

Mr. BLUNT. Mr. President, I want to talk today about one of the things we need to do before we leave here—the extension of the highway bill. And nobody is satisfied with a short-term extension of the highway bill. I would be among the group who would be least satisfied with that. But as we look at what has happened so far this year, we moved in a positive way in a number of areas. We don't have time while we are here to do what we need to do to have a truly long-term highway bill.

The last two bills under the two previous Congresses—the two previous Senates—were very unhelpful and unsatisfying in many ways: a 6-month extension of the highway bill—you cannot build roads and bridges 6 months at a time. Not only can you not do the work 6 months at a time, you cannot get the kind of competitive bidding process and planning to do this work in the right way. Before that, we only had a 2-year bill. I will be very disappointed if we cannot beat both of those standards. The reason to do the 2-month bill today will be the important reason that, one, we have enough money left, because of winter conditions, that we can do 2 months of further construction with the money that is available, and that way we don't do anything to slow down construction here at the best building time of the year.

We need to work really hard in the next 2 months—and we should be working right now, and I know we are working right now—to come up with that long-term solution that lets us look at the transportation needs of the country in a way that allows us to compete. So many great things are out there in the next few decades for our country, but they all involve a transportation system that works.

I think the country is clearly ready to make things work again. I was so pleased in the last Congress that we were able to add the advanced manufacturing bill to the arsenal of things we had. Senator BROWN and I worked together and passed that bill. Now we have the arsenal we need to be in the position of making things again. The right kind of energy policy can clearly get us to where we make things again.

Certainly what is going to happen in agriculture, manufacturing, and health care technology—all great opportunities with great potential, but we have to have a transportation system that works. We are the best located country in the world to deal in the commerce of the world. We are the best located country in the world to connect with the marketplace of the world, but we have to have a transportation system that allows us to do that.

I hope we are working hard, and I believe we are, to find what we need to do to fill that gap between what the current gas tax creates—at the Federal level I don't think there is any likelihood of increasing that tax in the next few years. We need to look at what that tax creates and what funding source is out there that helps us fill the gap between the gas tax and reasonable aspirations for our transportation system. This is one of the areas

the American people think the government address.

There may be an argument about whether it should involve the Federal Government or the State government or how this works in terms of the government, but we know this is something we can't do for ourselves.

Since the very earliest days of the Congress, what the Federal Government could and should do regarding interstate commerce and transportation—and the Constitution itself talks about building postal roads and it talks about interstate commerce.

Hopefully, we will take this vote today or tomorrow or whenever we take this vote, to be sure that we continue the construction already underway, but don't stop for a minute in working on this process until we get a highway and bridge and construction bill for transportation that allows us to move forward and to move forward for a significant future of what we need to do.

We are going to lose the advantages we have if we don't maintain and improve the transportation network we have. I look forward to seeing that happen and encourage my colleagues to vote for that 2-month extension, but don't give a moment's relaxation seeking the multiyear highway bill—the multiyear transportation bill—that the country really needs.

MEMORIAL DAY AND CHOICES FOR VETERANS

Also, Mr. President, I wish to talk about one other subject before we take this work period for Memorial Day. This is an important time to honor those who have served, those who have sacrificed, people who have given their all for the country or even those who have served and were able to live a full life after service. We honor them on Memorial Day as well.

As I am thinking about Memorial Day this year, I am continuing to be frustrated with how we treat our veterans. The Veterans' Administration system is not what it should be, and it continues, it seems to me, that the Veterans' Administration wants to focus on what is good for the Veterans' Administration instead of what is good for veterans. I am tired of it. I think many people in the country are tired of it, and we need to do something about it. We got a report in our State this week about one of the St. Louis facilities—the John Cochran Hospital. This hospital has had seven acting directors in 2 years. It is a hospital with problems. It is a hospital that is not serving veterans the way it should, and it has had seven acting directors in 2 years. I cannot contact the same director twice before they are gone, and the new director is trying to figure out what the problems are. It seems to me, before they can figure out what the problems are, there is another new acting director.

We just had an inspector general report on that hospital, and the inspector general report found 45 areas that needed improvement at a Veterans' Administration hospital. These are issues such as dirty patient care areas, expired medication, and inadequate staff training. We are not talking about having the most expensive or the best or the most up-to-date equipment; we are talking about getting the medicine off the shelf that is retired or having patient care areas that are clean. Certainly, like everywhere else at this facility, just simply getting patients scheduled to come has been a problem.

The Director of the Veterans' Administration, Mr. McDonald, needs to change the VA, not manage the VA. He came to this job with well-heralded management experiences, but this is not just a management job; this is a change job, and he needs to make those changes. There is no excuse for a 2-year vacancy in a troubled facility. There is no excuse for not looking at every way they can to provide more choices for veterans.

It is clear the Congress wants to have more choices. Senator MORAN, from Kansas, has a bill I am proud to cosponsor that emphasizes one more time—just in case we were not clear enough last year that we want veterans to have choices—that we want veterans to have choices. There is no reason for veterans to drive by a facility that could do a better job than a veterans facility only to stand in line at a veterans facility.

There are a few things the VA system should be better at than anybody else. They should be better at dealing with post-traumatic stress and they should be better at prosthetics, the replacement of arms and legs. This is something that—at least since before the Civil War—the Veterans' Administration has always been pretty good at because they had a lot of tragic reasons to be good in this particular area.

There is no reason to believe the Veterans' Administration hospital is necessarily the best place to get your heart stent put in. There is no reason to believe the Veterans' Administration is necessarily the best place available for you to have your cancer treatment. There is no reason to believe the Veterans' Administration is the best place to go and have your kidney surgery. We ought to let veterans go to the best place. We ought to let veterans have more choices, particularly young veterans.

Last year, I sponsored a bill called the Excellence in Mental Health Act. By the way, we are launching that program right now and looking for the first eight States that are properly qualified facilities and want to treat mental health just as they do all physical health.

The Excellence in Mental Health Act brought forth the mental health community and the law enforcement community. Veterans group after veterans group—particularly young veterans—said they want to have more choices. They want to be able to go to places where they can take care of their health care problem in a way that works with their family and in a way that works with their work.

These are important choices and Congress has spoken but apparently not quite loud enough. The Veterans' Administration wants to say, if a veteran is within 45 miles of any facility, whether it provides the service they need or not—the most technical reading of the law would suggest it really doesn't matter if they need a heart transplant. If they are within 45 miles of a facility where they can get their blood pressure checked, then they don't qualify for the program that gives them more choices. That is a ridiculous interpretation of the law.

We will do our best to try to make the law clearer, but I think the Veterans' Administration could make it clearer if they wanted to. They are afraid to compete, and we should wonder why they are afraid to compete.

We looked at the problems at the Cochran Hospital and other facilities. We should understand why they are afraid to compete. This is not the way veterans should be treated. This is not the way we should be honoring our veterans. It is not the way we should be going home on Memorial Day, and I hope we commit ourselves to do a better job on this topic and, more importantly, to force the Veterans' Administration to do the job it is supposed to do.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, at some point soon, I presume, the Senate is going to adjourn for the Memorial Day week break, and I want to say a few words on some of the important issues we are now confronting.

I suspect later today there will be a vote on the TPP. I suspect that those who are for the TPP have the 60 votes necessary to pass it. I know there are a number of amendments that will be offered, and I will support the strongest of those amendments. But the bottom line is, in my view, that the TPP is a continuation of failed trade policy which has resulted in the loss of millions of decent-paying jobs in this country, which has resulted in the loss of tens of thousands of manufacturing facilities as corporations have shut down in America and moved to China, Mexico, and to other low-wage countries.

In my view, it is wrong to ask American workers to compete against people in Vietnam, where the minimum wage is 56 cents an hour, to compete against people in Malaysia where, in some cases, you literally have indentured servitude, people who have lost their ability to leave the country and are working for incredibly low wages in horrendous working conditions. That is not what a trade policy should be.

I hope our colleagues in the House have more resolve than we have had in the Senate, and I hope they stand up and say enough is enough. Current trade policies have failed. We need

trade policies that work for the average American and not just for the multinational corporations.

FREE COLLEGE FOR ALL ACT

Mr. President, I also want to say a word on another issue that I know is of deep concern in the State of Vermont and I am quite confident is of concern in 49 other States as well. We are in a competitive global economy right now, and we have hundreds of thousands of bright, young people who want to go to college, get a higher education but today are unable to afford that higher education.

Here we are desperately needing to have the best educated workforce in the world so we can compete effectively, and what we are saying to our bright, young people is, sorry, you are not going to be able to get the education you need in order to get the high-quality jobs that are available in this country.

What we are saying to hundreds of thousands of those young people is, no, you are not going to be doctors, you are not going to be nurses, you are not going to be scientists, you are not going to become teachers, you are not going to be able to become employees in high-tech companies because you just don't have the education.

Frankly, I think that is absolutely absurd not only for the dreams of low- and moderate-income young people who want to make it into the middle class, but also it is absurd if we are talking about the future of this country having a strong economy.

Thirty years ago, the United States led the world in terms of the percentage of our young people who had a college degree. Today, we are in 12th place. We are in 12th place, and we are competing against countries all over the world that understand the importance of their young people getting the education that is needed in this day and age.

We are also facing a related problem in that we have millions of people—many of whom are no longer young—who are dealing with incredibly oppressive and large student debt. The average graduate now of a 4-year college is approximately $29,000 in debt. That is the average. So there are many more who are graduating $30,000 or $40,000 in debt. If a person goes to graduate school, that number goes much higher.

I recall speaking some months ago to a young woman in Burlington, VT, whose crime was that she went to medical school and is now practicing primary health care among low-income people, which is exactly what we need to see happening in this country. Yet she is saddled with a $300,000 debt. I talked to dentists who are also practicing in community health centers, where we need them. We have a major dental crisis in this country. They are saddled with a $250,000 debt.

Now, what is absurd about the current student debt situation is that at a time when a person can go out and get an auto loan for 1 percent or 2 percent, millions of our young and middle-aged people are paying interest rates on their student debt of 4, 5, 6, 7 percent, and even higher than that. So how does it happen that a person can go out and get an auto loan for 1 or 2 percent, how does it happen that a person can refinance their home mortgage to take advantage of low interest rates, yet people are stuck with 5, 6, 7 percent in interest rates on their student loans? It makes no sense to me at all.

The other part of that is that over a 10-year period, the Federal Government now makes over $80 billion in profits from student loans. Frankly, I would rather see the Federal Government make that money than the private banks. But, in fact, the Federal Government should not be profiting off of the loans that were needed by low- and moderate-income students and their families. That is not a way to make money.

So I have introduced legislation called the Free College For All Act, and it is a very simple piece of legislation. What it says is that, No. 1, we are going to make in this country tuition-free college for all public colleges and public universities in America—tuition-free. We are going to do that by establishing a matching grant program of 2 to 1 from the Federal Government—$1 for the State. When we do that, it will mean that every qualified young person in this country who wants to get a higher education will be able to go to their State colleges, their State University and do it tuition-free.

Now, is that an expensive proposition? It is an expensive proposition. But I think long term, by having a well-educated society, by allowing young people today who cannot afford to go to college to get that education, from an economic point of view, we will gain significantly by this legislation.

This legislation is also paid for in a fair and progressive way. It says to the people on Wall Street who have made huge, huge sums of money by speculating in a whole lot of arcane and dangerous financial tools that we are going to establish in this country a tax on stock transfer—a transfer-stock fee—of one-half of 1 percent. That will raise more than enough money to provide a tuition-free education in our public colleges and universities.

So this is an issue that I am going to pursue. I think it is important, if we want to deal with income inequality and if we want to make sure that everybody in this country gets the education they need, regardless of the income of their families.

USA PATRIOT ACT

Mr. President, there is another issue I wish to very briefly touch on as well today. That issue deals with the USA PATRIOT Act and FISA and civil liberties in this country. Let me make a few basic points.

There is nobody in the Senate, there is nobody in the House who does not understand that there are terrorist groups out there that want to attack the United States of America and our allies and that want to do us harm. There is nobody in the Senate or in the House or, I think, in the United States of America who does not believe that as a nation we have to do everything we can to protect the people of our country from terrorist attacks. There is no debate on that. What the debate is about is how we protect the American people without undermining the Constitution of the United States of America or undermining the privacy rights of the American people.

I think everybody does understand and should understand that modern technology in all of its forms—from iPhones to a dozen or 100 different ways—has greatly outstripped public policy in terms of protecting privacy rights. By and large, the privacy rights we have on the books now were written years and years before the development of the technologies we see right now.

It is absolutely imperative that as a nation we begin a serious conversation, which includes some of the most knowledgeable people in this country—people who know about what technology can do today and what it can do tomorrow, people who are concerned about civil liberties and privacy rights, our law enforcement officials, our national security people, and Members of Congress. What that discussion should be about is pretty simple: How do we protect our country against terrorism at the same time that we protect our privacy rights and our constitutional freedoms.

As we consider whether to reauthorize parts of the PATRIOT Act, we must take stock of where we are today. It is no secret that NSA collects vast sums of information and at one point or another has collected information on virtually every person in this country who uses a telephone. That is no great secret. Since June 2013, we have learned that the NSA collects phone call metadata, including the numbers of both parties, location, time, and duration. They collect text messages, email chat, and Internet browsing history; smart phone app data, including Google Maps, which can pinpoint a person's location to within a few yards. They collect maps of people's social networks, bank and credit card transactions. This is just the tip of the iceberg. There is undoubtedly much more being done that we simply don't know anything about.

Further, local governments and other agencies are also collecting information about the movements and the habits of law-abiding Americans. When we drive down the street, there are cameras that can take pictures of license plates. There are cameras on street corners, cameras in private buildings. The government knows where we are traveling and how long we are gone. Let's be clear. While today we are focusing appropriately on the role of the Federal Government in issues of civil liberties, we must also understand that

it is not just the government that is collecting information on law-abiding Americans. In fact, the private sector's collection of information is just as intrusive and equally dangerous. Private companies, private corporations know a whole lot about what we do. Our every move can be tracked by a smart phone. Almost two-thirds of the American people, by the way, have smart phones.

Private companies can know what we read, what we are emailing about, what Web sites we visit. They know when we have purchased a ticket, and they know where that trip is taking us. They know whether we are going on a plane or a train or a bus. When we go to a grocery store, our discount card gets scanned and the grocery store knows exactly what we are eating. It is the same situation at the pharmacy. They know what kind of medicine we are buying, enabling people to make judgments about one's health. They know when a woman is pregnant based on her purchases. In the name of fitness, people are wearing watches and Fitbits that record our heart rate and exercise pattern and how much we sleep.

In the wrong hands, this information could prevent us from getting health insurance through our jobs. It could even prevent us from getting hired in the first place. In other words, enormous, enormous, undreamed of amounts of information are out there and, in the wrong hands, that could be a real danger to our country and to the lives of millions of innocent people.

This is what the attack on privacy looks like. Someone can access our phone calls. They can access our credit card records. They can comb through our purchases. They can analyze our spending habits. They can access our emails and our contacts. They can track our movements. Pretty much anything and everything we do these days can be tracked and recorded.

Now, many of my colleagues come to the floor of the Senate and talk about America being a free country. Well, if somebody knows everything we are doing, maybe it is time to recognize that we are not quite as free as we think we are. I know that in response to the argument I am raising, people will say: Well, trust these large corporations; trust the government. They are honest people. By and large, many of them are. I am not suggesting otherwise.

In terms of government policy, however, let us not forget that 45 years ago we had a President of the United States named Richard Nixon. And what Richard Nixon believed was that anything the President of the United States did, by definition, was legal. The President can break into his or her opponent's political headquarters—not a problem. He is the President. He can spy on people—not a problem. He is the President.

So I ask my colleagues and the American people—and I do not suggest for one second that this is true of the Obama administration. But I ask the American people to think about what happens in the future if we have a President who really does believe that he or she is the law, that he or she can or should have access to the kinds of information that are out there. Think about the incredible power the administration has, the potential for blackmail, the political advantages that administration has.

People say: Well, it is a pretty crazy idea. It is never going to happen.

Well, a lot of things have happened that we never thought could happen.

It seems to me that now is the time for us as a nation, for us as elected officials to have a very important conversation about how we balance our need—of which there is no debate—to protect the American people against terrorist attacks while at the same time we respect the privacy rights and the constitutional rights of our people and how we maintain America as a free and open society.

I got involved in this issue a number of years ago when I voted against the USA PATRIOT Act. I remember some librarians in the State of Vermont came to me and they said: You know, as a result of section 215 of the USA PATRIOT Act, law enforcement officials—the FBI can come to a librarian and demand that the librarian provide information about the books people are borrowing from the library.

Of course, section 215 goes a lot further than that.

Do we want to be a nation in which we are looking over our shoulders and worrying about the books we are reading because somebody may say: Oh, well, you are reading a book about Osama bin Laden; clearly, you must be a terrorist. Is that really the kind of fear we want to see established in this country?

So I say to my colleagues, it is great to come to the floor and talk about freedom, but what freedom is about ultimately is the right of people to do what they want to do in a law-abiding way without harming other people. That is called freedom. In my view, people have a right to make a telephone call today without that information being collected by the government. People have a right to go on the Internet and send an email with the absolute assurance that as law-abiding citizens their visits to a Web site or the emails they send will not be tracked by the government. People have a right to go to a grocery store and make purchases without somebody knowing what they are buying.

I intend to introduce legislation shortly which will call for a comprehensive review of data collection by public and private entities and the impact that data is having on the American people. I don't know if this is a progressive piece of legislation or a conservative piece of legislation, but I would hope this concept would have broad support across the political spectrum from people who actually do believe in a free society, that our young people should not be worried about the kinds of books they read or the Web sites they visit.

We must bring together leaders in the technology world, people who not only know what technology today is doing as far as invading our privacy rights but what the future holds, because I am quite certain that every single day, this technology is growing more and more sophisticated and more and more intrusive, and sitting down with people who are experts on technology—we have to have civil libertarians, people who understand what the First Amendment is, what the Fourth Amendment is, what our Bill of Rights is about, what our Constitution is about, and, of course, involved in that discussion must be law enforcement and our security experts. The goal of all of this must be to create legislation which does everything we can to protect the safety of the American people but also protects our privacy rights and our constitutional rights.

I look forward to working with my colleagues on both sides of the aisle on that legislation.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Thank you, Mr. President.

I have been on the floor a number of times this week talking about the importance of trade and talking about the need for us to expand more exports around the world. The United States has not been in a position for 7 years to do that. That is why trade promotion authority is incredibly important to our workers, our farmers, and the people we represent. By doing so, we will give people a shot at actually increasing their salary and their family's income because trade jobs tend to pay better and have better benefits.

In my home State of Ohio, 60 percent of our soybean crop is exported. We want to be sure those farmers have access to more markets. Twenty-five percent of our manufacturing jobs—factory jobs—are now trade jobs. So these exports are very important.

Unfortunately, what has happened over the last 7 years is that as we try to sell our products and our services to the 95 percent of the world outside of our borders, it is getting harder because other countries are concluding trade agreements with each other.

So during this time when the United States has basically been sitting on the sidelines, other countries have negotiated trade-opening agreements. This means lowering tariffs and nontariff barriers, actually taking market share away from us that we would otherwise have. So this is an important issue. If you are for jobs, you should be for exports. You should be for the U.S. Government helping our workers and helping us to be able to knock down these barriers.

Other countries tend to have higher tariffs. They tend to have higher non-tariff barriers. So this is part of what we ought to be about in this body. I am glad we are finally taking this up. The administration now supports this. That is good. However, as we do that, we also have to be darn sure that the playing field is more level.

What do I mean by that? Well, we know that other countries have higher tariffs than we do, on average. But they also do other things that make it harder for our workers to compete. One is that they subsidize their products. We know this because we have taken a number of these countries to court—meaning the World Trade Organization—about this very topic.

Here in the United States, we have the ability, if a company is selling into our market with a subsidized product, to seek relief for that. We should. It is not fair. Second, some countries just want to dump their products here in the United States at below their cost. Why? It is kind of like what they say in business: This is a loss leader. They will take a loss on it, but they will get market share and knock out a U.S. competitor. That takes jobs away from us. That is also not fair.

Again, there are international tribunals that deal with this, but also we have our laws here in this country that say: If you are dumping your product here in the United States, that is considered unfair. A company can bring a case. If they can prove they are materially injured—that the company is materially injured—they can find some relief there.

So as we are expanding opportunities for trade all around the world, which is a good thing, we also have to be sure that our laws work to protect our workers who are not getting a fair shake. By the way, a lot of these workers are doing everything right, everything that is being asked of them. They are going through worker retraining to learn how to operate the most highly technical, sophisticated machines that are the most efficient.

Frankly, that often results in fewer jobs, but it results also in very high quality U.S. products that are being made with the best technology. Some of these workers have been asked to make concessions in their pay or their benefits in order to be competitive. What they say to me is: ROB, you know we are in a global marketplace. We know we are going to have to compete. We know it is not just about competing with Indiana anymore; it is about competing with India, China, Japan, Brazil, and the European Union. So we are willing to become more competitive, to learn these skills, to play by these global rules. But once we do that, we want that playing field to be level.

That is fair. That is the least that they should expect from us here in the Congress—to ensure that while they are making these changes to be more competitive that we are watching their back. That is what a lot of the debate has been about with regard to this trade promotion authority vote that we are having.

This is the opportunity for Congress to express its will as to what these trade negotiations ought to look like. It is not about a specific negotiation, the Trans-Pacific Partnership or the TTIP negotiations with the EU or other bilateral relationships, it is about establishing what Congress believes ought to be the right rules going forward.

AMENDMENT NO. 1299

I am very hopeful that today on the floor we will have the opportunity to vote on a couple of different amendments related to this. One that the Presiding Officer is very well aware of is a strong interest of mine. It is ensuring that other countries do not manipulate their currency so that their exports are less expensive to us and our exports that we send to them are more expensive. That is not fair.

When they intervene deliberately in their currency for that purpose and do it in a large-scale and protected way, that is called currency manipulation. There are rules against it. The International Monetary Fund has rules against it. As an example, every one of the partners in the trade agreement that is being negotiated now with the Pacific countries—every one of those countries in the Trans-Pacific Partnership—has signed up to those obligations already.

So the amendment we will be voting on today simply says: Here is the standard that you have already agreed to. Let's say that when you are negotiating a trade agreement with us to lower barriers—both here in the United States, to give them more access to our market, and to give us more access to their market, which, as I said earlier, is something we have to be doing to help our farmers and our workers—let's be sure that those benefits cannot be undone by them going in and manipulating their currency, which is a market distortion.

Most countries would say: We agree with that. We are not doing it. Currently that is true. I don't think any of the 12 countries we are talking about here are currently doing it. I will say that they have in the past. Since 2012, I do not believe Japan has been doing it. Don't take my word for it. Listen to the International Monetary Fund and the Department of Treasury. They give us a report every year on this.

But before that, they did it over 300 times. It makes it a whole lot harder for us to compete. Again, our workers and our farmers are willing to be the most productive, the most efficient. They know they have to compete. We should applaud them for that. We should support them and help them. But they want to be sure that after they have done all of that and after we have reduced some of these barriers, the playing field does not tilt, making it easier for these other countries to send their products here, which outcompete ours because of currency manipulation.

That is what that issue is all about. There will be two amendments, one of which will be offered by Senator HATCH and one offered by me and Senator STABENOW. The one that we are offering is one that does have teeth in it. In other words, it seems to be an enforceable provision. But it leaves the discretion within the Office of the U.S. Trade Representative to determine how that is done. This is an office that I had the honor of holding at one time. I had the great honor of representing our country all around the world in negotiating agreements and talking about these very issues with other countries.

I can tell you that sometimes other countries may not want to talk about it, but at the end of the day, they know that currency manipulation is bad for everybody. It is bad for the international trading system. It is tempting to do because short term, it makes your exports less expensive. If you want to be an export-driven economy, as China is, that helps sometimes.

But it is not ultimately in anybody's best interests. So let's have these disciplines, but let's make them enforceable, so that there is some ability for us to truly stop this manipulation, to discourage it, to have disciplines in place. That is what that amendment is going to be about. By the way, I know the administration has said they do not support this. It is interesting because here is Secretary Lew's letter this week to Congress: ''Holding our trade partners accountable for their currency practices has always been important to this administration.''

Well, let's hold them accountable. I agree with him. I agree with this letter. I do not agree with his recommended veto threat to the President, should we actually put accountable language into trade promotion authority. So I hope they will stick with this letter and not his recommendation to the President. The President himself has talked about this.

He has talked about his opposition to currency manipulation, and, by the way, so have 60 Senators. This was in 2013. They are not all currently serving in the Senate, but 60 Senators actually signed a letter saying: ''In our trade agreements, we must have accountable, enforceable currency manipulation provisions.''

So most of this body has been on record in the past. This is what the President said back in 2007. It was not this week, but it was 2007. He said he would work with his colleagues in the Senate to ensure that any trade agreement brought before this Congress is measured not against the administration's commitment—not just a commitment, but that we will do this—but instead against the rights of Americans to protection from unfair trade practices, including currency manipulation.

So the notion that the President might veto this because it has protections against currency manipulation—I

do not think so. I think he understands the importance of trade promotion authority. I certainly do. I think he knows that we need to get off the sidelines and get back in the business of negotiating agreements that make sense for our farmers, our workers, and our service providers.

But I think in his heart, he also realizes he has to have this discipline in place. The alternative, by the way, would be interesting. You could end up with lowering tariffs and nontariff barriers in this agreement. Then one of these countries that has previously been involved in currency manipulation, such as Malaysia or Japan could step in and do it again and undo so many of the benefits. That would be pretty tough to explain to our constituents. We had the opportunity to address this and chose not to. Some are concerned about this being a poison pill. I would just say the obvious. If you have more protections in here, it won't be harder to pass this in the House of Representatives, because the concern, obviously, a lot of people have is that trade is somehow not fair.

I agree that we ought to pass trade promotion authority. It is incredibly important to the people I represent. It is incredibly important to our country. It is even a geopolitical issue now because America's footprint in that region of the world, Asia-Pacific, should be greater. We are competing with China in so many respects. One is with regard to commerce.

China is one of those countries that are negotiating agreements pretty rapidly with countries all throughout the region. It is important that we get back in the business of establishing those trade ties. That is the geopolitical issue.

I would even say it is a national security issue and a strategic issue. But it is also just important to our economy. We all want to give this economy a shot in the arm. This weak recovery we are working through right now is weaker because we are not seeing the gains in exports we would otherwise see if we were opening up these markets. By the way, we only have free trade agreements with 10 percent of the global GDP.

If you think about it, we don't have an agreement with the EU or with China or with Japan or with many other large economies, such as Brazil. But with about 10 percent of the world we do have trade agreements. We send 47 percent of our exports to that 10 percent of the world. From Ohio, by the way, it is more than half. It is about 52 percent of our exports. But again, as we do that, let's be darn sure that we are leveling that playing field, that we are addressing these issues we all know exist, whether it is dumping products here or whether it is illegally subsidizing products or whether it is manipulating currency. It seems to me that this is the right balance. It seems to me that this is something that Congress owes the people I represent—to watch their backs, to make sure they get a fair shake.

The other amendment that I hope we will have the opportunity to vote on this afternoon is being discussed right now in another room off this Chamber. It is an amendment that ensures that you have a more level playing field with regard to being able to bring these cases against companies that sell their products in the United States unfairly because they sell them at below cost, they dump them or they subsidize them.

There are governments that do a lot of subsidization. Again, that is another market distortion. We should fight against it. The rules that are currently in place have been there a long time. They are consistent with the World Trade Organization. Other countries have these rules in place as well. But I will tell you that the way in which companies seek relief and get relief right now is far from perfect, because so often, by the time a company can show that they are materially injured—which is the standard—it is too late. The market share is gone. Many of the workers are gone. Sometimes the companies themselves are gone.

This legislation is going to be offered by Senator BROWN, my colleague from Ohio, and me. Senator BROWN has been talking about this issue on the floor. He is passionate about it. When we travel around the State, both of us, to places such as Cleveland, Toledo, Youngstown, and Dayton, we hear about this issue.

We hear: Yes, we can operate on a level playing field, but please help us to ensure that when we find a product that is subsidized and when we find a product that is being dumped here, we have the chance to be able to get the relief that we deserve.

So this amendment enhances those protections for Ohio workers seeking relief from these illegally undersold or subsidized imports. By the way, the amendment is now backed by over 80 trade associations and companies, including some great companies in Ohio: Nucor, ArcelorMittal, U.S. Steel, Timken, and others. It is a commonsense, bipartisan measure that basically says that workers should not have to lose their jobs before their company can get relief from these illegal actions. And 78 out of 100 of my colleagues here on the floor of the Senate recently backed a Customs bill that included this language. So there is a lot of support for this here on the floor.

We would love to get this included in this legislation because this is the legislation that is the most likely to move through the House and to the President. This is the legislation where it ought to be, given that we are talking about how to expand exports. That is good. But also ensure that we have more fairness in terms of international trade situations.

Last night on the floor, I was talking about AK Steel, in West Chester, OH. They have 4,000 workers in the State of Ohio. I talked about their production facilities in Zanesville, OH. Some 250 workers are there—UAW workers. They make grain-oriented electrical steel. It is a specialty steel. It is exported all over the world.

I went through what happened to them. They were exporting it to China. China illegally shut out this kind of specialty steel. They lost 92 percent of their exports to China, even though it was illegal for China to do it. The U.S. Government took China to the World Trade Organization and won. China then appealed that. China used all the time they could to avoid complying with that order. By the time it was over, it was 5 or 6 years. They lost 92 percent of their exports. So they lost hundreds of jobs in Ohio because they couldn't get into that Chinese market.

By the way, it is now happening in the European Union. For other purposes—apparently because of concern about other products—the European Union is also now blocking some of this specialty steel made in my home State of Ohio.

So it happens overseas; we know that. Yet, when this same company goes to our Commerce Department and our International Trade Commission to seek relief for illegally traded imports coming in—these are imports which are illegally traded—they have a hard time getting relief in time for it to be helpful to them being able to get on their feet. So American products are shut out of China and the EU, but American workers cannot get the help they deserve in a timely manner to keep illegally traded imports from flooding our market.

This amendment would change that. This is the amendment we have been talking about. It is called the level the playing field amendment. It helps protect thousands of American jobs that would otherwise be put at risk because our trade laws frankly haven't kept up with the speed of international commerce.

I had some Ohio steel pipe and tube manufacturing companies in my office yesterday. As some of you know, Ohio is a leader in this part of the steel industry, which is a growth industry for the most part because there are a lot more oil and gas wells, natural gas wells cropping up around the country. These companies employ thousands of workers across my State.

Frankly, they are having a tough time because of the market—nothing to do with imports but the fact that the price of oil is such that it is harder to justify drilling new wells. So the fracking has slowed down and they have lost some business.

But the other thing that has happened is there has been a surge of foreign imports. So there are now a record number of imports of pipe and tube products coming into this country at a time when our companies are already seeing kind of a soft market because of the lower price of oil and less activity in the oilfields and natural gas fields in Ohio and around the country.

So there are companies, such as TimkenSteel, which has over 1,000 workers in Canton, OH, that are continuing to make investments in their plants so they can be updated, modern, and the most efficient plants in the world.

They just made a $300 million investment. Indeed, I was there recently. I was able to visit with them and see some of their new investments. It will be one of the most modern steel plants in the world. Their export products are very impressive. They send them all over the world. These are engineered steel products. Just yesterday, they told me they are now approaching about 50-percent capacity. That is barely breaking even for them. By the way, they are at a higher capacity than most in the industry these days. Again, it is a combination of a soft market and a record number of imports of pipe and tube products.

A little further east, in the Mahoning Valley, Vallourec in Youngstown also produces pipe and tube products. Some of you have followed Vallourec because it has been in the news. It is kind of a poster child for what American manufacturers should be doing, which is investing in plant and equipment. It is the first new steel mill in Mahoning Valley in probably a couple of generations. It is very exciting. But, boy, they are having a tough time right now. Even though they have invested in their infrastructure and they are doing all the right things and they are becoming more competitive, they are having a tough time.

Some of you may know about them because actually just a couple of years ago President Obama was in that factory in Youngstown using it as a backdrop to tout our American manufacturing comeback.

A record level of import penetration is now causing incredible disruption in their production. These imports are entering our country at very low prices, and we all suspect this is the basis for a future trade remedy case. Again, it is either dumping, selling below cost, or a subsidized product. They want to make sure they have the ability to bring this case before it is too late. Our trade remedy laws haven't kept up with the fast pace of the global economy. Vallourec had 1,200 workers in Youngstown just a couple years ago. They have now had to furlough 300 workers, and I am told they are at about 20 percent capacity.

Last week when I was on the floor, I talked about another company, Wheatland Tube, which is also in Mahoning Valley. I now have an email from one of the officials at Wheatland Tube, and this is what he said:

> As an individual employed in manufacturing, I understand better than most that trade is a key component for economic growth.

He starts off saying they know we need to trade. Then he says:

> However, it's important for U.S. manufacturers (i.e. steel pipe and tube producers) to have the tools to challenge unfair trade, and that's why I believe that ANY and ALL future trade agreements considered must include enforcement provisions to ensure that trade is conducted fairly.

> As a U.S. citizen who makes a living in manufacturing . . . provisions included in the Leveling the Playing Field Act—

That is the amendment I am talking about—

> will close loop holes in the trade laws to ensure that companies can access these laws to challenge trade distorting practices. I also support language in the TPP that prevents currency manipulation and the ''dumping'' of foreign products in the U.S.

> It's essential that provisions to close loop holes in trade laws are included in a final trade bill. After all, there's a huge difference between FAIR trade and FREE trade. JMC Steel Group—

Which is the parent of his organization—

> relies on these laws, and has utilized them in recent years to challenge trade distorting practices that have injured our industry and our employees. Without laws to regulate unfair trade, I know my job—

''My job,'' he says—

> and the jobs of thousands of other manufacturing workers, is at risk.

So to Mike Mack, who sent me this email from Wheatland Tube in Warren, OH, I appreciate your expressing your point of view, and I appreciate your supporting this amendment. I appreciate the fact that you understand that trade is important and that you have to be competitive. And that is not easy. It requires some concessions, and it requires some sacrifices. But once you do that, we have to be sure we have their back.

When these American pipe and tube manufacturers were in my office yesterday, they said one thing that really worried me. They said: If our trade remedy laws aren't fixed and fixed quickly, one of us will not be at this table next year because we will be out of business.

These are good companies. These are companies that are doing the right thing. And they are telling me: Look around the table. There are several of us here now. At least one of us may not be here next year.

Because of these concerns we are hearing from workers and companies, we are offering a very simple and modest clarification of U.S. law regarding the definition of ''material injury.'' In fact, I believe it is actually exactly what Congress intended originally.

The proposed legislation makes no changes to the definition of ''material injury.'' Instead, the legislation clarifies that ''the [International Trade] Commission shall not determine that there is no material injury or threat of material industry to a domestic industry merely because the domestic industry is profitable or because the performance of the domestic industry has recently improved.'' I think this clarification underscores what the current language already shows. The definition of ''material injury'' is not intended to be so burdensome on U.S. companies that they have to go under or at least see job loss before they can get the relief they deserve.

I hope this amendment will be supported, as it was in the Customs package. I hope we can get it to the floor for a vote. I think it is incredibly important that we make sure this goes along with something that is also very important, which is to expand our exports all around the world.

We want to be sure American companies that are being harmed by illegal imports feel we are here to back them up and know they won't have to wait and watch as subsidized or dumped imports put them on the verge of going out of business and laying off hundreds, if not thousands, of workers.

So the whole notion here is that before companies are gravely or severely injured, they have the chance to make their case, that they can have confidence that the U.S. trade laws will be enforced as Congress originally intended them to and that they will be able to compete on this level playing field.

Protecting workers and jobs is not a partisan issue; this is something both sides of the aisle believe in. It is about fairness. It is about ensuring that those factory workers and towns all across America understand that as we expand exports, as we open trade between countries, we are also looking out for them and ensuring it is done in a fair way.

But if they are willing to work hard, play by the rules, they can indeed not just succeed but thrive here in this, the greatest country on the face of the Earth, the country that has this economy that has been in the past the envy of the entire world, on the cutting edge. We need to get back to that. We need to continue making things in this country. We need to continue encouraging innovation and creativity. In doing so, we will be able to have the kind of robust economic recovery all of us hope for. Part of this is trade, more exports, and being sure it is fair. Part of this is ensuring that in this body, we provide those rules of the road. If we do so, I believe we will not only be able to help the people we represent, as we should, but also begin to rebuild a consensus around the importance of trade.

Some of you have probably followed what is going on in the House this week with regard to trade promotion authority. It is tough to find the votes, and I think that is reflective of the fact that a lot of our constituents back home are skeptical. They are skeptical about trade because they have seen too often, as I mentioned earlier, that other countries were not playing by the rules, and I gave the specific examples of the U.S. steel company trying to sell its product in China or the EU and being blocked but not getting relief here.

We can fix this. It is not a matter of changing our posture on trade. We are a country that is courageous. We believe in trade. We are not going to

shrink from it. But we are also a country that believes in rules and believes in taking care of the people whom we represent so that they are not unfairly treated in the international marketplace. That is what this debate is about.

I hope we will have a good vote on the currency manipulation amendment we talked about. Whether or not we will be able to get up the other amendment is still a matter of debate, as I understand it. I hope we will be able to work through that and offer this incredibly important amendment, which is bipartisan, called level the playing field that I talked about. I think having votes on both of those strengthens trade promotion authority. Frankly, it makes it easier to get that legislation through the House and also, in the end, get America back in the business of helping the workers and farmers and the service providers whom we represent.

I yield back the remainder of my time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

THE PATRIOT ACT

Mr. SESSIONS. Mr. President, we will be talking about the PATRIOT Act and the USA FREEDOM Act that has been offered, and I think it is an important issue. I believe the PATRIOT Act provides critical tools that have helped protect America, and I believe it does so without any infringement on constitutional rights.

Some say we have to compromise rights or balance rights against the threats. Maybe sometimes we have to do that. But when we wrote the PATRIOT Act in the Judiciary Committee—of which I am a member, Senator LEAHY is a strong libertarian, Senator HATCH is a strong libertarian, Senator HATCH was chairman, Senator LEAHY was ranking member, I had been a Federal prosecutor for 15 years; people like Jon Kyl and DIANNE FEINSTEIN and so many others worked on it for months—it wasn't passed in a few days without thought. People talked about it. It was on the radio and television, we got letters, we had hearings with professors and constitutional scholars, law enforcement officers, some public and some classified briefings, and we tried to write a bill, and I believe did, that provided the Federal Government an expedited method to access phone call data, metadata as it is called, under section 215 of the act.

Now, this data has no content—no phone communications at all. It is just phone numbers, even less than you get on your telephone bill when it comes to you in the mail every month. That data is maintained at the telephone companies in their records. Everybody who makes a phone call should know that, if they are alert to the world. So that record is not your personal record. That record is the telephone company's record.

Now, if you have documents at home, if you have records in your desk, records anywhere in your house, if you have a gun or drugs that are illegal in your house, nobody can come in your house, they can't go into your car, can't go into your glove compartment or trunk without a court order because it is within your custody and you have a right, under the Fourth Amendment, to be free from an unreasonable search. The law enforcement officer has to get a court order, backed up by facts, before they can breach that Fourth Amendment.

Of course, the Fourth Amendment simply says that your right is against unreasonable search and seizure. It doesn't say the government can never conduct a search. An unreasonable search and seizure is what the Constitution talks about. I would say, first and foremost, it is reasonable the government be able to identify certain matters of evidence that could prevent a 9/11-type attack on America that could cause the deaths of thousands of Americans.

So what is it that is provided for under this act? I am raising this because I think my colleagues have misunderstood it, and they are more worried about it than they should be. In fact, I think many of their worries are based on a false understanding of how the system works and a false understanding of how law enforcement is conducted in America every day.

So these telephone companies all maintain these records and they are accessible by law enforcement. And it does not take a court order, colleagues; it takes a subpoena. A subpoena is an order for production issued by an entity empowered to issue subpoenas.

The basic standard for a Drug Enforcement Administration agent to get people's telephone records that are in the possession of a telephone company is the administrative subpoena. They do not have to go to a judge, they do not have to go to the U.S. attorney or any Federal prosecutor. They are empowered if the documents are relevant to an investigation they are conducting because they are not an individual's possession; they are the phone company's records. This is done every day.

Now, oddly, the FBI doesn't have that power. The FBI is the Agency charged with the responsibility of investigating and stopping terrorist attacks, but they have never been given this power. They have to issue their subpoenas simply by calling the Federal prosecutor in the U.S. attorney's office. I was a U.S. attorney for 12 years, an assistant U.S. attorney for 2½. I approved hundreds and hundreds, thousands of subpoenas.

In almost every major investigation you want telephone toll records. You are investigating a drug dealer and you capture somebody and he starts providing evidence. He says: I talked to the main drug dealer. How many times? Hundreds. Did you use a phone? Yes. So you immediately subpoena the telephone records. Those come right in, and they can prove he is telling you the truth. He has made 50 or 100 phone calls to the main drug dealer. That corroborates his testimony and builds truth and power in the prosecution's case that this person is indeed a drug dealer and this witness is telling the truth.

Now, there are all sorts of reasons for getting documents. That is just one of them, but it is done every day by a subpoena. As I said, a subpoena does not require a judge's approval.

So this all got stirred up in the PATRIOT Act, and we set up this procedure with judicial oversight where the phone companies' phone data—metadata—is simply put in one secure system that is accessible by the Federal Government. I don't believe that violates any constitutional rights. It is just a mechanism by which to further the system. And before they can access it, the FBI, the National Security Agency, has to have more proof and put out more evidence and go through more hoops than the drug enforcement agent does to get your telephone records. Remember, these records have no names. They have nothing but a telephone number, the date the number was called, and how long the conversation was.

Nobody is accessing those records for personal gain. Only 30-some people in the United States have the ability to access this system. That is the way it works, and so I believe, colleagues, this does not in any way impact the integrity of the constitutional right to be free from unreasonable search and seizure under the Constitution.

Somebody may say: Well, they could abuse that. Well, they could abuse it, that is true. But I have to tell you, I have seen this system. I have seen the people who operate it. They are not out there trying to corruptly spy on politicians or anyone else. I don't know how they could use the system to do that anyway. Anybody who works at the telephone company can access your telephone toll records now. So how much security do you have in your telephone toll records, pray tell?

But these people aren't doing that. They are intensely focused. If they have information connecting a phone number to a foreign terrorist or terrorist organization and they can see other people have called that number. They can do some preliminary investigations and if there is a hit and some information that coincides with other data they have, they may be able to investigate it. That may lead to other information that may stop an attack on the United States of America.

These people are not after drug dealers, they are not after bank cheats, fraudsters or armed robbers; they are

after terrorists. That is all they are authorized to use the system for.

I just have difficulty having the words to express how I feel about this.

So this system can save this country from massive attacks. We know, and our officials are telling us, there are more threats out there than before.

A lot of people watch these television programs, these CSI shows and things, and they get the false impression of the power of the American Government to conduct surveillance and the extent to which it is limited. I have worked with FBI agents, DEA and IRS agents. They are not risking their careers. They are not signing false statements. You see that sometimes on television. Even the heroes do things that violate the rules. In my experience, none of the Federal officers I dealt with violated the rules. If criminals walked, they walked. Even though they desperately needed some information, the agents do not lie, defraud or cheat.

I will tell you, these people at the NSA aren't doing that. They are patriots. They are the best kind of people you want to have serving in America. So I think this is an exaggerated thing.

I hope, colleagues, we will spend more time identifying and looking through the challenges we face, the threats we face in America, and that we will examine this program and be sure we fully understand what is at stake and the advantages that it brings. The President has given us examples of what will happen. Director Comey of the FBI said that losing these authorities would be a big problem as the Agency uses section 215, the key section, in about 200 cases a year to get records through the Foreign Intelligence Surveillance Court.

By the way, colleagues, the Internal Revenue Service can issue an administrative subpoena to get your bank records. I think they have the power to issue telephone toll records too—but, no, not here in this system. You have to go through the court process.

We talk about the roving wiretap authority that would expire if we do not reauthorize these programs. That is used in counterespionage and counterterrorism investigations and it allows the FBI to conduct surveillance on a person who may be using a burner phone. In other words, using a telephone and then throwing it away and switching to a new phone so they maintain their ability to communicate without interception.

This is important when you actually do get a warrant that allows a title III wiretap of a terrorist phone. You get this ability when you go to court. In the affidavits I have seen—in all 12 years as a U.S. attorney, I think I had one or two wiretaps approved—they were hundreds of pages of affidavits. You have to monitor it all. It takes tremendous time, but if you are after a terrorist, a wiretap can be a decisive and important matter.

Then, you face the problem of, well, you have a wiretap and it names the phone and the number of it, but he throws that phone down and picks up another one. How do you deal with that? So this allows a roving wiretap and provides a mechanism for a person who changes phones, and it is consistent with the fundamental principle we use in drug cases and organized crime cases.

In a Washington Times article published today, the President of the Law Enforcement Legal Defense Fund and former Assistant Director of the FBI, Ron Hosko, said:

> ISIS is singing a siren song calling people to their death to crash on the rocks—and it's the rocks that ISIS will take credit for. They're looking for those who are disaffected, disconnected and willing to commit murder. So if we're willing to take away tools, OK, congressman, stand behind it [and] take the credit by putting the FBI in the dark.

In other words, be sure we will be taking credit for shutting off the ability of our investigators to protect America.

President Obama said it is indeed helping protect America. Last year, he said:

> The program grew out of a desire to address a gap identified after 9/11. One of the 9/11 hijackers, Khalid al-Mihdhar, made a phone call from San Diego to a known al-Qaida safehouse in Yemen. NSA [the National Security Agency] saw that call, but could not see that the call was coming from an individual already in the United States.

They didn't have the legal ability or a system at that time that could do it.

The President went on to say of the telephone metadata program:

> Section 215 was designed to map the communications of terrorists, so we can see who they may be in contact with as quickly as possible.

Speed is critical.

The President went on to say:

> This capability could also provide valuable information in a crisis. For example, if a bomb goes off in one of our cities and law enforcement is racing to determine whether a network is poised to conduct additional attacks, time is of the essence. Being able to quickly review telephone connections to assess whether a network exists is critical to that effort.

I think the President is right about that. We don't have superhuman abilities in this country. We don't monitor everybody's phone calls. There is no way humanly possible Federal agents can do that. But once they identify someone who is being connected to a terrorist group, they can at least follow their phone number and whom they may be calling.

Passing the House bill I believe is not the right thing. The bill would eliminate entirely the database through which our intelligence analysts are able to quickly access information to connect the dots.

The bill ends these programs. It just does. It ends the metadata program, replacing it with a nonexistent, untested system. It relies on the hope that private telephone companies will agree to retain this data. But these companies have made it clear they will not commit, and flatly refuse to commit, to retaining this telephone data in their computer systems for any period of time as contemplated by the House-passed bill, unless they are legally required to do so—and the bill does not require them to do so.

One provider said the following:

> [We are] not prepared to commit to voluntarily retain documents for any particular period of time pursuant to the proposed [House bill] if not otherwise required by law.

The House has refused to put that in.

Colleagues, when I was prosecuting, phone companies kept the data 3 years, some phone companies more. One rural phone company never got rid of their data. It was amazing how often older phone calls helped connect the dots, improved facts that are critical in a prosecution.

For example, somebody says: I never called John Jones, and then you find 50 calls from their phone document to John Jones. These things have tremendous importance. When we are looking to prevent an attack on America, trying to produce intelligence to prevent enemy attacks on this country, just the fact that one individual is calling another individual who is known to be a terrorist is exceedingly valuable information. My goodness, maybe it is an innocent call, but it is worthy of looking at and investigating. That is how investigation work. That is how crimes are solved. That is how attacks are stopped. One shred of evidence, one bit can lead to new bits that can lead to more and more evidence and reveals an entire organization poised to attack our country.

Let me repeat. I don't believe we have a violation of the Constitution. I am absolutely convinced the procedures utilized in this process are utterly consistent with the policies approved by thousands of court cases nationwide that law enforcement uses on a daily basis to investigate tax cheats and drug dealers. And we can't use these same tactics against terrorists who are enemies of the United States and seek to perhaps blow up and kill thousands of people?

I think this is a mistake. I urge my colleagues to be careful about it.

Yesterday, we received a letter from the Sergeants Benevolent Association. It pleads with us to do a short-term extension of the program: Congress, do your duty. The letter says:

> With provisions of the USA PATRIOT Act set to expire in less than two weeks, the responsible course is to pass a short-term extension of the expiring authorities—including section 215. This will allow time for the Senate to undertake the kind of serious deliberative process critical national security issues demand and that the American people expect of ''the world's greatest deliberative body.''

I think we are doing that now. That is my opinion. I was present when the law was drafted, and we tried to be sure we did that and I believe we did. Some of the concerns are real. A lot of good people are concerned about it. So I think it is time for us to slow down, go

back to the basics, lay out this program, see what the complaints are, and then see if they are justified. If they are, the program will have to end. But I don't believe it needs to end, and right now we are heading on a path that will end it.

I thank the Presiding Officer and I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BOOZMAN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

REPUBLICAN LEADERSHIP IN CONGRESS

Mr. REID. Mr. President, as I read this morning's news, I was intrigued and struck by a Pew Research poll. Pew conducted a national survey to gauge Americans' satisfaction with Congress. Unsurprisingly, Americans are disillusioned with the Senate and the House Republicans.

I guess that is kind of an understatement, if you look at the content of the poll. Despite constant self-congratulations from the Republican leadership, the American people are rejecting the Republican leadership in Congress.

Just listen to a few of these findings: Seventy-two percent of Americans disapprove of the job being done by Republican leaders in Congress. That is an alltime high; just 4 percent of Americans say Republicans in Congress have exceeded expectations—4 percent; even self-identifying Republicans object to how their party has governed; 55 percent of Republicans disapprove of Republican congressional leadership's job performance; fewer than 4 in 10 Republicans say their party is doing a good job representing their views, but among the results of the Pew survey, there is an especially troubling trend. The survey found that 65 percent of Americans say Republicans have failed to live up to their campaign promises; only 27 percent of Republicans believe their party is keeping its campaign promises—not Independents, not Democrats but Republicans.

''Integrity'' is a simple word, but here in the Capitol it is everything. As elected officials, all we have to offer our constituents is our integrity. If we are not as good as our word, then we are no good for anything.

It is appalling that 5 months into this new Congress, most Americans believe the congressional Republicans cannot be trusted to keep their word.

What were those promises Republicans made? How about this one from the majority leader: ''Our focus would be on passing legislation that improves the economy, that makes it easier for Americans to find jobs, and that helps restore Americans' confidence in their country and their Government.''

That is what the majority leader said last year, but his record this year tells a completely different story. So far this year, Republicans have ignored the needs of their constituents. Just look at how Senate Republicans have spent their time so far this year:

The Keystone Pipeline legislation, which is a handout to billionaires and certainly special interests, is a bill that brings foreign oil into our country and then ships it right back to the foreign nations; a near shutdown of the Department of Homeland Security, even as ISIS and other terrorist groups were threatening our Nation; a senseless delay over funding for victims of human trafficking took weeks to finally finish; an unprecedented delay in the confirmation of the Attorney General of the United States being held longer than any prospective Attorney General in the history of the country, not only of her but many, many judges, not even holding hearings for them and other Cabinet and sub-Cabinet officers—not even holding hearings.

Of course, there is nothing on the calendar because the committees are reporting nothing out of the committees.

They passed an immoral budget that cuts taxes for the wealthiest individuals and corporations, while attacking working families and seniors; a trade bill that is tantamount to aid for foreign corporations and does nothing for the middle class; procrastinating a reauthorization of job creating legislation such as the highway bill.

We are going to be asked in the next few hours to extend the highway bill for the 33rd time—33rd time—for a couple of months. What a shame, when we have 64,000 bridges that are structurally deficient, 50 percent of our highways and roads are in really bad need of repair.

Now, 65 percent of Americans say yes, 53 percent of Republicans say so, too, that they are not living up to their campaign promises. So who can argue with that?

One need only look at Senate Republicans' legislative agenda to realize there is nothing on the horizon that helps working American families. At this rate, Congress will finish this year with nothing to show the middle class—nothing.

This trade bill, as I mentioned this morning, is a handout to multinational corporations and does nothing for the middle class, except cause them to lose jobs that will be shipped overseas. But the wealthiest 1 percent have reaped benefits during this first 5 months of this Congress. That is why Americans—72 percent of Americans—disapprove of the way Republicans are leading Congress.

But there is still time to right the ship. There are many things we can do in the Senate to help boost the middle class. We can pass a highway bill that immediately injects jobs into our economy, while ensuring that our businesses and families have safe roadways, rails, and bridges to navigate. We can give American workers a livable wage and ensure that no full-time employee is living in poverty.

We can address the mounting burden that student loan debt has on our economy, which is worse than any other debt, more than credit card debt, more than anything else. There are many other things we can do for American families that have not been done.

It is clear Republicans are not accomplishing much on their own, so why not work with us? Democrats are willing.

Together, we can all keep our word to our constituents. We can follow through on our commitment to help middle-class Americans and get them the help they need and deserve.

Mr. HATCH. Mr. President, I ask unanimous consent to enter into a colloquy with the distinguished ranking member of the Finance Committee, Senate WYDEN.

The PRESIDING OFFICER. Without objection it is so ordered.

OUTSTANDING ISSUES IN THE TRADE DEBATE

Mr. HATCH. First of all, I want to thank Senator WYDEN for his efforts in trying to accommodate the priorities of Members of the Senate during debate on this bill. We have been hard at work trying to address various concerns. Now, as we approach a final vote, we need to talk about some outstanding issues that we have not been able to resolve during this debate.

Specifically, there are four issues that we are committed to addressing.

First, during this debate we developed language to address Member concerns about immigration policy, particularly the concerns that trade negotiations could be used to alter U.S. immigration law or policy. An amendment filed by Senator CRUZ during the floor debate clarified this issue.

Second, one of the provisions of the TPA bill relates to forced labor and human trafficking. Senator MENENDEZ championed an effort to include these provisions in the bill reported by the Finance Committee. Since that time, Senator MENENDEZ worked with us to refine these provisions and to improve their operation. We supported an amendment filed by Senator MENENDEZ to make these refinements.

There is also strong bipartisan interest in providing more robust direction for trade in the fishing industry. Senator SULLIVAN has been a leader in this area.

Finally, there were proposed amendments to strengthen U.S. trade remedy laws. Senators BROWN and PORTMAN were key leaders in this area and filed an amendment to address this issue on the floor. We supported this amendment as well.

I believe there was strong bipartisan consensus in favor of all four of these efforts. Unfortunately, we were unable to address them during consideration of the TPA bill on the floor. Going forward, I want to be clear that we are committed to address all four of these concerns in the context of the future conference of the Trade Facilitation and Trade Enforcement Act, which has already passed the Senate. I have a letter here from Chairman RYAN of the

House Ways and Means Committee committing to work with us on these issues when that bill goes to conference.

I ask unanimous consent that the letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

COMMITTEE ON WAYS AND MEANS,
Washington, DC, May 22, 2015.

Hon. ORRIN G. HATCH,
Chairman, Committee on Finance, U.S. Senate, Washington, DC.

Hon. RON WYDEN,
Ranking Member, Committee on Finance, U.S. Senate, Washington, DC.

DEAR CHAIRMAN HATCH AND RANKING MEMBER WYDEN: As the Senate is considering the Bipartisan Congressional Trade Priorities and Accountability Act, I would like to convey that I intend to seek adoption of legislative changes to H.R. 1907, the Trade Facilitation and Trade Enforcement Act of 2015, when it is considered in the House. These changes will include the following four provisions:

Legislation sought by the House Congressional Steel Caucus (H.R. 2523), to make improvements to the antidumping and countervailing duty laws;

The text of Senate Amendment 1384, offered by Sen. Hatch and Senator Cruz, to ensure that trade agreements do not require changes to U.S. immigration laws;

The text of Senate Amendment 1430, offered by Senator Menendez, related to human trafficking; and

The text of Senate Amendment 1246, offered by Senator Sullivan, related to opportunities for trade in fish, seafood, and shellfish.

I look forward to continuing to work with you on this important legislation.

Sincerely,

PAUL RYAN.

Mr. HATCH. I would ask Senator WYDEN if he is willing to work with me to address these issues in this fashion.

Mr. WYDEN. I agree, that these are very important issues that we are committed to addressing in the coming conference on the Trade Facilitation and Trade Enforcement Act.

I will note that the Brown-Portman trade remedy legislation was included in the Senate version of the bill. I think it would be appropriate to try to address these other issues in that context as well, and I commit to working with Chairman HATCH to do so.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent to enter into a colloquy with Senators HATCH and WYDEN.

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

NEPALI EXPORTS

Mrs. FEINSTEIN. Senators HATCH and WYDEN, I appreciate your work on the trade promotion authority and trade adjustment assistance legislation. As you have said, this bill authorizes the President to conclude high-standard free-trade agreements, which are expected to tremendously benefit California and the Nation. It also reauthorizes the Trade Adjustment Assistance Program to provide retraining and income support for workers displaced by international trade. In 2013, more than 7,000 Californians received assistance from this program.

While I support H.R. 1314, I remain concerned that the United States must do more to help the people of Nepal recover from the earthquake and aftershocks that have devastated the country. As you know, the earthquakes have killed nearly 10,000 people, displaced more than 2.8 million others, and damaged or destroyed more than 500,000 homes. The U.S. Geological Survey estimates losses could exceed Nepal's $20 billion annual gross domestic product, which is a truly staggering figure for such a poor nation.

While the international community has rushed to provide humanitarian aid, the United States can do more to assist Nepal's long-term economic recovery.

Senator HATCH, do you agree that the United States should consider providing preferential treatment to Nepali exports to help the country recover?

Mr. HATCH. Thank you, Senator FEINSTEIN. Yes, I agree. The United States came to Haiti's aid after it suffered a devastating earthquake in 2010. We should do the same for Nepal today.

Mrs. FEINSTEIN. Thank you, Senator HATCH. To that end, I have filed an amendment, No. 1438, that would provide nonsensitive Nepali exports duty-free treatment in the U.S. market. Doing so would be consistent with our response to Haiti's devastating earthquake in 2010 and would attract much needed international investment in Nepal during this time of need.

While I understand that we will not have an opportunity to further amend H.R. 1314, I ask you to provide your commitment to work include my legislation in the Trade Facilitation and Trade Enforcement Act of 2015—also known as the Customs enforcement bill—or a similar bill as reported by a conference committee to reauthorize trade facilitation and trade enforcement functions and activities.

Mr. HATCH. You have my commitment to do so.

Mrs. FEINSTEIN. Thank you, Senator HATCH. I appreciate your commitment to assisting Nepal.

Senator WYDEN, do you also commit to include my Nepal legislation in the Trade Facilitation and Trade Enforcement Act of 2015?

Mr. WYDEN. Yes, I also commit to include your Nepal legislation in the Customs enforcement bill.

Mrs. FEINSTEIN. Thank you, Senator WYDEN.

Mr. GRASSLEY. Mr. President, I appreciate Chairman HATCH and Ranking Member WYDEN's work on this bill, and agree that this bill provides accountability and transparency. On immigration, I have expressed concerns every step of the way about the executive branch negotiating changes to immigration laws through trade agreements. Even before I became chairman of the Judiciary Committee—in fact, when I was chairman and ranking member of the Finance committee—I opposed previous administrations' attempts to include immigration provisions in trade agreements.

Because of that, I demanded that the Judiciary Committee be consulted on anything related to immigration. That has been done, and that has helped stop the administration in recent years from including provisions in trade agreements requiring changes to the immigration laws.

During consideration of this bill in the Finance Committee this year, I asked USTR Ambassador Froman about this issue, and specifically if they were including anything on immigration in the next agreement, specifically the Trans-Pacific Partnership. He gave us assurances that they were not. Ambassador Froman was clear that other countries are making offers to each other in the area of temporary entry, but that the U.S. has decided not to do so.

Nevertheless, Chairman HATCH and I wrote him a letter after he testified, and he wrote back with more assurances. Ambassador Froman acknowledged that there is a chapter in the Trans-Pacific Partnership agreement on the temporary entry of persons, but that this chapter only includes ''good governance provisions on transparency with respect to visa processing and cooperation on border security.'' He also said that this chapter includes commitments of other Trans-Pacific Partnership parties to make information on requirements for temporary entry publicly available. The U.S. already is very transparent about its visa application processes and eligibility requirements, and already processes visas as expeditiously as possible.

When the committee took up the bill, Chairman HATCH and Ranking Member WYDEN, at my request, included language in the accompanying report that would make it very clear that Congress will not tolerate changes to immigration laws, policies, or practices. This language is very strong and sends a signal to negotiators that trade agreements will not pass if they require changes to our immigration system, prevent us from changing our immigration laws or policies or even just repeat commitments we may have unfortunately made in previous trade agreements.

I appreciate the Chairman and Ranking Member's attention to this issue.

Mrs. FEINSTEIN. Mr. President, I rise today in support of the trade legislation before the Senate.

What we have done so far has been to consider:

No. 1, the Trade Preferences Extension Act of 2015. This bill extends a number of trade preference programs related to Africa and Haiti. It also reauthorizes the Generalized System of Preferences Program, which expired in 2013.

No. 2, the Trade Facilitation and Trade Enforcement Act of 2015. This bill includes new trade enforcement mechanisms to protect American workers from unfair trade practices. The

legislation also includes a complete ban on importing goods created by child labor, which I strongly support.

No. 3, trade adjustment assistance. This bill reauthorizes Federal assistance for worker retraining and income support to those displaced by trade. In fiscal year 2013, 7,609 Californians received training under the program, so I believe it is critical that we continue this assistance.

No. 4, trade promotion authority. This bill authorizes the President to conclude free-trade agreements with our trading partners. In exchange, those agreements will receive an up-or-down vote in the Congress.

I voted for these bills because they will update our trade policy in a smart, effective way.

The process of considering these bills has enabled me to see the extraordinary importance of trade to California's economy.

In 2013, California's total gross domestic product was an estimated $2.2 trillion. That makes it the eighth largest economy in the world, surpassing that of Russia and Italy and soon to overtake Brazil. The services industry—both high-skilled professional services and lower skilled jobs in accommodation, food and administration—have lead California's economic recovery since the 2008 recession. In fact, 66 percent of all new jobs in California created over the past year were in services.

Trade is critical to sustaining this job growth. In 2013, California exported $114 billion in services, which was a 58-percent growth since 2006. California's services exports substantially contributed to the overall services trade surplus of the United States, which reached over $200 billion in 2013.

The Trans-Pacific Partnership is expected to boost services exports even more by prohibiting customs duties for digital products; applying the same nondiscrimination standards for digital goods as manufactured goods; prohibiting countries from requiring companies to transfer their technology, business processes, or intellectual property; and requiring strong and enforceable intellectual property rights. From Silicon Valley to Hollywood, these expected provisions will continue to drive California's services exports and our overall economy.

In 2014, California exported $174.1 billion in total merchandise goods, supporting more than 775,000 jobs. That is a near 11 percent increase in jobs since 2009.

Now, there is a common perception that only large businesses benefit from trade. That has not been the case in my State. Small and medium-sized businesses—and their employees—have led the way in merchandise exports in California. Some 75,175 companies exported from California in 2013, of which 95.8 percent—72,032—were small and medium-sized businesses. Increased trade could grant these firms with new opportunities to grow, and their employees could see higher wages as a result. According to an economist at Dartmouth's Tuck School of Business, businesses that export pay wages on average 15 percent more than firms that do not. For a high-cost State like California, higher wages are a top priority. Increasing our exports is a commonsense means to that end.

I am confident that the Trans-Pacific Partnership will help California's small and medium businesses and our overall economy because that has been my State's experience with our existing free-trade partners.

In 2014, of California's total merchandise exports, $70.4 billion were to nations with which the United States already has free-trade agreements. Over the past 10 years, exports from California to these free-trade partners grew by 50 percent. If the Trans-Pacific Partnership substantially reduces tariff barriers—as other agreements have—California's exports will benefit substantially.

Today, my State's exports of computers and electronic products face tariffs as high as 35 percent; transportation equipment face tariffs as high as 70 percent; machinery face tariffs as high as 70 percent; and health products face tariffs as high as 30 percent. Reducing tariffs on these manufactured goods has proven to be a boon to California's economy, and I hope we can keep moving in that direction.

Finally, California agriculture relies on export markets. The State's agricultural exports were valued $21.2 billion in 2013. That is far more than any other State. This trade has helped the state's agricultural industry become the largest by value in the United States. In fact, the California Department of Food and Agriculture reports that California's 77,900 farms produced $44.7 billion in output in 2013. This is a massive sum, and it will only grow with trade.

According to a U.S. Department of Agriculture study, under TPP nationwide agriculture exports are expected to increase 54 percent by 2025.

For California's products, reduced tariffs and scientific-based sanitary and phytosanitary standards will be key. For example, California dairy products face a tariff of up to 35 percent in Japan, while California walnuts face a tariff of 30 percent in Vietnam. In Australia, California beef has been blocked due in part to unfounded fears of mad cow disease. Reducing these trade barriers is expected to benefit dozens of agricultural commodities in my State—especially fruits, tree nuts, vegetables, dairy, beef, wine, confections, rice and citrus exports. In fact, TPP can sustain the growth of California's agricultural exports to those countries, which from 2009 to 2013 increased in value from $4.8 billion to $7.5 billion. Overall, it is apparent that the Trans-Pacific Partnership will continue to support the immense success of California's farmers, ranchers, and producers.

Mr. President, the fact is that California relies on trade. It has been critical for our economic recovery and will be vital for sustaining our growth. Therefore, I am pleased to support passage of trade promotion authority and trade adjustment assistance. With trade promotion authority in place, I hope the President can send to Congress strong and fair trade agreements.

While the Trans-Pacific Partnership holds tremendous promise, it is my hope that the Obama administration concludes a final agreement that I can support.

I look forward to reviewing the Trans-Pacific Partnership in the coming months.

Mr. REED. Mr. President, International trade is a vital part of our Nation's economy. Nearly one-third of the country's gross domestic product is supported by trade in goods and services and, indeed, my State of Rhode Island exported goods totaling $2.4 billion in 2014. It is also a key component of our international partnerships and global security efforts.

However, the question today is not whether we should engage in trade. It is about the bill before us, and whether trade promotion authority, TPA, so-called ''fast-track,'' is in our best interest. It remains my view that Congress has a critical role to play in thoroughly vetting trade agreements. Passing this legislation takes away this role, reducing Congressional approval to an up-or-down vote. The bill before us today would also prohibit amendments and limit debate to just 20 hours. I believe that the scope and complexity of modern trade agreements demand more time for debate and a greater ability to contribute than this framework provides.

Further, this bill allows for a 6-year grant of TPA, meaning that any trade agreement under any administration over the next several years could receive this expedited approval. A number of trade agreements are currently being negotiated and it is impossible to know what additional trade deals may be pursued and what other factors, both here and abroad, may change over the course of the next several years. Given this, I do not think that Congress should vote to limit its own oversight, particularly for such a long period of time.

I also have concerns about the negotiating objectives set forth in this package. We need negotiating objectives that are enforceable. Without stronger and more concrete language on a number of key issues including currency manipulation, labor, and environmental standards, these negotiating objectives are unlikely to make an impact or be seen as a critical component for reaching a deal by our partners. For this reason, I joined Senators PORTMAN and STABENOW and many of our colleagues in cosponsoring and voting for amendment 1299, which, had it

passed, would have established a negotiating objective that urges the administration to press for rules against currency manipulation that are enforceable and consistent with IMF obligations. Without strengthening this and other objectives within TPA, they become mere suggestions, failing to afford critical protection to American workers and interests.

I commend the work of Chairman HATCH and Ranking Member WYDEN, along with Senator BROWN and other colleagues, to find a path forward for the customs and African Growth and Opportunity Act, AGOA, reauthorization bills that we passed last week, which I was pleased to join a majority of my colleagues in supporting. I am also pleased that a path forward has been found for Trade Adjustment Assistance, TAA, which I have consistently supported. Most recently, I cosponsored Senator BROWN's amendment to raise TAA funding levels to better support workers who have been displaced by trade. We all know that trade is not a tide that equally lifts all boats, and, so while I am pleased that TAA appears to be moving forward at this time, I am disappointed that the Brown amendment to enhance support for TAA did not pass.

We need to set the highest bar for our trade policy. It needs to advance our strategic and national interests while ensuring that American workers are in the best position to compete in this global economy. They deserve nothing less, and, in my view, TPA simply does not do enough to protect workers in my State of Rhode Island and across the country. For these reasons, I must oppose this legislation.

Ms. HEITKAMP. Mr. President, today I will vote to approve the Bipartisan Congressional Trade Priorities and Accountability Act, which will grant the President trade promotion authority, TPA, through 2021.

This was not an easy decision, but one I am confident is right for North Dakota. Exports are critical to the bottom line of our State's agricultural producers as well as our manufacturers.

Agricultural exports means jobs. In 2013, North Dakota exported over $4 billion in agricultural products ranging from beef to wheat to fresh vegetables. USDA estimates that in 2013, every $1 billion in U.S. agricultural exports, 7,580 American jobs are required. For North Dakota that translated into more than 30,000 jobs supported by agricultural exports. We must do everything we can to expand agricultural exports to support existing jobs and create new ones.

In 2013, total North Dakota grain exports totaled over $3.5 billion. North Dakota-grown hard red spring and durum wheat exports made us the No. 2 wheat exporting State in the Nation, with exports valued at over $1.2 billion in 2013. North Dakota was also the No. 2 exporting State for soybeans in 2014/15, exporting 182 million bushels. These commodities are exported around the world, but especially to the Pacific Rim and Europe, where the United States is currently negotiating free trade agreements which will remove barriers which make us less competitive.

North Dakota is also an important exporter of manufactured goods like farm machinery. CNH Industrial's plant in Fargo exported nearly 35 percent of the Case IH and New Holland Agriculture 4wd tractors it manufactured in 2014. The plant is supported by 23 North Dakota suppliers from across the State, among others.

I continue to have concerns with several provisions of this bill and our overall trade policy, particularly as it relates to currency manipulation and investor-state dispute settlement. As we have heard time and again, currency manipulation is one of the biggest threats to U.S. competitiveness, costing us millions of jobs. I supported amendments which would strengthen our negotiating position relating to currency, and I will continue to fight for policies which put U.S. exporters and workers on an even playing field.

Any trade package must also include strong enforcement provisions and assistance for workers whose jobs are impacted by trade. That is why I insisted the Senate vote on a Customs and enforcement bill as a condition for my support for moving TPA forward. This TPA bill also includes an important extension of trade adjustment assistance to make sure those negatively affected by new trade agreements receive the education and training they need to get new jobs and support their families.

Additionally, I received a commitment from the U.S. Trade Representative that he will continue working to improve the integrity of the investor-state dispute settlement system. I will continue to work to ensure this process does not put foreign companies at an advantage over our American industries or threaten the sovereignty of our States.

I also fought for and secured a path forward for voting for the Export-Import Bank in June, before the bank's charter expires, as part of my negotiations on TPA. When we talk about the United States' trade policy, we cannot leave out important tools which help our small businesses export and thrive. That includes reauthorizing the Export-Import Bank.

Today's vote is just the beginning of our work to open markets for our farmers, ranchers and workers. We live in a global economy. We can compete on a global playing field while also making sure we focus on building and supporting American jobs and businesses. I will continue to fight for North Dakota as we negotiate the Trans-Pacific Partnership Agreement and Transatlantic Trade and Investment Partnership to ensure that we not only have free trade, but fair trade.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MORAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

ACCESS TO COMMUNITY CARE FOR VETERANS ACT OF 2015

Mr. MORAN. Mr. President, I wish to bring S. 1463 to the attention of my colleagues.

The topic of the bill is one my colleagues have heard me speak about numerous times before in the Veterans' Affairs Committee, where I am a member. Just yesterday, I addressed this topic in the appropriations subcommittee markup of veterans and military construction, where I am a member and have many times on the Senate floor. The issue is the Department of Veterans Affairs and its interpretation of the CHOICE Act.

My colleagues will remember we passed the CHOICE Act back in August of last year. The important provision for today's conversation is what that law says, which is, if a veteran lives more than 40 miles from a VA facility, the Department of Veterans Affairs must provide services, if the veteran chooses, at a location in his or her home community.

Unfortunately, the Department of Veterans Affairs has interpreted it in a way that eliminates the opportunity for a veteran who happens to live within 40 miles of a facility from accessing that care, even though that facility doesn't provide the service the veteran needs.

S. 1463 corrects that problem. It indicates that the 40-mile rule applies only in the circumstance where a veterans facility provides the service the veteran needs. The Senate has previously voted on this provision. In fact, in our budget, it was adopted 100 to 0 on a rollcall vote.

I think what I am presenting is something that is very noncontroversial. There is no fiscal consequence to the current spending. This is money that was appropriated in the CHOICE Act and should be something that can pass on a unanimous consent request, which I will make momentarily.

The question may be why are you doing this? It is because it is important and needs to be corrected quickly. This bill, if adopted today by unanimous consent, will go to the House of Representatives where it can be considered.

I also hope what happens here is that the Department of Veterans Affairs, which I believe can correct this problem on its own volition, will do so, and when they see the Senate pass this legislation, hopefully by unanimous consent, they will respond and solve this problem immediately.

There is no reason this can't be done by the Department, and I will outline the explanation of why that is true by reading the CHOICE Act and by the report that confirms our position.

Before I ask unanimous consent, I also wish to thank a number of my colleagues, but in particular I thank the chairman of the Veterans' Affairs Committee, who has worked side by side with me to make certain this legislation ultimately becomes law. In fact, the chairman and the ranking member, the Senator from Connecticut, Mr. BLUMENTHAL, have committed to me that on every occasion, should the House not pass this bill—I will say it this way: Three options can occur. If we pass this by unanimous consent today, the House picks it up, passes it, sends it to the President, the President signs it, and that would be a great outcome. Secondly, we pass this bill, the Department of Veterans Affairs realizes they can do this on their own, and that would be a great outcome. Thirdly, if neither one of those things happens, the chairman has committed to me that he will work side by side with all of us on the Committee on Veterans' Affairs and with other Senators to make sure, at every opportunity, the language included in this bill is included in every bill related to veterans affairs that is on its way to the White House. The chairman will work with me to make sure this language is enacted into law.

I ask, through the Chair, the Senator from Georgia, Mr. ISAKSON, if what I am indicating is accurate and have him explain his thoughts on this topic in the few moments we have.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Mr. President, responding through the Chair to the Senator from Kansas, his language is precisely the language that was introduced by the committee in the Senate, which we were going to send to the House, but it got lost in the negotiations on the extension of the authorization in the House. A technical difficulty is the only reason it wasn't already a part of it.

I wholeheartedly endorse everything the Senator from Kansas said and pledge to him that if for some reason the House does not adopt the language, we will take it up immediately in the Senate when we have our next markup meeting in the Veterans' Affairs Committee and take care of it.

I personally wish to acknowledge Senator BENNET and Senator GARDNER for all the work they have done. We went to Colorado together to visit the VA hospital, which is the genesis of where this motion comes from. They have been champions for this, and I am glad we are reaching a resolution in the motion that will be made shortly to adopt the House position on the authorization. We will see to it that the hospital in Denver remains open until we can solve the problems we have in the Denver hospital.

I thank the Senator from Kansas for his cooperation, and I commend him on his language. I confirm everything he said as being accurate, true, and correct.

Mr. MORAN. Mr. President, I thank the chairman and very much appreciate his commitment to veterans. This is not about a specific piece of legislation, it is about keeping our commitment to those who served our country, always, every day but especially in advance of Memorial Day.

Therefore, Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 1463, introduced earlier today.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1463) to amend the Veterans Access, Choice, and Accountability Act of 2014 to modify the distance requirement for expanded availability of hospital care and medical services for veterans through the use of agreements with non-Department of Veterans Affairs entities.

There being no objection, the Senate proceeded to consider the bill.

Mr. MORAN. Mr. President, I ask unanimous consent that the bill be read a third time and passed, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The bill (S. 1463) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1463

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Access to Community Care for Veterans Act of 2015''.

SEC. 2. MODIFICATION OF DISTANCE REQUIREMENT FOR EXPANDED AVAILABILITY OF HOSPITAL CARE AND MEDICAL SERVICES FOR VETERANS THROUGH THE USE OF AGREEMENTS WITH NON-DEPARTMENT OF VETERANS AFFAIRS ENTITIES.

(a) IN GENERAL.—Subparagraph (B) of section 101(b)(2) of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) is amended to read as follows:

''(B) resides more than 40 miles (calculated based on distance traveled) from a medical facility of the Department, including a community-based outpatient clinic, that is the closest such medical facility to the residence of the veteran that is able to provide to the veteran the hospital care or medical services that the veteran needs;''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date that is 60 days after the date of the enactment of this Act and shall apply with respect to care and services provided under section 101 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) on and after such effective date.

(c) EMERGENCY DESIGNATIONS.—

(1) IN GENERAL.—The amendment made by subsection (a) is designated as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(g)).

(2) DESIGNATION IN SENATE.—In the Senate, the amendment made by subsection (a) is designated as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

Mr. MORAN. Mr. President, I yield the floor to the Senator from Colorado.

The PRESIDING OFFICER. The Senator from Colorado.

CONSTRUCTION AUTHORIZATION AND CHOICE IMPROVEMENT ACT

Mr. BENNET. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 2496, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 2496) to extend the authorization for the replacement of the existing Department of Veterans Affairs Medical Center in Denver, Colorado, to make certain improvements in the Veterans Access, Choice, and Accountability Act of 2014, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. BENNET. Mr. President, I ask unanimous consent that the bill be read a third time.

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

The bill was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. Is there further debate on the measure?

If not, the bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 2496) was passed.

Mr. BENNET. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table, and any statements relating to the bill be printed in the RECORD.

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

Mr. BENNET. Mr. President, I want to take this opportunity to thank my colleagues for lifting the authorization cap to allow construction to continue on the VA hospital in Aurora, CO. This project has been an absolutely shameful display of mismanagement from the very beginning. And the Colorado delegation has been screaming from the hilltops about a flawed strategy on the part of the VA for years now. But with the right accountability and transparency reforms, we have all concluded that the right thing to do is to move forward and complete this facility. And today, we have acknowledged that the worst possible thing we could do is to stop work on the construction site again. Doing so would add hundreds of millions of dollars in extra costs to the project and would be a grave disservice to veterans throughout Colorado. This is an important step, but we have a long way to go.

The VA and Congress are going to have to work together to get this project back on track. And finding the money to do this will be painful, which is why we need to ensure strong accountability and that we protect critical programs and services for our veterans. Failing to complete this hospital, though, simply is not an option.

Having a half-finished hospital in Colorado would be a national disgrace. And the hundreds of thousands of veterans across the Rocky Mountain region that this hospital would service deserve better.

I especially want to thank Chairman ISAKSON and Ranking Member BLUMENTHAL for their work on this project and for their commitment to finishing the hospital. And, I want to thank my colleague Senator GARDNER for his work—especially in the last hours—to avoid a shut down.

Mr. President, before I turn this over to my colleague from Colorado, I thank Chairman ISAKSON for his extraordinary leadership in getting this done. It was very difficult to do.

Senator ISAKSON and Senator BLUMENTHAL came to Colorado. They are both men of their word, and I have never doubted that for an instant. The chairman has set an incredible example for this body.

I also thank the Senator from Kansas for his work on this legislation.

My colleague, Senator GARDNER, from Colorado, has been a true champion for our veterans. He has helped us keep our delegation together as we have gone through a rough patch here and, through the Chair, I thank him for his leadership.

I yield the floor to my colleague from Colorado.

Mr. GARDNER. Mr. President, I reiterate the thanks my colleague from Colorado has given to Chairman ISAKSON of the Veterans' Affairs Committee as well as to the Senator from Kansas who worked closely with us to make sure we could all get behind two measures we support, both of which would provide greater care and support for our veterans.

To my colleague Senator BENNET from Colorado, through the Chair, I thank him for the work we have been able to do. This has been a tireless effort in the hours leading up to Memorial Day to make sure we provide the resources necessary to continue a hospital project in Denver that has been, no doubt, beleaguered by problems, but something we must fulfill and must continue to fulfill to complete the project, to get this thing built, and to make sure it does not result in even higher costs than it has already undertaken.

This is an effort that is going to take continued cooperation, not only by the Colorado delegation but by the Veterans' Administration itself. Over the next 3 weeks, we have been given a reprieve to make sure we can find the policies and a viable path forward to get this job done that results in a hospital that will complete and fulfill the promises we made to the veterans in Colorado.

Through the Chair, I say to my colleague Senator BENNET great thanks for his leadership on all accounts, and I thank Chairman ISAKSON on behalf of veterans across Colorado for his leadership and work in making this happen.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I thank all of my colleagues for the progress we have been making on a very bipartisan basis.

I particularly wish to thank the chairman of the Veterans' Affairs Committee for working so diligently on an immediate and temporary solution to advance the Aurora project and enable us to keep it going. Our visit out there illustrated to us the importance of this project which my two colleagues and friends from Colorado have described so well and eloquently.

I thank my friend from the great State of Kansas. He and I have worked to make sure veterans are really served by the CHOICE program, along with the chairman, who has understood and enabled us to work together on a bill which will be passed by unanimous consent, I hope, and will be passed by the House of Representatives, I hope, by unanimous consent. But if not, as I have committed to him, I will continue to work to make sure the 40-mile rule and choice mean veterans are served by a facility that can give them the care they need and deserve. Our heroes ought not to have to travel great distances or wait an inordinate amount of time to receive medical care that is so vital and so well deserved by them. They have earned it, and they ought to have it.

I thank my colleagues for working so well and diligently on this effort.

I yield the floor.

ENSURING TAX EXEMPT ORGANIZATIONS THE RIGHT TO APPEAL ACT—Continued

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I ask unanimous consent to have printed in the RECORD a letter from Judge Stephen Schwebel, who is both a dispute arbitrator and president of the International Court of Justice. This letter provides a useful perspective on the investment matters that have been discussed this week.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MAY 5, 2015.

Senator RON WYDEN,
Senate Finance Committee, Dirksen Senate Office Building, Washington, DC.

DEAR SENATOR WYDEN: I have been asked to comment on statements that have recently been circulated that oppose inclusion in the projected Trans-Pacific Partnership (TPP) of provision for investor-State dispute settlement (ISDS). Please permit me to note that I addressed criticism of ISDS a year ago at some length in a speech to the Congress of the International Council for Commercial Arbitration. A copy of that speech is attached. I believe that it is of current pertinence.

For my part, as a former Judge and President of the International Court of Justice, with experience going back to 1954 in international arbitration between States, between corporations and States, and in international commercial arbitration, I remain convinced that investor-State dispute settlement is a progressive development in international law and relations that should be preserved and nurtured. It should certainly be included in the TPP and in the comparable transatlantic treaty under negotiation as it has been in more than 3000 bilateral investment treaties, and in important multilateral treaties, notably NAFTA and the Energy Charter Treaty.

A letter of April 30, 2015 written to leaders of the Senate and House by five distinguished professors of law and economics and a former Circuit Court Judge criticizes 1SDS because it allows foreign investors to avoid U.S. courts by resorting to arbitral tribunals. The letter fails to take account of the fundamental fact that treaties are reciprocal. If the United States seeks to have disputes that arise between American investors and foreign governments not resolved by foreign courts, some of which may be less than objective in their treatment of foreign investors; if the United States seeks to substitute the rule of law for its exercise of diplomatic protection which if and when episodically extended is often ineffective; if the United States seeks to avoid the gunboat diplomacy of earlier era, then it must be ready to extend to foreign investors investing in the United States the option of recourse to international arbitration which their governments reciprocally extend to U.S. investors. It is of course true that U.S. courts generally have high standards in their treatment of foreign parties. It is also true that the substantive provisions of treaties providing for investor/State arbitration are consistent with U.S. Constitutional guarantees. In point of fact, few arbitral cases have been filed against the United States in ISDS proceedings and so far the United States has won them all.

A report of the Transnational Institute of 2012 charges that a small group of arbitrators has decided a majority of investor/State disputes, that this group is ''riven with conflicts'', and that they exhibit a ''strong market orientation''. An example cited is that of Marc Lalonde ''who has served on the board for energy and mining company Sherritt International'' while energy and mining cases ''account for half of the 30 cases in which he has served as arbitrator''. But in fact Mr. Lalonde earlier was a very senior official of the Government of Canada for some 20 years, serving as a Minister of the Crown—a cabinet officer, in American parlance—for Health and Welfare, Status of Women, Federal-Provincial Relations, Justice, Energy, Mines and Resources, and Finance. By parity of reasoning, he should exhibit not a strong market orientation but a strong pro-State orientation. In point of fact, Mr. Lalonde exhibits an impartial orientation and has the confidence of both governments and investors, as his colleagues in the field do as well. If they did not, the system of investor/State arbitration would not have flourished as it has.

Charges by groups and individuals that the ISDS process manifests ''a serious pro-company tilt'' are contrary to fact. Of 144 publically available arbitral awards, as of January 2012, where arbitrators resolved a dispute arising under a treaty, States won 87 cases, and investors won 57. ICSID statistics show that of its disputes decided in 2013, jurisdiction was declined in 31%, the award dismissed all claims in 32%, and an award upholding claims in part or in fill issued in 37%. These figures in the large hardly support the allegation of a bias against States. If investment arbitrators were truly influenced by the prospects of remuneration for extended proceedings and for further appointments, why would they terminate so

many arbitral proceedings at the jurisdictional stage? Moreover, the large majority of international arbitral awards are unanimous, a fact that suggests that arbitrators are not unduly responsive to the interests of the party that appointed them.

In short, the integrity of ISDS is demonstrably high.

Your sincerely,

STEPHEN M. SCHWEBEL.

Mr. WYDEN. Mr. President, I am going to be brief because I know Chairman HATCH and I are going to be propounding some unanimous consent requests here in a moment.

On this currency issue, I want it understood that this is a serious, serious issue, and it is absolutely essential that our trade laws include tough enforceable currency rules and that we put in place those rules without doing damage to American monetary policy or to our ability to tackle the big economic challenges in the days ahead.

The Senate has a choice between the amendment offered by Senator HATCH and me and the amendment offered by Senator PORTMAN and Senator STABENOW. My view is this. The Portman amendment could outsource the question of the Federal Reserve's intent and decisionmaking to the whims of an international tribunal. This could take tools out of the economic toolbox that we could need—need greatly—during a potential financial crisis. We hope it will never happen, but the bottom line is the Congress must not set up the possibility of collateral damage for the Fed and our dollar.

The right solution, which Chairman HATCH and I have worked to offer as an alternative, will make sure that America gets the upside of cracking down on currency manipulators and avoids the downside of limiting the Federal Reserve's toolkit of monetary policy. Our view is that we strike the right balance. We make sure that we are going to have the widest array of effective tools available, including strong, enforceable rules. I think we ought to take that route. The alternative could subject our country to disputes over our own monetary policies. That means, as I indicated, that the alternative—the Portman-Stabenow amendment—would, in effect, outsource questions of the Federal Reserve's intent to the whims of an international tribunal.

Now, the Portman amendment tries to carve out domestic monetary policy. It sure sounds like a good idea. But when we have opened ourselves up to attack over our policies, other countries will not have to take our word that our policies are on the up and up. Even with that carve-out, other countries can still come after us.

For example, many countries argued that our quantitative easing policy unfairly devalued the dollar. They were dead wrong on that. But the Senate shouldn't do anything that could strengthen the hand of those countries that want to attack our monetary policies.

Now that Chairman HATCH is here, I wish to propound a unanimous consent request.

Over the past few days, Chairman HATCH and I have been working in a bipartisan and cooperative fashion to come up with a balanced package of amendments that can be voted on. I very much appreciate the work of the chairman and his bipartisan leadership and particularly of my northwest colleague, Senator MURRAY. It appears regrettable that we have come up short, but for the benefit of colleagues, I wish to propound a unanimous consent request that would be acceptable to our side. These are amendments that I believe are important for the Senate to consider as part of this debate.

I ask unanimous consent that it be in order for the following first-degree amendments to the Hatch substitute be made pending during today's session of the Senate and that no other first-degree amendments be in order:

Cruz-Grassley No. 1384 on immigration; Menendez No. 1430 on trafficking; Sullivan No. 1246 on fish and shellfish; Warren No. 1328 on financial services; Daines No. 1418 on Indian tribes; Donnelly No. 1406 on training programs; Sessions No. 1233 on congressional approval; Boxer No. 1371 on minimum wage; Paul No. 1383 on bonuses for cost cutters; Manchin No. 1413 on State effects; Paul No. 1408 on auditing the Fed; Cardin No. 1230 on human rights; Brown-Portman No. 1252 on leveling playing field; Whitehouse No. 1387 on unregulated fishing; Markey No. 1308 on clean air and water; Merkley No. 1404 on food information; Casey-Murphy No. 1436 on Buy American; Baldwin No. 1317 on trade remedy; Bennet No. 1309 on poverty/hunger;

Further, that the time until 5 p.m. today be equally divided in the usual form; that at 5 p.m. today the Senate vote in relation to the following amendments in the order listed: Hatch-Wyden No. 1411 on currency; Portman-Stabenow No. 1299 on currency; Warren No. 1327 on ISDS; Flake No. 1243 on striking TAA; Brown No. 1251 on China docking; Cruz-Grassley No. 1384 on immigration; Menendez No. 1430 on trafficking; Sullivan No. 1246 on fish and shellfish; Warren No. 1328 on financial services; Daines No. 1418 on Indian tribes; Donnelly No. 1406 on training programs; Boxer No. 1371 on minimum wage; Manchin No. 1413 on State effects; Cardin No. 1230 on human rights; Brown-Portman No. 1252 on level playing field; Whitehouse No. 1387 on unregulated fishing; Markey No. 1308 on clean air and water; Merkley No. 1404 on food information; Casey-Murphy No. 1436 on Buy American; Baldwin No. 1317 on trade remedy; Bennet No. 1309 on poverty/hunger;

Further, that no second-degree amendments be in order to the amendments prior to the votes; that all after the Brown amendment No. 1251 be subject to a 60-affirmative-vote threshold for adoption; that upon disposition of the Bennet amendment No. 1309, all other pending amendments, including Sessions No. 1233, Paul No. 1383, Paul No. 1408, Inhofe No. 1312, McCain No. 1226, and Shaheen No. 1227, to the Hatch substitute be withdrawn; that all postcloture time be considered expired; and the Senate vote on the adoption of the Hatch substitute amendment, as amended; finally, if cloture is invoked on H.R. 1314, all postcloture time be yielded back, the bill, as amended, be read a third time, and the Senate vote on passage of the bill, as amended.

The PRESIDING OFFICER. Is there objection?

Mr. HATCH. Mr. President, on behalf of our side, I have to object.

The PRESIDING OFFICER. Objection is heard.

Mr. HATCH. Mr. President, I ask unanimous consent to set aside the pending amendments and call up the following amendments: Cruz No. 1384; Menendez No. 1430; and Brown-Portman No. 1252; further, that amendment No. 1252 not be subject to any points of order under rule XXII.

The PRESIDING OFFICER. Is there objection?

Mr. WYDEN. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. WYDEN. Mr. President, on my reservation, I don't have a problem with the Senate voting on the three amendments included in Chairman HATCH's request, but there are a number of other important amendments that are not included in that request that colleagues on my side feel very strongly about and want to have the Senate vote on. Because the chairman's request would not allow these important additional amendments to be considered, I must object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Utah.

Mr. HATCH. Mr. President, as everybody should know, both the distinguished Senator from Oregon and I have tried to work these amendments out, and we were unsuccessful. There were objections and, therefore, I apologize that we weren't able to do more. But cloture was invoked, and that is the rule, I guess.

AMENDMENT NO. 1411, AS MODIFIED

I wish to urge my colleagues to vote in favor of the Hatch-Wyden amendment No. 1411. If adopted, our amendment would strengthen the negotiating objective in the TPA bill relating to currency manipulation. Specifically, it would provide our country with a multitude of tools to address currency manipulation in the context of free-trade agreements, including enhanced transparency, disclosure, reporting, monitoring, and cooperative mechanisms, as well as enforceable rules.

As we all know, this amendment is filed as an alternative to the Portman-Stabenow currency amendment, and it is superior in a number of ways.

I know that many of my colleagues are sincerely concerned about currency manipulation and want to do something to address this issue. I share

those concerns, which is why Senator WYDEN and I introduced this alternative currency amendment that provides a more sensible approach—one that has been endorsed by leaders in the administration, the business community, and elsewhere.

Unlike the Portman-Stabenow amendment, the Hatch-Wyden amendment would not derail the TPP negotiations. Unlike Portman-Stabenow, the Hatch-Wyden amendment poses no threat to America's monetary independence. Unlike the Portman-Stabenow amendment, the Hatch-Wyden amendment would prevent future trade and currency wars. And unlike Portman-Stabenow, the Hatch-Wyden amendment would promote greater monitoring and transparency of our trading partners' currency practices and keep manipulation practices out of the shadows. And, probably most importantly, unlike Portman-Stabenow, the Hatch-Wyden amendment would not kill TPA.

The PRESIDING OFFICER. All time has expired.

Mr. HATCH. I ask unanimous consent for 1 more minute.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. HATCH. In fact, 30 seconds will be fine.

Indeed, of the two currency amendments that are now pending in the Senate, the Hatch-Wyden amendment is the only one that stands a chance of ever becoming law.

I urge my colleagues to support our amendment to allow us to more effectively address currency manipulation without killing the TPA bill.

With that, I yield the floor.

The PRESIDING OFFICER. All postcloture time has expired.

The question is on agreeing to amendment No. 1411, as modified, offered by the Senator from Utah, Mr. HATCH.

Mr. WYDEN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Wyoming (Mr. ENZI).

The PRESIDING OFFICER (Mr. BARRASSO). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 70, nays 29, as follows:

[Rollcall Vote No. 186 Leg.]

YEAS—70

Alexander	Cardin	Cotton
Ayotte	Carper	Crapo
Barrasso	Cassidy	Cruz
Bennet	Coats	Daines
Blumenthal	Cochran	Donnelly
Booker	Collins	Durbin
Boozman	Coons	Ernst
Cantwell	Corker	Feinstein
Capito	Cornyn	Fischer
Flake	Lee	Rubio
Gardner	Manchin	Sasse
Grassley	McCain	Scott
Hatch	McCaskill	Shaheen
Heitkamp	McConnell	Sullivan
Heller	Mikulski	Tester
Hoeven	Moran	Thune
Inhofe	Murkowski	Tillis
Isakson	Murray	Toomey
Johnson	Nelson	Vitter
Kaine	Paul	Warner
Kirk	Perdue	Wicker
Klobuchar	Risch	Wyden
Lankford	Roberts	
Leahy	Rounds	

NAYS—29

Baldwin	Hirono	Sanders
Blunt	King	Schatz
Boxer	Markey	Schumer
Brown	Menendez	Sessions
Burr	Merkley	Shelby
Casey	Murphy	Stabenow
Franken	Peters	Udall
Gillibrand	Portman	Warren
Graham	Reed	Whitehouse
Heinrich	Reid	

NOT VOTING—1

Enzi

The amendment (No. 1411), as modified, was agreed to.

AMENDMENT NO. 1299

The PRESIDING OFFICER. The question now occurs on amendment No. 1299, offered by the Senator from Michigan, Ms. STABENOW, for herself and Mr. PORTMAN.

The Senator from Ohio.

Mr. PORTMAN. Mr. President, I ask unanimous consent to address just for 1 minute, equally divided between Senator STABENOW and myself, this amendment.

The PRESIDING OFFICER. Is there objection?

Mr. HATCH. Mr. President, reserving the right to object—and I am not going to object—I think the Senator deserves a minute, but I would ask that I be given a minute after he finishes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Ohio.

Mr. PORTMAN. Mr. President, we just adopted an amendment that puts this Senate squarely in opposition to currency manipulation. Now the question is whether we have the courage of our convictions. The only difference between the amendment we just voted and the one we are about to vote on is whether we actually have enforcement as part of that.

I want you to be able to tell your workers that you not only disagree with currency manipulation but you want to be able to do something about it.

I yield for my colleague.

Ms. STABENOW. Mr. President, you have just heard a former U.S. Trade Representative who has led negotiations, a Senator who supports fast-track, tell you that this is a reasonable policy to include in TPA. Sixty Members signed a letter a year ago to the President of the United States saying any new trade agreement must include enforceable currency provisions.

This amendment makes that letter mean something. Currency manipulation has cost us 5 million jobs and counting. Enough is enough. Please join us in supporting the amendment.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I rise in opposition to the Portman-Stabenow amendment No. 1299. This is important to me. There has been a lot of debate and discussion on this amendment. Currency manipulation is a complex issue. But the fact is the vote on this amendment is not complex at all. A vote for the Portman-Stabenow amendment is a vote to kill TPA. We know that. The administration has made it abundantly clear that President Obama will veto any TPA bill that contains this amendment.

A vote for the Portman-Stabenow amendment is also a vote to kill TPP. We know that as well. Many of our negotiating partners have already indicated that they will not agree to standards required by this amendment.

The President of the United States opposes this amendment. The Secretary of the Treasury opposes this amendment. The Secretary of Agriculture opposes this amendment. All living former Treasury Secretaries, Republicans and Democrats alike, oppose the approach taken by this amendment.

All I can say is, that being the case, I urge my colleagues to vote no on the Portman-Stabenow amendment.

Mr. MCCONNELL. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to amendment No. 1299.

The clerk will call the roll.

The bill clerk called the roll.

Mr. Cornyn. The following Senator is necessarily absent: the Senator from Wyoming (Mr. ENZI).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 48, nays 51, as follows:

[Rollcall Vote No. 187 Leg.]

YEAS—48

Ayotte	Gillibrand	Murphy
Baldwin	Graham	Peters
Blumenthal	Grassley	Portman
Blunt	Heinrich	Reed
Booker	Heitkamp	Reid
Boxer	Hirono	Sanders
Brown	King	Schatz
Burr	Klobuchar	Schumer
Capito	Leahy	Sessions
Cardin	Manchin	Shaheen
Casey	Markey	Shelby
Collins	McCaskill	Stabenow
Donnelly	Menendez	Tester
Durbin	Merkley	Udall
Ernst	Mikulski	Warren
Franken	Moran	Whitehouse

NAYS—51

Alexander	Corker	Hatch
Barrasso	Cornyn	Heller
Bennet	Cotton	Hoeven
Boozman	Crapo	Inhofe
Cantwell	Cruz	Isakson
Carper	Daines	Johnson
Cassidy	Feinstein	Kaine
Coats	Fischer	Kirk
Cochran	Flake	Lankford
Coons	Gardner	Lee

McCain	Risch	Thune
McConnell	Roberts	Tillis
Murkowski	Rounds	Toomey
Murray	Rubio	Vitter
Nelson	Sasse	Warner
Paul	Scott	Wicker
Perdue	Sullivan	Wyden

NOT VOTING—1

Enzi

The amendment (No. 1299) was rejected.

AMENDMENT NO. 1327

The PRESIDING OFFICER. The question now occurs on amendment No. 1327, offered on behalf of the Senator from Massachusetts, Ms. WARREN.

The Senator from Massachusetts.

Ms. WARREN. Mr. President, I ask unanimous consent to be heard for 2 minutes on this amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. WYDEN. Mr. President, I ask unanimous consent to also be heard for 2 minutes in opposition.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Massachusetts.

Ms. WARREN. Mr. President, together with Senator HEITKAMP, Senator MANCHIN, and a dozen other Senators, I propose a simple change to the fast-track bill. This amendment protects America's sovereignty and the rule of law by turning off fast-track for trade agreements that include investor-state dispute resolution—ISDS. This is not a partisan issue. Experts on the left and the right agree that ISDS is a real threat. According to the director of trade policy at the Cato Institute, purging both the TPP and the TTIP of ISDS makes sense economically and politically. In a recent letter, more than 100 law professors wrote that ISDS threatens domestic sovereignty and weakens the rule of law. A provision to give corporations special rights to challenge our laws outside of our legal system should not be part of our free-trade agreements.

I urge my colleagues to support this amendment.

I yield to Senator HEITKAMP.

Ms. HEITKAMP. Mr. President, I would like to take just a few minutes to say I want everyone to remember the day you voted on this amendment because in 10 years, when you look back and you see the mischief that will be created with ISDS without controls and without a broader framework for investor-state dispute settlements, you will be questioning why you did not support this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Colleagues, for three decades, our country has never lost an investor dispute case and never paid one dime in penalties. Let me repeat that. We have never lost an investor dispute case and have never paid a dime in penalties. Here is our record: 17 cases, 17 victories.

These provisions are about raising the world to our economy's level of safety for investment. Without these protections, our small businesses with investments abroad will have nowhere to turn if a corrupt government steals a factory or a crooked judge targets them unfairly.

Each of our States has businesses that started in a garage, grew up, and looked abroad for new chances to expand. Let's make the world safer for the American brand.

I urge rejection of this amendment.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 1327, offered by the Senator from Massachusetts, Ms. WARREN.

Mr. CARDIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Wyoming (Mr. ENZI).

The PRESIDING OFFICER (Mr. COTTON). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 39, nays 60, as follows:

[Rollcall Vote No. 188 Leg.]

YEAS—39

Baldwin	Heinrich	Paul
Bennet	Heitkamp	Peters
Blumenthal	Hirono	Reed
Booker	King	Reid
Boxer	Klobuchar	Sanders
Brown	Leahy	Schatz
Cantwell	Manchin	Schumer
Cardin	Markey	Shaheen
Casey	Menendez	Stabenow
Donnelly	Merkley	Tester
Durbin	Mikulski	Udall
Franken	Murphy	Warren
Gillibrand	Murray	Whitehouse

NAYS—60

Alexander	Feinstein	Murkowski
Ayotte	Fischer	Nelson
Barrasso	Flake	Perdue
Blunt	Gardner	Portman
Boozman	Graham	Risch
Burr	Grassley	Roberts
Capito	Hatch	Rounds
Carper	Heller	Rubio
Cassidy	Hoeven	Sasse
Coats	Inhofe	Scott
Cochran	Isakson	Sessions
Collins	Johnson	Shelby
Coons	Kaine	Sullivan
Corker	Kirk	Thune
Cornyn	Lankford	Tillis
Cotton	Lee	Toomey
Crapo	McCain	Vitter
Cruz	McCaskill	Warner
Daines	McConnell	Wicker
Ernst	Moran	Wyden

NOT VOTING—1

Enzi

The amendment (No. 1327) was rejected.

The PRESIDING OFFICER. The Senator from Utah.

AMENDMENT NO. 1227

Mr. HATCH. Mr. President, I raise a point of order against the Shaheen amendment No. 1227, as it is not germane to the substitute amendment.

I also ask unanimous consent that the votes in this series be 10 minutes in length and that there be 2 minutes equally divided prior to each vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. HATCH. I thank the Chair.

Mrs. SHAHEEN. Mr. President, I ask unanimous consent to speak for 1 minute on my small business amendment.

The PRESIDING OFFICER. The Senator is recognized.

Mrs. SHAHEEN. Mr. President, I understand it is not germane, so we are not going to vote on it. But I think it is important, as we are thinking about trade, to keep in mind that 40 percent of large corporations are able to trade internationally, but among small and medium-sized businesses, it is only 1 percent. Yet, 95 percent of markets are outside of the United States. What this amendment would do is it would allow small businesses to be able to get access to those international markets because it would provide help for them in exporting.

This is a program we passed with the Small Business Jobs Act. It worked very well. We need do this.

There is no score to this amendment. The CBO said there is no cost, and this is something we can do. We can help our small businesses, where two-thirds of jobs are being created. I hope that my colleagues will consider this in the future and that we can get this passed.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I thank the distinguished Senator. We intend to work with her and see what we can do. I want to put that in the RECORD.

The PRESIDING OFFICER. The Chair sustains the point of order, and the amendment falls.

AMENDMENT NO. 1251

The PRESIDING OFFICER. The question now occurs on amendment No. 1251, offered by the Senator from Ohio, Mr. BROWN.

There is 2 minutes equally divided.

The Senator from Ohio.

Mr. BROWN. Mr. President, before President Obama or President Hillary Clinton or President LINDSEY GRAHAM decides that China should be admitted to the Trans-Pacific Partnership, this amendment ensures that Congress play a role in that decision. A vote for this amendment is not a poison pill. It does not kill TPP or TPA. This amendment simply spells out a process for future countries to join the Trans-Pacific Partnership. It would require the President to notify Congress of intent to enter into negotiations, and it would require certification from Senate Finance and House Ways and Means and final approval by a vote of both Houses of Congress.

It is pretty simple. Before the world's second largest economy—the People's Republic of China—becomes part of TPP, there should be vigorous public debate and there should be congressional approval.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I rise in opposition to the Brown amendment,

No. 1251. I agree that it would not be advantageous for the United States to become part of a trade agreement that includes China—or any other country, for that matter—without adequate oversight and approval by Congress. However, all of our existing trade agreements require congressional approval before new parties can be added after the agreement is signed. It is also required under our TPA bill.

The very possibility of a trade agreement with the United States is a powerful incentive we can use to encourage other countries to raise their standards and institute reforms in order to meet the objectives of existing agreements. If we require a separate congressional vote before our negotiators can even talk to new countries, we will be giving up one of our best tools that we can use to spur reform and advance our country's values abroad.

I urge my colleagues to vote against the Brown amendment.

I yield the floor.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Wyoming (Mr. ENZI).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 47, nays 52, as follows:

[Rollcall Vote No. 189 Leg.]

YEAS—47

Ayotte	Grassley	Portman
Baldwin	Heinrich	Reed
Bennet	Hirono	Reid
Blumenthal	Kaine	Sanders
Booker	King	Schatz
Boxer	Klobuchar	Schumer
Brown	Leahy	Sessions
Cardin	Manchin	Shaheen
Casey	Markey	Shelby
Collins	Menendez	Stabenow
Coons	Merkley	Tester
Donnelly	Mikulski	Udall
Durbin	Moran	Warner
Franken	Murphy	Warren
Gillibrand	Paul	Whitehouse
Graham	Peters	

NAYS—52

Alexander	Feinstein	Murray
Barrasso	Fischer	Nelson
Blunt	Flake	Perdue
Boozman	Gardner	Risch
Burr	Hatch	Roberts
Cantwell	Heitkamp	Rounds
Capito	Heller	Rubio
Carper	Hoeven	Sasse
Cassidy	Inhofe	Scott
Coats	Isakson	Sullivan
Cochran	Johnson	Thune
Corker	Kirk	Tillis
Cornyn	Lankford	Toomey
Cotton	Lee	Vitter
Crapo	McCain	Wicker
Cruz	McCaskill	Wyden
Daines	McConnell	
Ernst	Murkowski	

NOT VOTING—1

Enzi

The amendment (No. 1251) was rejected.

AMENDMENT NO. 1226

The PRESIDING OFFICER. The question now occurs on amendment No. 1226, offered on behalf of the Senator from Arizona, Mr. MCCAIN.

The Senator from Arizona.

Mr. MCCAIN. Mr. President, this amendment is to try to repeal one of the great ripoffs in the history of this body. We waste $15 million a year on a catfish inspection office which is not only duplicative but disgraceful. This is a classic example of protectionism and the kind of thing we are trying to avoid with a free-trade agreement. It is an outrage.

Nine times the Government Accountability Office has said this is a waste of millions of taxpayer dollars. It is outrageous, and I urge my colleagues to vote aye on the amendment, because it is an absolute outrage and disgrace.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I appreciate the distinguished Senator's amendment, but I have to raise a point of order against McCain amendment No. 1226, as it is not germane to the substitute amendment.

The PRESIDING OFFICER. The point of order is sustained, and the amendment falls.

AMENDMENT NO. 1312, AS MODIFIED

The PRESIDING OFFICER. The question now ocurs on amendment No. 1312, as modified, offered on behalf of the Senator from Oklahoma, Mr. INHOFE.

There is 2 minutes of debate.

The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I am afraid this may end up out of order. If we are going to pursue this further, it seems as though the forgotten continent has always been, in our experience, the African continent. So we are going to address equal trade with Africa, and that is the upcoming area on which we need to be concentrating. Ten years from now, we will look back and see that those were the real, live economies, and we have to quit ignoring them.

I withdraw the amendment.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, it is with regret that I raise a point of order against Inhofe amendment No. 1312, as it is not germane to the substitute amendment.

The PRESIDING OFFICER. The point of order is sustained, and the amendment falls.

AMENDMENT NO. 1243

The PRESIDING OFFICER. The question now occurs on amendment No. 1243, offered on behalf of the Senator from Arizona, Mr. FLAKE.

There is 2 minutes equally divided.

If no one yields time, time will be charged equally to both sides.

The Senator from Washington.

Ms. CANTWELL. Mr. President, speaking against the Flake amendment No. 1243, this amendment would strike the extension of the Trade Adjustment Assistance Act. I support trade, but I am not going to tie the hands of the American workers from getting retrained or small businesses from getting Ex-Im support or making sure that we have enough people to do enforcement. If we are going to have trade, we will also have to have the tools to do trade.

I urge my colleagues to defeat the Flake amendment and keep TAA.

Mr. WYDEN. Mr. President, this trade package is about bringing our policies into 2015. This amendment would throw us back into the 1950s.

President Kennedy, who first proposed TAA, called it a program to afford time for American initiative, American adaptability, and American resiliency to assert itself. To me, those sound like sound bipartisan priorities.

This package will expand TAA and help ensure workers are not knocked off stride in tough times. Let's not turn our backs on this country's workers. Let's not break the bipartisan compact this bill represents.

I strongly urge my colleagues to oppose the amendment.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Arizona.

Mr. FLAKE. Mr. President, I urge support for the amendment. Time and time again when we do TAA, along with TPA, we find GAO—or whoever studies it—finds that it is duplicative and wasteful. There are other Federal programs that do the same thing. And we find that people are claiming that because the stipulations are so loose, people in jobs that have nothing to do with trade or nothing to do with dislocations because of trade are actually claiming benefits because of it.

It is a large bill, and it is duplicative and wasteful, and we ought to get rid of it.

I yield back.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 1243.

Mr. FLAKE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. HATCH (when his name was called). Present.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Wyoming (Mr. ENZI).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 36, nays 62, as follows:

[Rollcall Vote No. 190 Leg.]

YEAS—36

Alexander	Crapo	Gardner
Barrasso	Cruz	Grassley
Boozman	Daines	Inhofe
Cassidy	Ernst	Isakson
Cornyn	Fischer	Johnson
Cotton	Flake	Lankford

Lee
McCain
McConnell
Moran
Paul
Perdue
Risch
Roberts
Rounds
Rubio
Sasse
Scott
Sessions
Shelby
Thune
Tillis
Vitter
Wicker

NAYS—62

Ayotte
Baldwin
Bennet
Blumenthal
Blunt
Booker
Boxer
Brown
Burr
Cantwell
Capito
Cardin
Carper
Casey
Coats
Cochran
Collins
Coons
Corker
Donnelly
Durbin
Feinstein
Franken
Gillibrand
Graham
Heinrich
Heitkamp
Heller
Hirono
Hoeven
Kaine
King
Kirk
Klobuchar
Leahy
Manchin
Markey
McCaskill
Menendez
Merkley
Mikulski
Murkowski
Murphy
Murray
Nelson
Peters
Portman
Reed
Reid
Sanders
Schatz
Schumer
Shaheen
Stabenow
Sullivan
Tester
Toomey
Udall
Warner
Warren
Whitehouse
Wyden

ANSWERED ''PRESENT''—1

Hatch

NOT VOTING—1

Enzi

The amendment (No. 1243) was rejected.

CHANGE OF VOTE

Mr. CORNYN. Mr. President, on rollcall vote No. 190, I voted nay and intended to vote yea. Since it will not change the outcome of the vote, I ask unanimous consent that I be recorded as voting yea.

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

AMENDMENT NO. 1221, AS AMENDED

The PRESIDING OFFICER. The question now occurs on amendment No. 1221, as amended, offered by the Senator from Utah, Mr. HATCH.

Under the previous order, there is 2 minutes of debate, equally divided.

Mr. BARRASSO. Mr. President, I yield back all time.

The PRESIDING OFFICER (Mr. ALEXANDER). Without objection, all time is yielded back.

The question is on agreeing to the amendment.

Mr. BARRASSO. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Wyoming (Mr. ENZI).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 62, nays 37, as follows:

[Rollcall Vote No. 191 Leg.]

YEAS—62

Alexander
Ayotte
Barrasso
Bennet
Blunt
Boozman
Burr
Cantwell
Capito
Cardin
Carper
Cassidy
Coats
Cochran
Coons
Corker
Cornyn
Cotton
Crapo
Cruz
Daines
Ernst
Feinstein
Fischer
Flake
Gardner
Graham
Grassley
Hatch
Heitkamp
Heller
Hoeven
Inhofe
Isakson
Johnson
Kaine
Kirk
Lankford
McCain
McCaskill
McConnell
Moran
Murkowski
Murray
Nelson
Perdue
Portman
Risch
Roberts
Rounds
Rubio
Sasse
Scott
Shaheen
Sullivan
Thune
Tillis
Toomey
Vitter
Warner
Wicker
Wyden

NAYS—37

Baldwin
Blumenthal
Booker
Boxer
Brown
Casey
Collins
Donnelly
Durbin
Franken
Gillibrand
Heinrich
Hirono
King
Klobuchar
Leahy
Lee
Manchin
Markey
Menendez
Merkley
Mikulski
Murphy
Paul
Peters
Reed
Reid
Sanders
Schatz
Schumer
Sessions
Shelby
Stabenow
Tester
Udall
Warren
Whitehouse

NOT VOTING—1

Enzi

The amendment (No. 1221), as amended, was agreed to.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I ask unanimous consent that the mandatory quorum call with respect to the cloture vote be waived.

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

Mr. HATCH. Mr. President, I don't want to take too much time, but I do just say in advance of this next vote that I am very appreciative of my colleagues who have worked with us to get to this point. This next vote is obviously a big one. I hope we can keep together. The bipartisan coalition of Senators who have helped get us this far has been important. I think we will once again.

I just want to reiterate that this is a good bipartisan bill, one that reflects the priorities of Senators from both parties and in both Chambers of Congress. This next vote will take us one step closer to allowing Congress to set the terms of our trade negotiations and giving our negotiators the tools they need to get the best deals possible. This bill will do a lot of good for the American economy, our workers, and our job creators looking to sell more of their products overseas.

But we are not there yet. We need to get past this next hurdle. I urge my colleagues to vote yes on cloture.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President and colleagues, the Senate now has an opportunity to throw the 1990s NAFTA play book into the dustbin of history and begin a new forward-thinking era in trade. This can be a momentous day for creating more economic opportunity for our people, transparency and sunshine and the forward march of American values.

The legislation can help us pry open the booming markets for our exports. It will strengthen the American brand in the fight against trade cheats and bad actors who block our way. It will raise the bar for worker rights, environmental safeguards, and human rights. It will help strip out the excessive secrecy that makes people skeptical about trade. Colleagues, in a sentence, this is how you begin to get trade done right.

I yield the floor and urge support for cloture.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on H.R. 1314, an act to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.

Mitch McConnell, John Cornyn, Orrin G. Hatch, Daniel Coats, John Boozman, Thom Tillis, Mike Rounds, Pat Roberts, Richard Burr, John Barrasso, Mike Crapo, Jeff Flake, Tom Cotton, Shelley Moore Capito, David Perdue, Chuck Grassley, Dan Sullivan.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on H.R. 1314, as amended, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Wyoming (Mr. ENZI).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 61, nays 38, as follows:

[Rollcall Vote No. 192 Leg.]

YEAS—61

Alexander
Ayotte
Barrasso
Bennet
Blunt
Boozman
Burr
Cantwell
Capito
Carper
Cassidy
Coats
Cochran
Coons
Corker
Cornyn
Cotton
Crapo
Cruz
Daines
Ernst
Feinstein
Fischer
Flake
Gardner
Graham
Grassley
Hatch
Heitkamp
Heller
Hoeven
Inhofe
Isakson
Johnson
Kaine
Kirk
Lankford
McCain
McCaskill
McConnell
Moran
Murkowski
Murray
Nelson
Perdue
Portman
Risch
Roberts
Rounds
Rubio
Sasse
Scott
Shaheen
Sullivan
Thune
Tillis
Toomey
Vitter
Warner
Wicker
Wyden

NAYS—38

Baldwin
Blumenthal
Booker
Boxer
Brown
Cardin
Casey
Collins
Donnelly
Durbin
Franken
Gillibrand
Heinrich
Hirono
King
Klobuchar
Leahy
Lee
Manchin
Markey
Menendez

Merkley
Mikulski
Murphy
Paul
Peters
Reed
Reid
Sanders
Schatz
Schumer
Sessions
Shelby
Stabenow
Tester
Udall
Warren
Whitehouse

NOT VOTING—1

Enzi

The PRESIDING OFFICER. On this vote, the yeas are 61, the nays are 38.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The Senator from Utah.

Mr. HATCH. Mr. President, soon the Senate will vote on final passage of the Bipartisan Congressional Trade Priorities Act of 2015. This is a historic piece of legislation that will renew trade promotion authority.

As I have already said here on the floor many times, this bill has been a long time coming. I personally have been focused on this for the last 4 years, but I know that for those whose lives and livelihoods revolve around American trade, the wait has been much longer.

This is an important bill, no doubt about it, and likely the most important bill we will pass this year. It is important to President Obama, and I know it is important to many of us here in this Chamber. It shows that when the President is right, we will support him.

From the beginning, TPA has been a bipartisan effort. Despite the difficulties we have faced here on the floor, I am glad it has remained that way throughout the process.

I am very appreciative of all those who have put in so much time and effort to get the bill to this point.

Going back to last year, I want to thank the former chairmen, Max Baucus and Dave Camp, who helped get the ball rolling on this TPA bill.

I would especially like to thank the staff, who put in a great deal of time on the initial draft of this legislation, including Amber Cottel, former staff director of the Senate Committee on Finance; Bruce Hirsh, former chief trade counsel; and international trade counsel Lisa Pearlman.

I want thank my colleagues on the Committee on Finance, whose input and support has been instrumental both in drafting and developing this legislation as well as helping it move forward. Most notably, I thank the ranking member on the Committee on Finance, the coauthor of this current legislation, Senator RON WYDEN. His commitment to his principles and constituents has been admirable. Although it has taken a lot of time for the two of us to get to this point, his efforts have undoubtedly improved the substance of the bill and helped broaden its support. I very much appreciate the efforts of Senator WYDEN in the drafting the bill and getting it through the committee and here on the floor.

There are other Senators who played key roles in getting us to where we are. I want to thank our distinguished majority leader and the majority whip. I also thank Senators CARPER and MURRAY.

Obviously, every Senator who has voted and worked to get us to this point deserves thanks. I will thank you all individually as the clerk calls the roll for this last vote.

Of course, I want to thank my staff on the Committee on Finance, who worked long hours for many months to get us here, and Senator WYDEN's staff as well. On the Republican side, I particularly want to thank Everett Eissenstat for leading the way, and his family, Janet, Alex, and Jacob Eissenstat, for lending him to us for so many hours. I want to thank the rest of the Republican trade staff: Shane Warren, Rebecca Eubank, Karen Rosenbaum, Sahra Su, Andrew Rollo, and Kenneth Schmidt. I also want to thank my senior team: Chris Campbell, Mark Prater, Jay Khosla, Jeff Wrase, and Bryan Hickman. And of course I need to thank our communications team: Julia Lawless, Aaron Forbes, Amelia Breinig, and Joshua Blume.

On the Democratic side of the committee staff, I want to thank Josh Sheinkman, Jocelyn Moore, Mike Evans, Jayme White, and Elissa Alben for all their hard work, and others as well who worked on that side.

I also thank the Senate Republican leadership staff, who put a lot of blood, sweat, and tears into this endeavor. From their staffs, I need to particularly thank Sharon Soderstrom, Hazen Marshall, Brendan Dunn, Terry Van Doren, Erica Suares, Antonio Ferrier, Russ Thomasson, and Johnny Slemrod. From the Republican cloakroom staff, I want to single out the efforts of Laura Dove, Robert Duncan and Megan Mercer.

Of course, we need to mention the efforts of our attorneys at the legislative counsel's office, particularly Margaret Roth Warren and Thomas Haywood, who did a lot of heavy lifting in putting together the bill and the amendments.

The Parliamentarian's office has been immensely helpful as well. From their staff, I would like to thank Elizabeth McDonough, Leigh Hildebrand, Thomas Cuffie, and Michael Beaver.

Throughout this process, we received assistance from the United States Trade Representative. I thank Ambassador Froman and his staff for all their assistance in this effort.

Really, the list of people I need to thank is too long to cover in a single floor speech. I just hope it is clear to everyone on both sides of the floor who worked on this bill just how appreciative I am.

As far as the Senate is concerned, we have one more vote to go on this bill, but that is not the end for the bill. I am committed to working with my colleagues in the House and with the administration to get this bill across the finish line. As I said earlier this week, for me, the work on TPA doesn't finish until we have a bill on the President's desk.

I look forward to continuing this particular effort and to working with my colleagues on whatever challenge comes next.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I will be brief.

It would be an understatement to say there have been strong differences of opinion here in this Chamber and in our country with respect to this legislation. I have said from the very beginning that opponents of this effort—trade promotion authority—have a number of very valid points.

There is no question in my mind, colleagues, that there has been way too much secrecy in the past, so Senator HATCH and I set out to make some very significant changes in that. Now, starting with the TPP but with all other agreements, the American people will have that agreement in their hands for close to 4 months before anybody votes here in the Senate or in the House on TPP or a trade agreement. I think that is a step toward a sunshine trade policy.

Second, I thought opponents were spot-on with respect to their comments that we needed a completely new regime with respect to enforcing our trade laws. Again and again the American people say: What are you talking about in terms of passing a new trade deal if you aren't doing a better job of enforcing the laws on the books? So we set about to put in place a tough enforce act to go after cheats. We had Senator BROWN's leveling the playing field, which I think is a very important piece of legislation, and an early warning system so that for the first time, rather than waiting until it is too late, businesses and labor unions and others would see what is coming. I think that is a significant step forward.

Many skeptics said there isn't an aggressive approach to protect labor and the environment. It essentially gets shunted to the side. Now we have enforceable standards in this area.

Because of the good work of Senator BEN CARDIN, for the first time, colleagues, human rights will be a significant factor in trade legislation.

Finally, we put in place a new process so that this body can put the brakes on a bad deal. We have always talked about fast-track because we want people to have an opportunity to consider a new agreement. We also ought to put the brakes on a bad deal.

I will close with this point: At the end of the day, colleagues, we have always known that one of the paths to more good-paying jobs in our country is exports. There are going to be 1 billion middle-class people—1 billion—in the developing world in 2025. These will be people with money, colleagues. They are going to buy our wine, our computers, our helicopters, our planes, and all kinds of goods and services with the American brand. They are going to buy

our products because they buy and use our products with great pride. We all ought to appreciate the opportunity for more exports.

I know there are strong differences of opinion on this legislation. I want it understood that we tried especially hard—and I appreciate the help of Chairman HATCH—to address as many of those concerns as we possibly could.

With that, I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. For the information of all Senators, we are using postcloture debate time now. No Senator has to speak if he or she chooses not to. Any Senator who speaks will be limited to 1 hour. So this can go on for as long as Senators want or for as short a time as Senators prefer, provided no one is seeking recognition. But if anyone does seek recognition, they are limited to 1 hour, at which point the Chair puts the question. So I can't tell you with specificity when the vote will occur, but it will occur when no one is seeking recognition.

Once this bill is concluded later this evening, under the regular order, the cloture motions on the two FISA bills will ripen an hour after we convene tomorrow, which could be as early as 1 a.m. tonight.

So just to reiterate, if no Senators are seeking recognition, we would move to a vote shortly. If any Senator seeks recognition, they are limited to 1 hour. At the end of that, if no other Senator is seeking recognition, we will put the question and start the vote.

So I know of no other debate on this bill.

The PRESIDING OFFICER. Is there further debate?

The Senator from Oregon.

Mr. MERKLEY. Mr. President, I am seeking recognition.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. MERKLEY. Mr. President, I think it is important, at this point in time, for us to be reminded of the concerns of working people across our Nation.

This has been an intense debate, because so often, in the course of the trade agreements we have pursued, the balance on the other end has been simply that millions of jobs have left this Nation.

We have lost 5 million jobs and 50,000 factories. That is a tremendous loss for workers across the States seeking for the foundation of successful families because there is no government program that can compare to the value of a living-wage job.

What we have seen in the wake of NAFTA and the free-trade agreements that have followed is not only a tremendous loss of jobs but a tremendous increase in inequality in this Nation.

Now, we have heard the opinion of some that this is a completely different structure and that we should not be concerned about this being the result of this particular agreement, this particular set of standards, that are going to be brought back to us in the Trans-Pacific Partnership. I disagree, and I disagree deeply, and I am going to tell you why.

Let's start with the most fundamental issue on level playing field, which is wages that are roughly comparable.

The old agreements have no minimum wage. This agreement has no minimum wage. We are creating a structure of a group of seven very poor nations with very low wages, five affluent nations with higher wages. Think about the difference between running an operation in Vietnam or Malaysia or Mexico with a minimum wage of less than $2 per hour and in Vietnam a minimum wage of only about 60 to 70 cents, depending on what part of the country you are in.

Think of the difference between that and the minimum wage in the United States. It is a 10-to-1 differential. If you throw in the type of benefits and the labor standards and the environmental standards, it is a differential of probably at least 20 to 1. That is why we are losing jobs in manufacturing. Now, is there anything that puts a minimum wage into this agreement and addresses this key missing factor? There is not.

Then let's turn to the rest of the labor and the environmental objectives that are embedded. We have heard a lot that we are now going to have enforceable environmental standards and enforceable labor standards. But the fundamental structure disagreement is the same as agreements we have had before.

Now, I applaud my colleagues who are working to tighten the enforcement on cheating on tariffs. That is important. But those are not enforceable labor standards and those are not enforceable environmental standards.

Therefore, we can look back at the history of similar agreements and say: When did we ever bring any sort of action on environmental standards government-to-government?

The answer is: We have not.

When did we ever bring a complaint on labor standards?

The answer is: We have done it once. We did it in Guatemala. That was 7 years ago. We still don't have any resolution of that single complaint, that single challenge.

So in order to have something that was fundamentally different, we would have to have something like snapback tariffs—a situation where a country deeply violated its promises on labor standards, deeply violated its standards or promises on environmental standards, and that there be some sort of quick and certain reversal of the benefits of trade agreements, but there is nothing like that in this agreement. There is no change.

So here we are, repeating the same basic structure that has existed in the other agreements, with no changes for America and therefore no improvement for the workers of the United States of America.

Now, there are objectives that have been placed into fast-track, but those objectives require an agreement to come back with areas to be addressed, such as human rights and so forth that have been much vaunted. Those are objectives. Those are not standards.

If we were serious about saying what an agreement had to have in it to come and get the privileges of fast-track, we would have converted those objectives into standards. That was one of the amendments that we never debated on the floor of the Senate, so we never wrestled with this deep deficiency.

Then, of course, we have the investor-state dispute settlement portion of this, and we have been affirmed here that we normally win when we are challenged. And that is correct—we have mostly won when we are challenged. We have won because we have out-lawyered the other side because, in general, we don't expropriate. But we have not won under all the trade agreements.

We lost a case on tuna that was dolphin-free or dolphin-friendly tuna labels. Why did we lose it? Because under the WTO, Mexico challenged it. Under WTO, they challenged it and said: This discriminates against the way we fish, and we lost. We lost on turtles. We lost on cotton.

What happened last week? Well, we lost on the labeling of food grown in the United States of America. The WTO said we cannot label our beef as USA made or raised or born or harvested.

I tell you this. I want to live in a country where, if our legislators, at the local level, at the State level, at the Federal level, want to pass a law that informs every citizen about where food is grown because the citizens want to know, it should be possible to do so.

We should not give away our sovereignty to international panels that can make decisions that wipe out our consumer laws or our environmental laws—and there was a proposal to make sure we did not end up with that in this agreement, and it was defeated.

So we still have this substantial risk of losing future cases, just as we lost on dolphins, just as we lost on turtles, and just as we lost last week on the labeling of food in the United States of America.

This particular issue of labeling our food goes to the heart of who we are—free people who want to make decisions for the health and safety of our families. The way we do that is when we buy things, we find out information, and that information has to be on the label.

I was reading here earlier an article about how shrimp is raised in Vietnam. It is farmed in pools, and it doesn't meet any of the standards we would like, so they get artificial documentation and it is shipped at high volumes into the United States. Consumer Reports came out with a report recently,

and they said: Don't buy shrimp unless it is produced in the United States, particularly don't buy it if it comes from Vietnam.

There is another example of why we should, if we want to be able to, have labels on our food that say ''Made in America'' or ''Made in Vietnam.'' Consumers should have a choice, so they can see Consumer Reports and find out that shrimp is full of deadly bacteria, when they receive Consumer Reports, and find out that shrimp is full of antibiotics that are put in because of deadly bacteria, and they don't want their children exposed to those bacteria. If they don't want them exposed to bacteria, they should be able to make that decision, but we can't do that if we give away our sovereignty to international dispute resolution panels.

So there are a host of problems inherent in this trade agreement and in this fast-track that have not been resolved.

We have not addressed having a minimum wage and steadily over time reducing the disparity between the lowest paid countries and the highest paid countries so our workers will not be at this massive disadvantage.

We have not addressed the enforcement of labor provisions because we have not developed anything different from what we have done before, and we are unable to enforce them. We have only tried once, and we are still out after 7 years with Guatemala. We haven't even tried with the environmental side, it is so difficult.

We have left intact an international panel of corporate lawyers who on one issue can be the advocate, on the next can be the judge. It is full of conflict of interest. We haven't addressed that.

So here is the bottom line: Do we want to live in an America where the middle class is going to be wiped out because we have pulled out all the barriers between very low-wage countries, low-enforcement countries, low-labor-standard countries, low environmental standards, and our economy—which then creates tremendous pressure for our own wages and standards to diminish. Why does it create pressure? Because companies say: You know what. If you push for higher wages or better working conditions, we are going to move our factory overseas or they say: You know what. We already have a factory overseas. We are going to increase our production there and decrease our production here. That is the pressure here on wages and working conditions in the United States of America.

What about the people overseas? This agreement is designed so companies who are producing in China—which will not be part of the agreement at this point in time—can say: If you raise your wages and your working conditions, we will go to Malaysia, and if Malaysia raises theirs, we will go to Vietnam.

So it isn't good for the foreign workers any more than it is for the American workers.

There was an article yesterday in the Washington Post. The columnist or the op-ed writer said: It is basically like this. This agreement is, like previous agreements, very good for the investor class. Because if companies can produce things at the lowest possible cost, that will raise their stock prices.

However, he said, it is really bad for the working class because less and less will go to the workers under these types of competitive pressures between the United States or taking the work overseas or between one nation overseas and another nation overseas.

So I will conclude this simply by saying: This is why I voted against this fast-track, because this fast-track is deeply flawed. It does not address the fundamental issues that have been identified in previous agreements. Going down this track and bringing the Trans-Pacific Partnership to this Chamber, with no ability to mend it, no ability to extend debate because debate will be limited, no ability to hold it to the normal standards in the Senate in terms of closing the debate—because of all that, this is simply the wrong direction to go.

In this final effort, in this final set of time before we take the final vote, let's recognize it is important that we, as Senators representing the citizens of the United States, not simply fight for the investor class; let's fight to make work work for working Americans.

The PRESIDING OFFICER (Mrs. FISCHER). The Senator from Kentucky.

Mr. PAUL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. MCCONNELL. Madam President, I know of no further debate.

The PRESIDING OFFICER. Is there any further debate?

If not, the question in on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

Mrs. BOXER. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Wyoming (Mr. ENZI).

The PRESIDING OFFICER (Mr. JOHNSON). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 62, nays 37, as follows:

[Rollcall Vote No. 193 Leg.]

YEAS—62

Alexander	Ernst	Murkowski
Ayotte	Feinstein	Murray
Barrasso	Fischer	Nelson
Bennet	Flake	Perdue
Blunt	Gardner	Portman
Boozman	Graham	Risch
Burr	Grassley	Roberts
Cantwell	Hatch	Rounds
Capito	Heitkamp	Rubio
Cardin	Heller	Sasse
Carper	Hoeven	Scott
Cassidy	Inhofe	Shaheen
Coats	Isakson	Sullivan
Cochran	Johnson	Thune
Coons	Kaine	Tillis
Corker	Kirk	Toomey
Cornyn	Lankford	Vitter
Cotton	McCain	Warner
Crapo	McCaskill	Wicker
Cruz	McConnell	Wyden
Daines	Moran	

NAYS—37

Baldwin	King	Reid
Blumenthal	Klobuchar	Sanders
Booker	Leahy	Schatz
Boxer	Lee	Schumer
Brown	Manchin	Sessions
Casey	Markey	Shelby
Collins	Menendez	Stabenow
Donnelly	Merkley	Tester
Durbin	Mikulski	Udall
Franken	Murphy	Warren
Gillibrand	Paul	Whitehouse
Heinrich	Peters	
Hirono	Reed	

NOT VOTING—1

Enzi

The bill (H.R. 1314), as amended, was passed.

The PRESIDING OFFICER. The majority leader.

ORDER OF BUSINESS

Mr. MCCONNELL. Mr. President, for the benefit of all Senators, let me indicate where we are. Without reaching an agreement to go forward, which we have not reached at this point, the next vote will be at 1 a.m. If that changes, I will be the first to let everyone know. If it does, obviously we will try to expedite the process. But as of this moment, we will be voting at 1 a.m.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

ORDER FOR RECESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that following the remarks of Senator WYDEN for 5 minutes, the Senate stand in recess subject to the call of the Chair.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Oregon.

Mr. WYDEN. Mr. President, as we bring this very dramatic chapter in U.S. trade policy to its conclusion in the Senate, I wish to take a few minutes to acknowledge the many people who helped in ways large and small to

bring about the passage of the Bipartisan Congressional Trade Priorities and Accountability Act.

First and foremost, I thank Chairman HATCH for his partnership throughout the process. I think Chairman HATCH and I can smile a bit looking back on some very spirited debates in the process of getting to this point. I do want colleagues to understand that Chairman HATCH has been a true leader in this bipartisan effort in the Finance Committee and on the floor. I thank Chairman HATCH and his staff for all they have done.

I think both Chairman HATCH and I also want to acknowledge our partner in the House, Chairman RYAN. All through the discussions, Chairman HATCH, Chairman RYAN, and myself, all tried to make sure that we would have a bipartisan, bicameral collaborative effort. The three of us obviously don't see eye to eye on everything, but we thought it was very important to try to come together and move an extraordinarily important and challenging economic policy forward for the country. Chairman RYAN has been there every single step of the way, and we look forward to returning the favor as he moves this historic package through the House and on to the President's desk.

We also thank Leader MCCONNELL for his work in shepherding this package through the process. It has not been easy, but Leader MCCONNELL has had a single-minded focus in terms of getting this bill across the finish line.

While we are on the subject of Senate leadership, I especially want to acknowledge the extraordinary contributions of my Pacific Northwest colleague Senator MURRAY and her staff. Over the last few years, colleagues, we have seen time and time again Senator MURRAY demonstrate her extraordinary ability. She is a person of modest size, but she is sure good at getting big things done. This bill is no exception, and it could not have happened without her leadership and help.

Finally, I note Chairman HATCH and I wish to thank all the members of the Finance Committee because they had a lot of good ideas, and they were constructive in terms of bringing this debate along, recognizing that we had strong differences. Every single member of the Finance Committee made a meaningful contribution, whether it was to the policy or to the process. Chairman HATCH and I want to say that when you look at a full recounting of all the great work done by Finance Committee members, if we were to do it all night, we would keep you all the way through the recess.

I wrap up with a quick word of my thanks to my staff who have done an exceptional job putting the legislation together: Jayme White, Elissa Alben, Greta Peisch, Anderson Heiman, Keith Chu, Malcolm McGreary, Danielle Deraney, Kara Getz, and Juan Machado.

I close by way of saying I think it is fair to say that there were a lot of observers, both in and outside this body, who thought it would not be possible to move forward on an issue like this—which is going to affect 40 percent of the global economy—in a bipartisan fashion. We know there are going to be a billion middle-class consumers in the developing world in 2025, and they want to ''Buy American.'' They like our brand.

With the extraordinary leadership of Chairman HATCH and many others who contributed to this effort, I think once again there is going to be a very significant array of economic opportunities for the people we represent to get high-skill, high-wage, export-related jobs with products and services that we sell to these countries.

So I close this part of the debate tonight—again, as we began, I think, 7 months ago, Chairman HATCH, by telling you that this, to me, is what we are sent to do, tackle the big issues in a bipartisan way.

With that, I yield the floor.

RECESS SUBJECT TO THE CALL OF THE CHAIR

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess subject to the call of the Chair.

Thereupon, the Senate, at 9:36 p.m., recessed subject to the call of the Chair and reassembled at 11:13 p.m. when called to order by the Presiding Officer (Mr. SESSIONS).

The PRESIDING OFFICER. The majority leader.

USA FREEDOM ACT OF 2015—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to H.R. 2048.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 87, H.R. 2048, a bill to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes.

MORNING BUSINESS

THE GRAND STAIRCASE-ESCALANTE NATIONAL MONUMENT GRAZING PROTECTION ACT

Mr. HATCH. Mr. President, I have always been proud of Utah's rich heritage. Utah is blessed with incredible natural resources, beautiful landscapes, and breathtaking vistas. Utahns have always understood the importance of maintaining a responsible balance between the development of our abundant resources and the need to protect the unique natural features of our State. Today, though, the executive branch threatens to disrupt that delicate balance. Countless rural communities in Utah are currently facing difficult challenges to their way of life as the Bureau of Land Management, BLM, increases restrictions on traditional economic activities, such as ranching and grazing operations on Federal land.

Under President Theodore Roosevelt's leadership, Congress passed the Antiquities Act of 1906—a short, four-paragraph law that gave the President unilateral authority to designate areas as national monuments. Such designations were intended to protect special areas in our country that have particularly significant natural, historical, or cultural features. Congress crafted these designations to be limited in scope and ''confined to the smallest area compatible with proper care and management of the objects to be protected.'' At that time, the Antiquities Act was an essential tool to protect our Nation's historical treasures against growing dangers, such as looters and vandals. Congress drafted this law after archaeologists noticed that America's natural treasures were turning up in overseas museums and private collections.

After President Roosevelt signed the Antiquities Act into law, he subsequently set aside nearly 20 such natural and cultural landmarks. These monument designations were limited in scope and designed to protect specific locations rather than massive acreages. For example, the total area of our Nation's first national monument, Devil's Tower in Wyoming, spans only about 2 square miles. Unfortunately, over time, the use of the Antiquities Act has evolved from protecting historic landmarks to restricting development across vast swaths of land without any meaningful local input. For example, on September 18, 1996, President Bill Clinton issued a proclamation designating nearly 1.9 million acres in southern Utah as the Grand Staircase-Escalante National Monument. Utah's entire congressional delegation, the Utah State Legislature, and then-Governor Mike Leavitt all strongly opposed this proclamation. President Clinton's declaration was made without so much as a ''by your leave'' to the people of Utah. There were no consultations, no hearings, no townhall meetings, no TV or radio discussions, no input from Federal land managers, no maps, no boundaries—nothing. In fact, Utah's elected representatives in Washington had to learn about the proclamation from the Washington Post.

There are significant impacts on the ground when a monument is designated not only on Federal land but also on State and private land. Had President Clinton consulted with the State and the delegation, he would have learned that the designation would land-lock and render useless 200,000 acres of Utah School Trust Lands—lands held in trust for the education of Utah's children. This designation deprived Utah schools of a significant revenue source. Fortunately, Utah's congressional delegation was eventually able to pass legislation allowing these school trust

lands to be swapped out of the monument boundary. While this legislation helped the schools, much of the local population still lost their jobs because of the President's declaration.

The only silver lining in this debacle was language written into the President's proclamation that protected livestock grazing on the monument. While the President blocked significant mineral development and other economic activity in the 1.9 million-acre area, he at least understood that blocking traditional grazing in the area was untenable. Sadly, since the 1996 monument designation, nearly 28 percent of the Federal livestock grazing animal unit-months, AUMs, have been suspended, according to the Utah Cattlemen's Association.

According to the 2015 Economic Report to the Governor prepared by the Utah Economic Council, ''[o]f Utah's 45 million acres of rangeland, 33 million acres are owned and managed by the federal government, while only 8 million acres are privately owned.'' With that in mind, most ranching operations in Utah must combine private grazing, feed importation, and access to the renewable grasses and forage through Federal grazing leases in order to be economically viable. Unfortunately, since the late 1940s, the Utah Farm Bureau found that the BLM and the Forest Service have drastically cut or suspended Utah's total livestock grazing AUMs from 5.4 million AUMs in 1949 to just over 2 million in 2012.

With grazing on Federal land already in peril, grazing on the monument is at even greater risk. Currently, the BLM is considering an amendment to the Management Plan that would eliminate grazing on the monument altogether. If the BLM eliminates grazing on the monument, there would be significant negative economic impacts to the area. Consider the economic benefits grazing already brings to these rural counties in Utah. The Utah Farm Bureau reports that ''around 11,500 feeder cattle sold out of Kane and Garfield County ranches brought in more than $16 million dollars and generated in excess of $25-$30 million based on a conservative economic multiplier. With about one-half of the calf crop coming from grazing allotments within the monument, of that total, about $8 million in direct feeder cattle sales and between $12—$15 million in economic activity is tied directly back to cattle grazing on the monument.''

Those ranching dollars create jobs in Utah's rural counties. The money also contributes to local tax revenue and supports vital public services. Eliminating grazing on the monument would have disastrous implications for the local economy.

The poor stewardship of the land presents another risk even beyond its effects on grazing and the local economy. The rangeland on the monument is being mismanaged. Even if the BLM decides to change course overnight and restore grazing to the historic levels that existed before the designation of the monument, the land in its current state would not be able to sustain it. Over the last 20 years, we have witnessed a worrisome decline in rangeland health. With this decline, livestock carrying capacity has also decreased.

To protect rangeland health, I joined Senator MIKE LEE and Congressman CHRIS STEWART to introduce the Grand Staircase-Escalante National Monument Grazing Protection Act. This bill would direct the BLM to create and implement a management program within the areas of the monument to improve rangeland conditions for wildlife and livestock carrying capacity. It would also restore livestock grazing to the historic levels that existed before the designation. There are many things BLM can and should be doing to restore rangeland health. Improving the range would not only benefit ranchers and affected communities but also bring significant ecological and environmental benefits to the entire area. This legislation will direct the BLM in that effort.

This is a commonsense bill that will restore Utah's rangeland to health. I strongly urge my colleagues to support this legislation.

USA PATRIOT ACT

Mr. HATCH. Mr. President, today I wish to speak on a critical national security issue: the importance of renewing the authority for essential anti-terrorism tools which is set to expire by the time Congress returns to Washington after Memorial Day.

Every single Member of this body remembers where he or she was on September 11, 2001. I was here in the Senate. I remember evacuating the Capitol and the office building. I remember standing on the lawn outside, wondering if a plane was headed toward this very building.

That terrible day gave us a taste of what terrorists want to visit upon our country. We realized that these fanatics would stop at nothing to kill innocent men, women, and children and to bring our country to its knees.

Knowing the threat this country faced, we resolved not to let bureaucratic red tape hinder the ability of our law enforcement and intelligence communities to keep us safe. As the ranking member of the Judiciary Committee, I joined with colleagues of both parties as well as the Bush administration to craft the USA PATRIOT Act, which passed the Senate 98 to 1. The PATRIOT Act and its subsequent reauthorizations have proven critical to our ability to investigate terrorist threats and prevent another mass-casualty attack on the homeland.

Let me make one matter perfectly clear: we continue to face a very serious terrorist threat. The evil that struck us on September 11 has metastasized and continues to present a clear and present danger to the national security of the United States. As the American people's elected representatives, it is our primary duty to keep this country safe. Accordingly, we must continue to provide the necessary tools to the law enforcement and intelligence communities that have helped keep this Nation safe for the past 14 years.

Unfortunately, some of these tools have become quite controversial, despite the repeated showing of strong bipartisan support for them. The collection of telephone metadata under section 215 has drawn particular criticisms and worrisome calls for ''reform.'' I find this development enormously concerning.

Consider what President Obama himself had to say about our need for such a capability:

> The program grew out of a desire to address a gap identified after 9/11. One of the 9/11 hijackers, Khalid al-Mihdhar, made a phone call from San Diego to a known al-Qaeda safe house in Yemen. NSA saw that call, but it could not see that the call was coming from an individual already in the United States. The telephone metadata program under Section 215 was designed to map the communications of terrorists so we could see who they may be in contact with as quickly as possible.

The President was absolutely right. The collection of telephone metadata in bulk facilitates our mapping of terrorist networks and our ability to disrupt terrorist plots. Contrary to the wild fantasies that critics frequently spout, this collection does not meaningfully intrude on our privacy. It does not involve the NSA listening in on anyone's calls. It is simply a very important means of finding a proverbial needle in a haystack. We should reauthorize this authority without delay.

A number of my colleagues have taken a different approach, taking up the cause of the so-called USA FREEDOM Act to ''reform'' our counterterrorism efforts. I find the name of this bill ironic, in the sense that their legislation aims to restore a freedom that was never under threat while sacrificing critical tools that secure our freedom.

For instance, under this legislation, metadata would no longer be collected by the government but instead retained by private communications corporations. While this idea may seem initially appealing, I have strong reservations about such an approach. Their proposal contains no requirement for these companies to maintain this data for any length of time. Without such a requirement, the effectiveness of a search would obviously be compromised.

This is hardly my only concern. Consider also the provision of the so-called FREEDOM Act that would create a body of outside experts to advise the Foreign Intelligence Surveillance Court on the government's warrant applications. Such an unprecedented move would cause serious constitutional concerns and could undermine the adversarial system which at the core of the judicial branch.

For these and many other reasons, I cannot support the so-called FREEDOM Act. While I would prefer to pass a long-term extension of our current authorities, I will support a short-term extension to facilitate the search for a long-term solution. I urge my colleagues in both Houses to support this effort.

TRIBUTE TO CHARLES E. BULLOCK

Mr. MCCONNELL. Mr. President, I rise to congratulate and pay tribute to an honored Kentuckian, Mr. Charles E. Bullock. Mr. Bullock is a veteran of World War II who enlisted in the Army after the attack on Pearl Harbor on December 7, 1941. But Mr. Bullock was a student at the old Hazel Green High School at the time. He missed his senior year because he was stationed in Europe fighting the Nazis. Mr. Bullock had gone from studying history to making it.

More than 70 years after putting on his country's uniform, Mr. Bullock received his high school diploma at long last from the Laurel County Board of Education at a meeting of that organization. This proud veteran and recipient of the Bronze Star received a warm, heartfelt round of applause from the assembled audience twice—once upon receiving his diploma, and again as he left the room.

I want to congratulate Mr. Bullock, 88, on receiving his diploma, and I thank him for his service to our Nation in uniform. This country owes him a debt that can never be truly repaid, for his valiant fight against the Axis Powers during World War II. It is appropriate as we approach Memorial Day that every American reflect on the freedoms we cherish and that Mr. Bullock fought to defend. I know my colleagues join me when I extend my deepest gratitude and appreciation to Mr. Charles E. Bullock in praise of his service.

An article detailing Mr. Bullock's receipt of his high school diploma appeared in the area newspaper the Sentinel-Echo. I ask unanimous consent that said article be printed in the RECORD following my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

WORLD WAR II VETERAN RECEIVES HIGH SCHOOL DIPLOMA—BULLOCK JOINED ARMY IN WAKE OF PEARL HARBOR ATTACK

(By R. Scott Belzer)

Charles E. Bullock, 88, didn't know he would not finish his senior year of high school at Hazel Green in 1942. He also didn't know he would have to wait more than 70 years to receive his high school diploma.

Bullock—a World War II veteran—was honored on Monday at the bi-weekly meeting of the Laurel County Board of Education with an official Laurel County high school diploma, 73 years after enlistment and deployment cut his high school career short.

''After the attack on December 7, 1941, many young men enlisted in the armed services to soldier on behalf of their country,'' said Dr. Doug Bennett, superintendent of Laurel County Schools. ''Some of the young men were high school students aged 17 or 18 who left their high school studies before graduation in order to enlist. We're pleased to have one of those young men with us this evening.''

Bennett went on to laud Bullock's choice to leave Hazel Green High School to fight in World War II, stating that Bullock chose to be a part of history rather than study it.

''He was called to fight and protect the freedoms we enjoy today,'' Bennett said. ''No longer was he reading about history but became part of making history on the front lines.''

Bennett said that Bullock represented the best and highest ideals of Laurel County and was glad to be a part of his formal recognition.

''I appreciate what you men have done,'' Bullock said. ''They took me out my senior year of Hazel Green High School because I wasn't in my second semester. They took six of us out of the high school and put us in the army. Three months later we were fighting in Belgium, France and Germany.''

Bullock said he stayed in the army until the war was over in 1945. He was awarded a Bronze Star, a medal awarded for acts of heroism, meritorious achievement or meritorious service within a combat zone. The medal, unfortunately, was another thing he had to wait for.

''I never got it when I came out,'' said Bullock. ''The dischargers said 'You can wait and get your medals, it'll only take 15 days,' and I said, 'I'm going home.' About 70 years later I got so mad about some things going on and went before Congressman Hal Rogers and he said he'd help me and he did.''

School board member Joe Schenkenfelder quoted Ronald Reagan in 1983 to end the presentation.

''I've been thinking about this all day and I finally found a quote-so often we don't know why we recognize our veterans or why we send men and women out to fight for our country,'' said Schenkenfelder. ''I thought this was very fitting: 'Freedom is never more than one generation away from extinction. We didn't pass it to our children in the bloodstream. It must be fought for, protected and handed down for them to do the same, or one day we will spend our sunset years telling our children and our children's children what it was once like in the United States where men were free.' ''

RECOGNIZING THE ADVOCATE-MESSENGER

Mr. MCCONNELL. Mr. President, one of my home State's great newspapers, the Advocate-Messenger, is celebrating its 150th anniversary this year, and I want to congratulate the staff and publishers of this venerable institution that is published out of Danville, Ky.

The newspaper that would become the Advocate-Messenger was first published on June 24, 1865, as The Kentucky Advocate. Created by James L. Marrs, it was guided to considerable success by a trio of editors: G.W. Doneghy, W. Vernon Richardson, and W.O. McIntyre. The paper became a daily in 1911 and a member of the Associated Press in 1914.

In the meantime, a local merchant named Hubert McGoodwin founded the Danville Messenger in 1910 as a competitor of the Kentucky Advocate. This paper was purchased in 1918 by J. Curtis Alcock, an experienced editor and publisher, and he guided The Danville Messenger to considerable success in the ensuing decades while also serving as secretary-treasurer of the Kentucky Press Association from 1911 to 1942.

In 1940, the two newspapers merged to become the Advocate-Messenger and published Monday through Friday under that name. The Kentucky Advocate became a Saturday afternoon paper for a decade before switching to a Sunday-only paper in 1950, continuing to this day.

Many able hands have steered the ship of the Advocate-Messenger over the years. Enos Swain, formerly the director of Centre College's public relations, became the Advocate-Messenger's editor in 1944 and served the longest tenure of any editor, 34 years. In 1977 current owner Schurz Communications bought the paper, and Mary Schurz became the editor and publisher in 1978 upon Enos Swain's retirement.

From 2006 to 2014, Scott Schurz, Jr., served as editor and publisher, and in July 2014, Larry Hensley was named president and publisher, posts he continues to fill today. John Nelson is the executive editor.

Under the supervision of Mr. Hensley, the Advocate-Messenger enjoys a healthy circulation throughout southcentral Kentucky, with distribution primarily in Boyle, Lincoln, Casey, Mercer, and Garrard counties. Danville benefits from being recognized by Time magazine as one of 10 successful Main Street communities in the country and is the home of Centre College, one of the top liberal arts colleges in the region. I can attest to my colleagues that Danville is a wonderful place, and I believe the Advocate-Messenger truly has its finger on the pulse of the region.

A strong and vigorous free press being vital to the freedoms of our country, I wish to recognize the Advocate-Messenger as a newspaper that takes its dedication to journalism and to serving the people of its community seriously. One hundred and fifty years in publication is quite an accomplishment that few newspapers can claim, and I know my colleagues join me when I say congratulations to the Advocate-Messenger on the occasion of its sesquicentennial and best wishes for many more years of publication to come. And congratulations to the newspaper's president and publisher, Larry Hensley, and its executive editor, John Nelson.

FOREIGN MEDICAL SCHOOL ACCOUNTABILITY FAIRNESS ACT

Mr. DURBIN. Mr. President, this week I was pleased to be joined by my Republican colleague from Louisiana, Senator BILL CASSIDY, to introduce the Foreign Medical School Accountability Fairness Act.

I appreciate Senator CASSIDY's leadership on this issue and his willingness to work across the aisle. We were joined across the Capitol by Representatives MICHAEL BURGESS and ELIJAH

CUMMINGS, who introduced a House companion bill today.

This bipartisan, common-sense bill fixes a loophole in Federal law used by for-profit medical schools in the Caribbean to gain access to Federal education dollars without meeting the same requirements as other foreign medical schools.

Under current law, a small number of medical schools—about six, four of which are for-profits—are exempt from meeting the same requirements to qualify for Title IV funding that all other medical schools outside of the U.S. and Canada must meet.

This loophole allows these schools to enroll large percentages of American students—which means access to more federal dollars.

The biggest of these schools are for-profits—St. George's, Ross, and American University of the Caribbean whose enrollments of Americans are 91 percent, 83 percent, and 86 percent respectively. Other schools are prohibited from having U.S. citizens or U.S. permanent residents make up more than 40 percent of enrollment.

These for-profit schools have turned the idea of being a foreign school on its head—they are located outside of the U.S., but have majority-American enrollments.

They don't have to meet the same high standards U.S. medical schools must meet, but also don't have to meet the same requirements as schools located outside of the U.S. to access hundreds of millions of dollars of federal funding. It's a pretty good deal for them.

In fact in 2012, the three schools I mentioned earlier—St. George's and Ross and American University of the Caribbean, both owned by DeVry, took in more than $450 million from the federal government—from American taxpayers. That amounted to more than two-thirds of all Title IV funding that went to all foreign medical schools.

To sum up—three schools, 2/3 of the Federal funding, exempt from the law.

Not only are these three schools exempt from the enrollment requirement, but they don't have to meet a minimum standard of success—having 75 percent of their students pass the U.S. board exams—a requirement for any of its students to actually practice medicine in the United States.

The University of Sydney, with its dozen or so American students, has to meet this standard in order to receive Title IV dollars. But DeVry's Ross University, with 1,000 or more American students, does not.

It doesn't seem right to the Department of Education, which says there is no rationale for continuing the exemption. And it doesn't seem right to me either.

Especially when you consider what students are getting for this Federal investment—more debt, higher rates of attrition, and lower residency match rates than U.S. medical schools. Translation: More debt and less chance of becoming a doctor.

In September 2013, an article in Bloomberg by Janet Lorin entitled ''DeVry Lures Medical School Rejects as Taxpayers Fund Debt'' shined a bright light on the poor student outcomes of these schools.

It is no secret that for-profit foreign medical schools prey on students who have been rejected by traditional U.S. medical schools. They promise to fulfill the unrequited dreams for students who want to be doctors, but for one reason or another, did not make the cut in the U.S.

On average, scores on the MCAT, the test required to enter medical school, of students attending these offshore for-profit schools are lower than those of students who are admitted to medical schools in the U.S. In 2012, students at U.S. medical schools scored an average of 31 out of 45 on the MCAT while students at DeVry's Ross medical school scored an average of 24.

The attrition rate at U.S. medical schools averaged 3 percent for the class beginning in 2009 while rates at for-profit foreign medical schools can be up to 26 percent or higher. More than a quarter of the students at some of these schools drop out.

On average, students at for-profit medical schools operating outside of the United States and Canada amass more student debt than those at medical schools in the United States. For example, graduates of the American University of the Caribbean have a median of $309,000 in Federal student debt versus $180,000 for graduates of U.S. medical schools.

To add insult to injury, these foreign-trained graduates are on average less competitive candidates for coveted U.S. residency positions. In 2015, residency match rates for foreign-trained graduates averaged 53 percent compared to 94 percent for graduates of medical schools in the United States. They are even less likely to land a residency position the second time around.

According to the Bloomberg article I referenced earlier, one graduate of St. George's University, Michael Uva, amassed almost $400,000 in medical school loans, but failed to land a residency spot twice. Michael was forced to work at a blood donation clinic earning $30 an hour instead. Although he sacrificed years of his life training for it, without completing a residency, he will never get to practice medicine and this $400,000 debt will likely follow him throughout his life.

Congress has failed taxpayers and students by subsidizing these Caribbean schools with billions in Federal dollars for years without adequate accountability and oversight.

This bill takes a first step at addressing that failure—by ensuring these Caribbean schools must meet the same standards other schools outside of the United States and Canada must meet.

This bill should send a message to those schools down in the sunny Caribbean who may have thought they could continue to exploit taxpayers and students without anybody noticing.

It has broad support among the U.S. medical school community—endorsed by medical school deans of more than 60 venerable U.S. medical schools and the American Association of Colleges of Osteopathic Medicine.

I look forward to working with Senator CASSIDY as well as Chairman ALEXANDER and Ranking Member MURRAY to address this issue as the HELP Committee begins consideration of the Higher Education Act.

USA PATRIOT ACT

Mr. GRASSLEY. Mr. President, I wish to explain why I support a short-term reauthorization of the national security authorities that expire on June 1, and why I will not vote for cloture on the latest version of the USA FREEDOM Act at this time. These authorities need to be reauthorized and reformed in a way that appropriately balances national security with the privacy and civil liberties of all Americans. I am hopeful that during the next few weeks we can do a better job of doing just that.

I start with the premise that these are important national security tools that shouldn't be permitted to expire. If that were to happen, there is little doubt that the country would be placed at greater risk of terrorist attack, at a time when we can least afford it. This isn't exaggeration or hyperbole.

We have recently witnessed the emergence of ISIS, a terrorist organization that controls large swaths of Iraq and Syria, including, as of just days ago, the capital of the largest province in Iraq. ISIS is beheading Americans and burning its captives alive for propaganda value. And fueled in part by black market oil sales, ISIS reportedly has at least $2 billion.

The organization isn't just sitting on that money. Members of ISIS and related groups are actively recruiting would-be terrorists from around the world to come to Syria. They are inspiring attacks, often using social media, in the West, from Paris, to Sydney, to Ottawa, and even here in the United States, in places like New York City, Ohio, and Garland, TX. Director Comey has reported that the FBI has investigations of perhaps thousands of people in various stages of radicalization in all 50 States.

So this isn't the time to let these various authorities expire. This isn't the time to terminate the government's ability to conduct electronic surveillance of so-called ''lone wolf'' terrorists—people who are inspired by groups like ISIS but don't have direct contact with them. And this isn't the time to end the government's ability to seek roving wiretaps against terrorists. After all, this is a tool that prosecutors have used in criminal investigations since the mid-1980s.

Most of all, this isn't the time to sunset the government's ability to acquire records from businesses like hotels, car rental agencies, and supply

companies, under section 215, in a targeted fashion. These kinds of records are routinely obtained by prosecutors in criminal investigations, though the use of grand jury subpoenas. It makes no sense for the government to be able to collect these records to investigate bank fraud, insider trading and public corruption, but not to help keep the country safe from terrorists.

While we must reauthorize these authorities, however, it is equally important that we reform them. But we don't yet have a reform bill that I am satisfied with.

The American people have made clear that they want the government to stop indiscriminately collecting their telephone metadata in bulk under section 215. They also want more transparency from the government and from the private sector about how section 215 and other national security authorities are being used. They want real reform.

I want to be clear that I emphatically agree with these goals. They can be achieved responsibly, and doing so will restore an important measure of trust in our intelligence community.

I agree with these reforms because the civil liberties implications of the collection of this type of bulk telephone metadata are concerning. This is especially so, given the scope and nature of the metadata collected through this program.

Now, there haven't been any cases of this metadata being intentionally abused for political or other ends. That is good. I recognize that the overwhelming majority of those who work in the intelligence community are law-abiding American heroes to whom we owe a great debt for helping to keep us safe.

But other national security authorities have been abused. Unfortunately, to paraphrase James Madison, all men aren't angels. I've been critical, for example, of the Department of Justice's handling of the so-called LOVEINT cases uncovered by the NSA's Inspector General.

Given human nature, then, the mere potential for abuse makes the status quo concerning the bulk collection of telephone metadata under section 215 unsustainable, especially when measured against the real yet modest intelligence value the program has provided.

The USA FREEDOM Act would in some ways reauthorize and reform section 215 along these lines. It would end the bulk collection of telephone metadata in 6 months, and transition the program to a system where the phone companies hold the data for targeted searching by the government.

But the bill's serious flaws cause me to believe that we can do better. Let me discuss just a few.

First, while the system to which the bill would transition the program sounds promising, it does not exist at present, and may well not exist in 6 months. Intelligence community leaders don't know for sure how long it will take to build. They don't know for sure how fast it will be able to return search results to the government. They don't know for sure whether the phone companies will voluntarily keep the metadata for later searching by the government.

On this score, then, this bill feels like a leap into the dark when we can least afford it. While we need certainty that the bulk collection of telephone metadata under section 215 will end, we also need more certainty that the new system proposed will work and be effective.

Second, the bill contains reforms to the FISA Court that are unneeded and risky. I am strongly in favor of reforming the court to make clear that it can appoint a traditional amicus, or a friend of the court, to help it get the law right. This is a well understood legal concept.

But this bill goes further—potentially dangerously so. Under certain circumstances, the bill directs the FISA Court to name a panel of outside experts who would, in the words of the New York Times, ''challenge the government's pleadings'' before the court.

Especially when the bill already ends the kind of dragnet intelligence collection under section 215 that affects so many innocent Americans, this is wholly unnecessary. And for this reason, the Administrative Office of the U.S. Courts sent a letter alerting Congress to its concerns that this outside advocate could ''impede the court's work'' by delaying the process and chilling the government's candor.

In addition, this proposed advocate is contrary to our legal traditions, in which judges routinely make similar decisions on an ex parte basis, hearing only from the government. Mobsters don't get a public defender when the government seeks to wiretap their phones. Crooked bankers don't get a public defender when the government seeks a search warrant for their offices. There is no need to give ISIS a public defender when the government seeks to spy on its terrorists to keep the country safe.

Third, the bill also contains language that amends the federal criminal code to implement a series of important and widely-supported treaties aimed at preventing nuclear terrorism and proliferation. However, the bill doesn't authorize the death penalty for nuclear terrorists. Nor does it permit the government to request authorization from a judge to wiretap the telephones of these terrorists or allow those who provide them material support to be prosecuted. These common-sense provisions were requested by both the Bush and Obama Administrations, but for unknown reasons they were omitted from the bill.

In fact, Senator WHITEHOUSE and I have introduced separate legislation, the Nuclear Terrorism Conventions Implementation and Safety of Maritime Navigation Act of 2015, which would implement these treaties with these provisions included.

Recently, I have been heartened that there is a bipartisan group of members of the Judiciary and Intelligence Committees who share these and other concerns. We have been discussing an alternative reform bill that would also end the bulk collection of telephone metadata under section 215. But it would also do a better job of ensuring that our national security is still protected.

So I support a short, temporary reauthorization with the hope that an alternative reform bill can be crafted that addresses the core reform goals of the American people and that appropriately balances national security with the privacy and civil liberties of all Americans. There is work ahead, but it is important that we get this reform right.

USA FREEDOM ACT

Mrs. FEINSTEIN. Mr. President, I rise today to discuss the votes the Senate will soon take relating to three expiring provisions in the Foreign Intelligence Surveillance Act.

I will vote to support the USA FREEDOM Act, the bill passed by the House last week by a vote of 338 to 88, and strongly urge my colleagues to do the same. In my view, this is the only action that we can take right now that will prevent important intelligence authorities from expiring at the end of next week.

Let me describe the situation in a little more detail.

On Monday morning at 12:01 a.m. on June 1, three separate sections of the Foreign Intelligence Surveillance Act, or FISA, will expire. Two of those provisions were first added to FISA in 2001 in the USA PATRIOT Act, shortly after the terrorist attacks of September 11. They are the business records section, also known as section 215, and the roving wiretap provision.

The business records provision was originally intended to allow the government to go to the FISA Court to get an order to be able to obtain a variety of records relevant to an investigation. The authority was, and remains, very important for the FBI.

Since 2006, the business records authority in FISA has also been used by the NSA to get telephone metadata records from telephone companies—the records of the telephone numbers and the time and duration of a call. Metadata does not include the content or the location or names of the individuals on the phone.

The roving wiretap provision allows the government to use surveillance authorities under FISA, pursuant to a court order, against an individual who seeks to evade surveillance by switching communication devices. If a terrorist gets a new cell phone or changes an email address, the government can continue surveillance on that individual under the same probable cause

warrant from the FISA court rather than having to go back to the Court for authority to collect information from each new phone number or email address.

The third provision, the so-called ''lone wolf'' provision, was added in 2004 over concern that the intelligence community may not be able to gather information on a known terrorist if it could not demonstrate his membership in a specific terrorist group. Given the threat we face today from individuals inspired by ISIL, for example, that threat is even more real today than it was a decade ago.

These provisions have been reviewed by the Intelligence and the Judiciary Committees for many years and have been subject to enormous public scrutiny.

For more than a year, there has been a strong desire by the American public, supported by the President and by the House of Representatives, to make a basic change in the use of the business records authority. That change is to end the bulk collection of phone records by the NSA and to replace it with a system for the government to get a FISA Court order to be able to obtain a much more specific set of records from the telecommunications providers when there is a ''reasonable, articulable suspicion'' that a phone number is associated with a foreign terrorist group.

The Director of National Intelligence and the Attorney General have written to the Senate to indicate their support for this change, which they state ''preserves essential operational capabilities of the telephone metadata program and enhances other intelligence capabilities needed to protect our nation and its partners.''

I would also note that the USA FREEDOM Act will allow private companies that receive requests and orders from the government to produce information, at their own discretion, that allows them to be more transparent about those requests and orders from the government. I support this additional transparency and thank the sponsors of the USA FREEDOM legislation for including it.

I have spoken to a number of technology companies, including several founded and based in California, that believe that transparency is not only good policy but that it will help them show publicly that their products and services are secure and independent from government control.

So the choice before the Senate today is a clear one: whether to vote for the only sure way to continue the use of important intelligence authorities in a way that has the support of the American people, the President, the intelligence community, and the Department of Justice or to hope that the authorities will be renewed for 2 months despite clear communications from the House that it will not support such an extension.

FBI Director Comey said earlier this week that the expiration of the business records and roving wiretap authorities would be a ''huge problem,'' and I believe him.

Given the wide range of threats facing Americans, both at home and abroad—particularly from ISIL and Al Qaeda—we should not allow these valuable authorities to expire.

To me, this is an easy choice, and I will support the USA FREEDOM Act.

Mr. BROWN. Mr. President, I ask unanimous consent to engage in a colloquy with Senator CORNYN and Senator LEAHY, ranking member of the Judiciary Committee, regarding important aspects of S. 337, the FOIA Improvement Act of 2015, that could affect the essential work of our financial regulators.

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

FOIA IMPROVEMENT ACT OF 2015

Mr. BROWN. I recognize the principles of this legislation, which seeks to increase government transparency, but as the ranking member of the Senate Banking Committee, I also recognize the need for regulatory agencies to thoroughly fulfill their oversight and supervisory responsibilities over our Nation's financial institutions and the health and welfare of our financial system. The financial regulatory agencies are responsible for ensuring the safety and soundness of the financial system, compliance with Federal consumer financial law, and promoting fair, orderly, and efficient financial markets. Effective regulation requires that financial regulators have full access to information from regulated entities, and regulated entities should be confident that regulators will be able to protect an entity's confidential information from disclosure. Congress provided for this important exchange of information in the Freedom of Information Act, FOIA, by protecting supervisory information specifically in 5 U.S.C. § 552(b)(8), commonly referred to as exemption 8, and more generally in other exemptions. Accordingly, I appreciate that S. 337 does not intend to limit the scope of the protections under exemption 8, or other exemptions relevant to financial regulators; nor does the bill intend to require release of confidential information about individuals, or information that a financial institution may have, the release of which could compromise the stability of the financial institution or the financial system, or undermine regulators' consumer protection efforts. Because the release of confidential or sensitive information relating to the supervision of regulated entities could cause harm to such entities, their customers, or the financial system, a financial regulatory agency could reasonably foresee that disclosure of such information requested under FOIA may harm an interest protected by exemption 8. This is precisely why Congress continues to provide these statutory exemptions.

Mr. LEAHY. I thank Senator BROWN for his interest and support for this legislation. I agree that the safety and soundness of our financial system and financial institutions depends on our financial regulators' ability to perform effective oversight and supervision of financial institutions. I also agree that the free flow of information between regulators and financial institutions is important to this process. Exemption 8 was intended by Congress, and has been interpreted by the courts, to be very broadly construed to ensure the security of financial institutions and to safeguard the relationship between financial institutions and their supervising agencies. The proposed amendments to FOIA are not intended to undermine the broad protection in exemption 8 or to undermine the integrity of the supervisory examination process. In addition, I note that some information that the government may withhold under exemption 8 is also protected under exemption 4, which exempts from disclosure commercial and financial information that is privileged or confidential. Exemption 4 covers information prohibited from disclosure under the Trade Secrets Act and similar laws, and as such does not provide for discretionary disclosure under FOIA. As with other exemptions that are based on separate legal restrictions, it is understood that the foreseeable harm standard will not apply to most of the information falling under exemption 4. I will continue to work with the banking committee and financial regulatory agencies to clarify the scope of the bill as we move forward in the legislative process and address any remaining concerns.

Mr. CORNYN. I, too, thank Senator BROWN for his remarks and for his interest and support for this legislation. I agree with Senator LEAHY that the important goals of this bill are not intended to impede regulatory agencies' oversight and supervisory responsibilities, nor are they meant to hinder communication between financial regulators and the institutions that they regulate. I agree that it is important to ensure that our financial regulators are able to do the work required to maintain the safety and soundness of our financial system. I will also work with the chair and ranking member of the banking committee and the financial regulatory agencies to address any remaining concerns on this issue as we advance this very important piece of legislation.

Mr. BROWN. I thank Senator CORNYN and Senator LEAHY for their work on this important legislation and for working with me to clarify the scope of this bill. I hope Senator CORNYN and Senator LEAHY continue to work on these issues with the financial regulatory agencies, including if the bill is considered in any conference with the House of Representatives, to ensure that this new standard will not undermine the broad protections currently afforded to confidential supervisory information and in turn undermine the

cooperative relationship between regulators and their supervised institutions.

RECOGNIZING THE LEGACY OF THE HUI PANALAAU COLONISTS

Mr. SCHATZ. Mr. President, I am deeply honored to represent Hawaii—my home State is second to none when it comes to patriotism, public service, and personal sacrifice.

I thank the Senate for so swiftly passing S. Res. 109, a resolution I authored to acknowledge the deeds of 130 brave young men from Hawaii who answered the call to serve our country at a perilous time in our Nation's history.

Passage of this resolution commemorates the 80th anniversary of the landing of the first Native Hawaiian colonists on remote equatorial islands in the Pacific. It also marks the 79th year since President Franklin D. Roosevelt issued an Executive order to proclaim the islands of Jarvis, Howland, and Baker under the jurisdiction of the United States.

This was a 7-year colonization effort from 1935 to 1942 to secure and maintain the islands under the jurisdiction of the United States. The vast majority of the 130 individuals involved in colonization efforts were Native Hawaiian—many recent high school graduates of the Kamehameha Schools. Later colonists included those of Asian ancestry and recent graduates from high schools across Hawaii.

These young men left their homes and families to be transported to barren equatorial islands, and were then largely left to fend for themselves and each other. They caught fish, constructed rudimentary lodgings, and throughout the years demonstrated great courage and self-reliance. What started as a dual purpose commercial and military venture, however, quickly evolved into a wartime strategy to extend American jurisdiction into the equatorial Pacific, establish radio communications and monitoring outposts, and prevent further Japanese encroachment in the region.

Three young men lost their lives and others sustained permanent injuries during their service. Jarvis, Howland, and Baker were distant from each other and located hundreds of miles away from any major landmass. One colonist died due to the lack of access to medical treatment. Two others were killed on December 8, 1941, when the islands came under attack by Japanese submarine and military aircraft.

The islands were targeted by the Japanese military numerous times. The U.S. Navy, consumed by the bombing of Pearl Harbor and official entry into World War II, could not rescue the surviving colonists until 2 months after the initial onslaught of Japanese military attacks.

Upon their arrival home, the colonists shared little about their experiences or the hardships they endured on those remote equatorial islands. They returned to Hawaii to enlist in the U.S. military, join the civilian workforce, pursue higher education, raise families, serve their communities, and live out their days in relative anonymity. In 1956, participants of the colonization project established an organization in Hawaii called Hui Panalaau, in part to preserve ''the fellowship of the group'' and ''to honor and esteem those who died as colonists.'' Still, few outside of that group were even aware that colonists had served on equatorial islands in the Pacific in the years before and during the advent of World War II.

A chance discovery of first source documents found in the possession of the Bernice Pauahi Bishop Museum, including handwritten journals and logs of colonists, led to an exhibition in 2002 and later the release of a documentary in 2012, based in part on those discoveries and supplemented with the personal recollections of a number of surviving colonists. This film introduced the subject to many in Hawaii. People in our State and across the Nation learned about a significant but previously unknown part of our history.

Last year, President Obama signed an Executive order expanding the Pacific Remote Islands Marine National Monument to include Jarvis, Howland, and Baker, and I worked to ensure that his proclamation cited the ''notable bravery and sacrifice by a small number of voluntary Hawaiian colonists, known as Hui Panalaau, who occupied the islands from 1935 to 1942 to help secure the U.S. territorial claim over the islands.''

And now the Senate has taken the formal action to extend our Nation's deep appreciation to the Hui Panalaau colonists as well as condolences to the families of the three men that lost their lives in service of their country. It is my hope that the story of the Hui Panalaau colonists will be shared even more widely in Hawaii. It is also my sincere hope that the sacrifices and valor of the 130 sons of Hawaii will be understood in the context of the broader geopolitical strategy of World War II and that their deeds will be more fully understood and appreciated by Americans across the Nation.

I would like to thank the chairman and ranking member of the Judiciary Committee and the majority and minority leaders of the Senate for their support of this resolution, and their efforts to expedite committee consideration and floor passage.

I also want to thank the entire Hawaii congressional delegation—Senator HIRONO, Representative TAKAI, and Representative GABBARD—for supporting this coordinated effort.

The fact that the Senate chose to recognize the legacy of the Hui Panalaau colonists today, during the month of May—Asian American and Pacific Islander Heritage Month—holds great significance. May is a time of year we celebrate the vibrant diversity and rich heritage of Asian Americans, Native Hawaiians, and Pacific Islanders and reflect on their contributions to our Nation's progress, and their prospective role in America's continuing promise.

ADDITIONAL STATEMENTS

REMEMBERING GEORGE HALEY

• Mr. ALEXANDER. Mr. President, I come to the floor to honor the life of George Haley, a distinguished Tennessean and distinguished American who died at the age of 89 on May 13.

President Clinton appointed George as Ambassador to Gambia, the country from which George's ninth generation grandfather, Kunta Kinte, was captured and brought to Annapolis, MD in the hold of a slave ship. George's brother, Alex, wrote the Pulitzer Prize-winning book, ''Roots,'' about the Haley family history.

Simon P. Haley, the father of George and Alex, was ''wasted'' when he was growing up. This meant, as Alex told the story, that Simon was allowed to continue his education, ''wasting'' the opportunity for him to work in the cotton fields. Alex wrote the story of Simon P. Haley in the Reader's Digest article, ''The Man on the Train,'' telling how his father had become the first black graduate of Cornell's agriculture college, and then came to Jackson, TN to teach at Lane College.

It was in the small West Tennessee town of Henning where Alex would sit by the front porch steps in the summer listening to his grandmother and great aunts tell the stories of Kunta Kinte that eventually became ''Roots.''

George Haley, after serving in the Air Force, entered The University of Arkansas Law School in 1949, where he was required to live and study in a cramped basement to separate him from the white students. ''It was reminiscent of a slave in the hold of a ship,'' he once said, ''I was the Kunta Kinte of the law school.'' He stuck it out, graduating as a member of the law review. Alex wrote about him as well in the Reader's Digest, ''The Man Who Wouldn't Quit.'' George had a remarkable and diverse career serving as a Republican state senator in Kansas and then between 1969 and his death, serving in the administration of Presidents Nixon, Ford, Carter, Reagan, George H.W. Bush, Clinton and George W. Bush.

I first met George when I was governor of Tennessee during the 1980s. He introduced me to Alex, who became one of our family's closest friends. Few men or women have shown the intelligence, courage and sense of public responsibility during their lifetimes that George Haley demonstrated. He was a kind man and a good friend. Honey and I offer our sympathies to his wife Doris and to other members of the Haley family. When remembering the life of George Haley, it is easy to do what his brother Alex always advised, ''Find the Good and Praise It.''

I ask unanimous consent to have printed in the RECORD ''The Man on the Train'' and ''The Man Who Wouldn't Quit,'' by Alex Haley.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Reader's Digest, Feb. 1991]

THE MAN ON THE TRAIN

(By Alex Haley)

Though some people may attempt to live life from a purely selfish, self-centered perspective, it is in giving of ourselves to others that we find our greatest sense of meaning. And so, as we search for meaning, one of the best places to look is outward—toward others—using the principle of charity.

Too often the meaning of charity is reduced to the act of giving alms or donating sums of money to those who are economically disadvantaged. But charity in its purest forms involves so much more.

It includes the giving of our hearts, our minds, and our talents in ways that enrich the lives of all people—regardless of whether they are poor or rich. Charity is selflessness. It is love in work clothes.

Alex Haley's father, Simon Alexander Haley, worked his way through college and graduate school as a Pullman porter until he met The Man On The Train. Always, Haley seems to be telling us, opportunity awaits those who are prepared.

A poignant example is found in the story of The Man On The Train. Recalled by distinguished and Pulitzer Prize-winning author Alex Haley, it is the true story of a man Alex never met, but one to whom he came to give great honor and credit.

In addition, Haley also shares why he broke down in tears when he first visited the offices of a famous newspaper. As you read his account, resist the temptation to reduce the story to that of a kind man offering a handout.

Whenever my brothers, sister and I get together we inevitably talk about Dad. We all owe our success in life to him—and to a mysterious man he met one night on a train. Our father, Simon Alexander Haley, was born in 1892 and reared in the small farming town of Savannah, Tennessee. He was the eighth child of Alec Haley—a tough-willed former slave and part-time sharecropper—and of a woman named Queen.

Although sensitive and emotional, my grandmother could be tough-willed herself, especially when it came to her children. One of her ambitions was that my father be educated.

Back then in Savannah a boy was considered ''wasted'' if he remained in school after he was big enough to do farm work. So when my father reached the sixth grade, Queen began massaging grandfather's ego.

''Since we have eight children,'' she would argue, ''wouldn't it be prestigious if we deliberately wasted one and got him educated?'' After many arguments, Grandfather let Dad finish the eighth grade. Still, he had to work in the fields after school.

But Queen was not satisfied. As eighth grade ended, she began planting seeds, saying Grandfather's image would reach new heights if their son went to high school.

Her barrage worked. Stern old Alec Haley handed my father five hard-earned ten-dollar bills, told him never to ask for more and sent him off to high school. Traveling first by mule cart and then by train—the first train he had ever seen—Dad finally alighted in Jackson, Tennessee, where he enrolled in the preparatory department of Lane College. The black Methodist school offered courses up through junior college.

Dad's $50 was soon used up, and to continue in school, he worked as a waiter, a handyman and a helper at a school for wayward boys. And when winter came, he'd arise at 4 a.m., go into prosperous white families' homes and make fires so the residents would awaken in comfort. Poor Simon became something of a campus joke with his one pair of pants and shoes, and his droopy eyes. Often he was found asleep with a textbook fallen into his lap.

The constant struggle to earn money took its toll. Dad's grades began to founder. But he pushed onward and completed senior high. Next he enrolled in A & T College in Greensboro, North Carolina, a land-grant school where he struggled through freshman and sophomore years. One bleak afternoon at the close of his second year, Dad was called into a teacher's office and told that he'd failed a course—one that required a textbook he'd been too poor to buy.

A ponderous sense of defeat descended upon him. For years he'd given his utmost, and now he felt he had accomplished nothing. Maybe he should return home to his original destiny of sharecropping.

But days later, a letter came from the Pullman Company saying he was one of 24 black college men selected from hundreds of applicants to be summertime sleeping-car porters. Dad was ecstatic. Here was a chance! He eagerly reported for duty and was assigned a Buffalo-to-Pittsburgh train.

The train was racketing along one morning about 2 a.m. when the porter's buzzer sounded. Dad sprang up, jerked on his white jacket, and made his way to the passenger berths. There, a distinguished-looking man said he and his wife were having trouble sleeping, and they both wanted glasses of warm milk. Dad brought milk and napkins on a silver tray. The man handed one glass through the lower-berth curtains to his wife and, sipping from his own glass, began to engage Dad in conversation.

Pullman Company rules strictly prohibited any conversation beyond ''Yes, sir'' or ''No, ma'am,'' but this passenger kept asking questions. He even followed Dad back into the porter's cubicle.

''Where are you from?''

''Savannah, Tennessee, sir.''

''You speak quite well.''

''Thank you, sir.''

''What work did you do before this?''

''I'm a student at A & T College in Greensboro, sir.'' Dad felt no need to add that he was considering returning home to sharecrop.

The man looked at him keenly, finally wished him well and returned to his bunk.

The next morning, the train reached Pittsburgh. At a time when 50 cents was a good tip, the man gave five dollars to Simon Haley, who was profusely grateful. All summer, he had been saving every tip he received, and when the job finally ended, he had accumulated enough to buy his own mule and plow. But he realized his savings could also pay for one full semester at A & T without his having to work a single odd job.

Dad decided he deserved at least one semester free of outside work. Only that way would he know what grades he could truly achieve.

He returned to Greensboro. But no sooner did he arrive on campus than he was summoned by the college president. Dad was full of apprehension as he seated himself before the great man. ''I have a letter here, Simon,'' the president said.

''Yes, sir.''

''You were a porter for Pullman this summer?''

''Yes, sir.''

''Did you meet a certain man one night and bring him warm milk?''

''Yes, sir.''

''Well, his name is Mr. R.S.M. Boyce, and he's a retired executive of the Curtis Publishing Company, which publishes The Saturday Evening Post. He has donated $500 for your board, tuition and books for the entire school year.''

My father was astonished.

The surprise grant not only enabled dad to finish A & T, but to graduate first in his class. And the achievement earned him a full scholarship to Cornell University in Ithaca, New York.

In 1920, Dad, then a newlywed, moved to Ithaca with his bride, Bertha. He entered Cornell to pursue his master's degree, and my mother enrolled at the Ithaca Conservatory of Music to study piano. I was born the following year.

One day decades later, editors of The Saturday Evening Post invited me to their editorial offices in New York to discuss the condensation of my first book, The Autobiography of Malcolm X. I was so proud, so happy, to be sitting in those wood-paneled offices on Lexington Avenue. Suddenly I remembered Mr. Boyce, and how it was his generosity that enabled me to be there amid those editors, as a writer. And then I began to cry. I just couldn't help it.

We children of Simon Haley often reflect on Mr. Boyce and his investment in a less fortunate human being. By the ripple effect of his generosity, we also benefited. Instead of being raised on a sharecrop farm, we grew up in a home with educated parents, shelves full of books, and with pride in ourselves, My brother George is chairman of the U.S. Postal Rate Commission; Julius is an architect, Lois a music teacher and I'm a writer.

Mr. R.S.M. Boyce dropped like a blessing into my father's life. What some may see as a chance encounter, I see as the working of a mysterious power for good.

And I believe that each person blessed with success has an obligation to return part of that blessing. We must all live and act like the man on the train.

THE MAN WHO WOULDN'T QUIT

(By Alex Haley)

In low tones, the dean was explaining to a prospective law student the conduct expected of him. ''We have fixed up a room in the basement for you to stay in between classes. You are not to wander about the campus. Books will be sent down to you from the law library. Bring sandwiches and eat lunch in your room. Always enter and leave the university by the back route I have traced on this map.''

The dean felt no hostility toward this young man; along with the majority of the faculty and the trustees, he had approved the admission of 24-year-old George Haley to the University of Arkansas School of Law. But it was 1949, and this young Army Air Forces veteran was a Negro. The dean stressed that the key to avoiding violence in this Southern school was maximum isolation.

George was dismayed at the pattern of life laid out for him. He might have entered Harvard Law School, where he would not have had to live the life of a pariah. Yet he had chosen this! A letter from his father had determined him. During his last semester at Morehouse College in Atlanta, he had opened the letter to read: ''Segregation won't end until we open beachheads wherever it exists. The governor of Arkansas and educational officials have decided upon a quiet tryout of university integration. You have the needed scholastic record and temperament, and I understand that Arkansas has one of the South's best law schools. I can arrange your admission if you accept this challenge.''

George had great love and respect for his father, a college professor and pioneer in Negro education. He accepted the challenge.

The first day of school, he went quickly to his basement room, put his sandwich on the table, and started upstairs for class. He found himself moving through wave upon wave of white faces that all mirrored the same emotions—shock, disbelief, then choking, inarticulate rage. The lecture room was buzzing with conversation, but as he stepped through the door there was silence. He looked for his seat. It was on the side between the other students and the instructor. When the lecture began, he tried desperately to concentrate on what the professor was saying, but the hate in that room seeped into his conscience and obliterated thought.

On the second day, he was greeted with open taunts and threats: ''You, nigger, what are you doing here?'' ''Hey, nigger, go back to Africa.'' He tried not to hear; to walk with an even pace, with dignity.

The students devised new ways to harass him. Mornings when he came to his basement room, he found obscene and threatening notes shoved under the door. The trips from the campus back to his rented room in town became a test of nerve. One afternoon, at an intersection, a car full of students slowed down and waved him across. But the moment he stepped in front of the car they gunned the engine, making him scramble back and fall to his hands and knees in the gutter. As the car sped away he heard mocking laughter and the shouted taunt, ''Hey, missing link, why don't you walk on your hind legs?''

His basement room was near the editorial offices of the Law Review, a publication written and edited by 12 top honor students of the senior class. He had heard of their bitterness that he had to share their toilet. One afternoon his door flew open, and he whirled around to catch in the face a paper bag of urine. After this incident, he was offered a key to the faculty toilet; he refused it. Instead, he denied himself liquids during the day and used no toilet.

He began to worry that his passive acceptance of degrading treatment might be destroying him, killing something of his manhood. Wouldn't it be better for him to hate back, to fight back? He took his problems to his father and brother in long, agonized letters. His father answered, ''Always remember that they act the way they do out of fear. They are afraid that your presence at the university will somehow hurt it, and thus their own education and chance in life. Be patient with them. Give them a chance to know you and to understand that you are no threat.''

The day after this letter arrived, George found a noose dangling in the basement room.

His brother wrote, ''I know it is hard, but try to remember that all our people are with you in thought and prayer.'' George read this with a wry smile. He wondered what his brother would say if he knew how the town Negroes uneasily avoided him. They knew he walked the thin edge of violence, and they didn't want to be near if an explosion occurred. Only a few gave him encouragement. A church deacon proffered a rumpled dollar bill to help with expenses, saying, ''I work nights, son. Walkin' home I see your studyin' light.''

Despite his ''studyin' light,'' George barely passed the first semester exams. His trouble was that in class he couldn't really think; all his nerve endings were alert to the hate that surrounded him. So the second semester, using a semi-shorthand he had learned in the Army Air Forces, George laboriously recorded every word his professors said. Then at night he blotted out the day's harassments and studied the lectures until he could almost recite them.

By the end of the year George had lost over 28 pounds, and he went into the examinations exhausted, both physically and emotionally. Somehow he finished them without collapsing, but he had flunked, he thought. He had done his best, and now he could honorably leave. Some other Negro would have to do what he failed to do, some other man stronger and smarter.

The afternoon the marks were due, he went to his basement room, dropped into the chair, and put his head on the table. There was a knock on his door and he called, ''Come in!'' He could hardly believe what he saw. Into the room filed four of his classmates, smiling at him. One said, ''The marks were just posted and you made the highest A. We thought you'd want to know.'' Then, embarrassed, they backed out of the room.

For a moment he was stunned, but then a turmoil of emotion flooded through him. Mostly he felt relief that he didn't have to report failure to his father and friends.

When George Haley returned for his next semester at Arkansas, there was a sharp decrease in the hate mail under his door, and there was grudging respect for his scholastic accomplishments. But still, wherever he went, eyes looked at him as if he were a creature from a zoo.

One day a letter arrived: ''We are having a 'Race-Relations Sunday' and would enjoy having you join our discussion.'' It was signed by the secretary of the Westminster Presbyterian Student Foundation. His first reaction was anger. They wanted to discuss, did they? Where had all these do-gooders been all the time he'd been going through hell? Bitterly he tore up the invitation and threw it in the wastebasket. But that night he tossed restlessly. At last he got out of bed and wrote an acceptance.

At the church, he was met by a group of young men and women. There were the too-hasty handclasps and the too-bright smiles. At last the chairman stood up to introduce George. He said, ''We hope that Mr. Haley will tell us what we can do as a Christian body.''

George got to his feet and moved stonily to the podium. Those introductory words released something of a maelstrom of emotions. He forgot his carefully prepared speech. ''What can you do?'' he blurted out. ''You can speak to me!''

Suddenly, all that had been dammed up came pouring out. He told them what it was like to be treated like an enemy in your own country; what it did to the spirit to be hounded for no crime save that of skin color; what it did to the soul to begin to believe that Christ's teachings had no validity in this world. ''I've begun to hate,'' he confessed. ''I've drawn on every spiritual resource I have to fight off this hatred, but I'm failing.'' His eyes flooded with tears of anger, then of shame. He groped for his chair.

The silence vanished in a roar of applause and cheers. When the chairman's gavel finally restored order, George was unanimously voted a member of the group. Thereafter he spent a part of each weekend at Westminster House, enjoying the simple pleasure of human companionship.

A slight thaw also began to take place at the university. George's classmates gingerly began moments of shoptalk with him, discussing cases. One day he overheard a group discussing a legal point, and one of them said, ''Let's go down and ask Haley in the Noose Room.'' He knew only a moment of indignation—then he smiled! It was an important change.

Toward the end of his second year a senior asked him, with elaborate casualness, why he didn't write some articles for the Law Review. It was traditional that only the best students received such invitations, and he felt himself flushing with pride.

It was only after he returned to school for the third and final year that he decided to go to the cafeteria. He didn't really want to go. In this last year he longed to relax, to let down his guard. But he was in this school for more than an education.

He went and stood in the cafeteria line. The other students moved away from him in both directions so that he moved in his own private air space. His tray was almost loaded when three hulking students ahead shouted, ''Want to eat with us, nigger?''

They jostled him, knocking his tray to the floor with a clatter of breaking dishes. As George stooped to retrieve it, his eyes blazed up at his tormentors and for the first time he shouted back. ''You're adults!'' he said. ''Grow up!'' They shrank from him in mock terror.

Shaking, George replaced the dumped food and made his way over to a vacant table. He bent his head over the crockery. Suddenly, a balding student stopped beside him with his tray and drawled, ''My name is Miller Williams. Mind if I sit here?'' George nodded. Now the two of them were the center of all eyes. Now the taunts were directed at the white student, the words ''nigger lover.''

Miller Williams was hardly that. ''I was born in Hoxie, Arkansas,'' he said, ''and I have spent all my life in the South. But what's happening here just isn't right, and I'm taking my stand with you.''

Later that day, Williams brought several students to George's room for a bull session, and they laid it on the line. ''Don't all you niggers carry knives?'' George emptied his pockets, no knife. ''How often do you bathe?'' Every day, George told him. ''Don't most of you lust after white girls?'' George showed him snapshots of a pretty Negro girl he was dating in his hometown.

Following this session, he wrote his brother: ''Improving race relations is at least 50 percent a matter of simple communication. Now that I'm able to talk to a few whites, I realize what terrible beliefs cause that prejudice. I can see the emotional struggle they are going through just to see me as an equal human being.''

Increasingly the last year became a time of triumph, not only for George but for white students who were able to discard their own preconceptions. When a student sidled up to him and said, ''I wrote you a letter I'm sorry for,'' George stuck out his hand and the student shook it. When another silently offered him a cigarette, George, who didn't smoke, puffed away, knowing it was far more than a gesture.

He was named to the Law Review staff, and his writing won an award from the Arkansas Law Review Corp. His winning paper represented the university in a national competition. The faculty chose him as a moot-court defense attorney, and his Law Review colleagues picked him as comments editor—the man entrusted with the selection of articles to print.

School was drawing to a close, and he felt a deep satisfaction in having accomplished most of his goals. But then the old specter rose again. Each year, distinguished alumni returned for a faculty banquet to salute the Law Review staff. With a sinking feeling, George dreaded what would happen. And that evening when George entered the hotel banquet hall, the reaction was just what he feared. The moment the alumni saw him, a pall fell on the room.

George felt sick. The food passed his lips untasted. It came time for speeches. The law school dean, Robert A. Leflar, welcomed the alumni and introduced the student editors, one at a time. There seemed an eternity of names, and George felt a frozen smile on his face.

Dean Leflar said, ''The next young man demands, and receives, as much if not more respect than any other person in our law school.''

Eleven chairs scraped back, and 11 men stood up. They were the Law Review editors, and they were looking at George and applauding vigorously. Then the faculty stood up and added cheers to the applause. Finally the old grads got up, the judges, lawyers and politicians from the Deep South, and the ovation became thunderous. ''Speech! Speech!'' they shouted. George Haley pushed himself to his feet. He could say no word for he was unashamedly crying. But that was kind of a speech too.

Today, ten years later, George is a respected lawyer in Kansas City, Kansas. He has been deputy city attorney since 1955. He is a steward in his church, has helped found a number of Negro business firms, and is vice president of the state Young Republicans.

Dozens of old schoolmates are now George's close friends, but perhaps the most touching acceptance of him as a man came a few years ago when he received a telephone call from Miller Williams, who had sat with him in the cafeteria. Williams, now an instructor of English at Louisiana State University, called to announce the birth of a daughter. ''Lucy and I were wondering,'' he said, ''whether you'd care to be her godfather?''

This simple request made forever real the love and respect between two people. George knew that the long struggle and pain had been worthwhile. He knew, too, that his father had been right in saying, ''Be patient with them. Give them a chance to know you.''

I know it too. For I am George's brother.●

CONGRATULATING SAINT ANSELM COLLEGE ON ITS 125TH ANNIVERSARY

● Ms. AYOTTE. Mr. President, today I honor a great institution of higher education in my home State of New Hampshire. This year Saint Anselm College will celebrate the 125th anniversary of its founding, and I am proud to recognize this historic event.

Founded in 1889 by Abbot Hilary Pfrangle, a member of the order of Saint Benedict, the world's oldest religious order, the college's mission is built on the credo of ''faith seeking understanding''—the guiding principle of its namesake, Saint Anselm of Canterbury.

Located in Goffstown, the college's picturesque campus is a perfect showcase for all the natural beauty New Hampshire has to offer. Since its inception, Saint Anselm has continued in the proud tradition of a strong Catholic education, which has prepared nurses, police chiefs, scientists, and politicians for successful careers for over a century. The student body continues to be comprised of highly motivated and gifted learners who are committed to achieving a diverse and challenging liberal arts education and are dedicated and enlightened members of the community.

The college is also home to the New Hampshire Institute of Politics and Political Library. As we prepare to celebrate the 100th anniversary of New Hampshire's first-in-the-Nation presidential primary, it is fitting that we also mark St. Anselm's longstanding tradition of fostering citizenship, engagement, and public service. Through the work of the institute, students have a front row seat to the political process. New Hampshire's well-deserved reputation as a proving ground for Presidential hopefuls is due in large part to the hard work of institutions like Saint Anselm that encourage students to be active and inquisitive and provide forums for the community at large to participate in government.

Saint Anselm has also fostered a long history of service. Named one of the country's ''Colleges with a Conscience'' by The Princeton Review, Saint Anselm students, faculty, and staff log more than 16,000 community service hours yearly. The school actively encourages its students to participate in service, both as a way to honor their faith and help those in need. Each year, over 200 students forego traditional spring-break activities to engage in service trips. From Costa Rica to Orland, ME, Anselmians spend their time and energy building homes, volunteering in schools, and serving at soup kitchens.

For over 100 years, Saint Anselm College's continued success has been driven by its clarity of vision and the hard work and dedication of its students, alumni, parents, and talented faculty and staff who share a sense of family and community.

I congratulate Saint Anselm College on 125 years of excellence in education, and wish the entire college community best of luck on 125 more years of providing high-quality education in the Granite State.●

RECOGNIZING AMARI WILLIAM

● Mr. GRAHAM. Mr. President, I ask my fellow colleagues to join me in recognizing Mr. Amari Williams, a student from Camden Middle School in South Carolina, and his essay titled What Does Freedom Mean to My Family?

I ask that the essay be printed in the RECORD. The essay follows.

WHAT DOES FREEDOM MEAN TO MY FAMILY?

Freedom has many meanings. For my family, freedom is living without fear and restrictions. Being fearless gives courage to make decisions that are not liked by everyone, but will help everyone. With no boundaries, help can be given to the less fortunate, those in bondage, and those in need of some other assistance. Each day, my family practices freedom by living in a neighborhood where we can fellowship with others no matter what they look like, how they sound, or what they believe. My parents work to make a difference in the world for my sister and me. My sister and I are able to go to school and learn so that one day we can help change the world. Freedom allow my family to worship God, be thankful for life, seek medical attention that helped save my life, and to be kind and patient with others.

My family understands that freedom does not come without a cost. Bravery is an important part of freedom. For freedom to be achieved, men and women put their lives and personal freedom at risk each day. Many of my family members have served in the military and fought for this freedom. Facing dangerous situations to help stop those who try to take away the freedom and liberty of others, make the freedom we have more special. As I have lived and began to learn more about freedom, I know that no matter what someone does to me, my family, or country, I can still have freedom in my heart. For my family, freedom starts from within and goes outward. No one can take our freedom away. Each day it is important to try and help others get that same freedom.●

REMEMBERING FRED CURLS

● Mrs. MCCASKILL. Mr. President, I ask the Senate to join me today in honoring the life and achievements of Fred Curls, who passed away on May 15, 2015. Fred was a dear friend and fought tirelessly to promote political and economic empowerment for African Americans. Fred was one of a kind, and will be remembered as a man committed to improving the lives of others and his community.

Fred was born in Kansas City, KS and grew up in both Kansas City and Norwata, OK. He was a member of the first class of graduates from Lincoln High School in Kansas City. In 1952, Fred began a career in real estate and opened his own business, Curls & Associates in 1954. He became the first African-American licensed real estate appraiser in Kansas City.

Based on his own experiences with discrimination in the workplace, Fred wanted something better for himself and his children. He became a pioneer for civil and political rights and was the last surviving founder of Freedom, Inc., one of the oldest and most active political organizations in the country. In 1962, he and four other influential leaders in Kansas City founded the organization with the belief that the primary way to get equal treatment was through the ballot box and the inception of a political party. The group helped give African Americans in Kansas City and throughout Missouri political power and strength by registering voters, backing civil rights efforts, and elevating candidates to elected office at the local, State and Federal level.

Throughout his life, Fred received numerous awards and commendations. He most recently received the Legacy Award from Jackson County and was inducted into the Missouri Walk of Fame. Several of Fred's own children and grandchildren have been involved in State and local politics including his late son Phil, who was a Missouri State senator, his daughter-in-law Melba who is a councilwoman in Kansas City, and his granddaughter Kiki, who is a Missouri State senator.

Fred had seven children over two marriages to Velma Wagner Curls and Bernice Curls Church. Three of his children preceded him in death. Millicent Curls Sillimon, Garland Michael Curls, and Senator Phillip Burnell Curls. He is survived by his children Janice Curls Parker, Darwin Lenard Curls, Dr. Karen Elaine Curls, Darrell Dwain Curls, 22 grandchildren, 32 great-grandchildren and 4 great-great grandchildren.

To countless residents of my State and across the country, Fred Curls is a

hero. He witnessed first-hand the harsh consequences of racial inequality and chose to devote his life to ending that injustice. Fred is an inspiration to so many Americans, across all racial lines, and to me personally. Because of leaders like him, who fought and sacrificed but ultimately believed in our country's ability to empathize and change, we are all better off and our lives more enriched. Fred left an indelible and permanent mark on Kansas City and will be fondly remembered and dearly missed. Fred's life and commitment to empower black voters serves as an inspiration to me and to all Missourians.

I ask that the Senate join me in honoring the life and legacy of Fred Curls.●

CELEBRATING GREEK-AMERICAN CULTURE

● Mr. MENENDEZ. Mr. President, I extend my congratulations to the National Herald for 100 years of respected journalism celebrating Greek-American culture and chronicling every minute of it, bringing vital news and analysis on issues of concern to the Greek-American community.

Socrates said, ''There is only one good, knowledge, and one evil, ignorance.'' For the last 100 years, the National Herald has provided the ''one good'' and has proudly reflected the fundamental democratic principles that have become Greece's gift to the world.

The Greek-American community has had a profound effect on American culture. Greek-Americans have been instrumental in advancing medicine, business, art, and academics. But the greatest impact has been on governance, and the continuation of the long history of democracy that began in Greece and continues today, as the gold-standard of governing principles. This year, I was proud to once again introduce and lead Senate passage of a resolution recognizing the anniversary of Greek independence and celebrating the long history of democracy that binds our two nations and I will continue to support that relationship, our shared history, and the interests of Greece, Cyprus, and the Hellenic-American community.

The National Herald has always been a valuable source for the latest information on these issues, and I know it will continue its tradition of respected journalism that reaches far beyond the Greek-American community.

I extend my deepest congratulations to the National Herald for 100 successful years and offer my best wishes for many more. Keep up the good work.●

MESSAGES FROM THE HOUSE

At 10:18 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2262. An act to facilitate a pro-growth environment for the developing commercial space industry by encouraging private sector investment and creating more stable and predictable regulatory conditions, and for other purposes.

ENROLLED BILL SIGNED

At 5:44 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker pro tempore (Mr. MESSER) has signed the following enrolled bill:

H.R. 2496. An act to extend the authorization for the replacement of the existing Department of Veterans Affairs Medical Center in Denver, Colorado, to make certain improvements in the Veterans Access, Choice, and Accountability Act of 2014, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. HATCH).

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2262. An act to facilitate a pro-growth environment for the developing commercial space industry by encouraging private sector investment and creating more stable and predictable regulatory conditions, and for other purposes; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 253. A bill to amend the Communications Act of 1934 to consolidate the reporting obligations of the Federal Communications Commission in order to improve congressional oversight and reduce reporting burdens (Rept. No. 114–58).

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 565. A bill to reduce the operation and maintenance costs associated with the Federal fleet by encouraging the use of remanufactured parts, and for other purposes (Rept. No. 114–59).

By Mr. BARRASSO, from the Committee on Indian Affairs, without amendment:

S. 286. A bill to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian tribes, and for other purposes (Rept. No. 114–60).

EXECUTIVE REPORTS OF COMMITTEE

The following executive report of a nomination was submitted, Thursday, May 21, 2015:

By Mr. CORKER for the Committee on Foreign Relations.

*Mary Catherine Phee, of Illinois, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of South Sudan.

Nominee: Mary Catherine Phee.

Post: U.S. Ambassador to South Sudan.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, Amount, Date, and Donee:

1. Self: None.
2. Spouse: N/A.
3. Children and Spouses: N/A.
4. Parents: Mary Catherine Phee: N/A—deceased; Martin Joseph Phee: None.
5. Grandparents: N/A—deceased.
6. Brothers and Spouses: N/A.
7. Sisters and Spouses: Sarah Marie Phee: None; Amy Maureen Phee: $250, 2/12/2013, Schatz for Senate; $208, 11/15/2012, Glover Park Group PAC; $1,000, 8/11/2010, Friends of Blanche Lincoln; $1,000, 7/28/2010, Friends of Schumer; $208, 4/30/2010, Glover Park Group PAC; $208, 3/31/2010, Glover Park Group PAC; Margaret Ellen Phee: None.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. MARKEY (for himself, Mr. PAUL, Mrs. FEINSTEIN, Mr. DURBIN, Ms. HIRONO, Mr. BROWN, and Ms. BALDWIN):

S. 1455. A bill to provide access to medication-assisted therapy, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. CANTWELL (for herself, Mr. THUNE, and Mrs. MURRAY):

S. 1456. A bill to amend title XVIII of the Social Security Act to improve the way beneficiaries are assigned under the Medicare shared savings program by also basing such assignment on primary care services furnished by Federally qualified health centers, rural health clinics, nurse practitioners, physician assistants, and clinical nurse specialists; to the Committee on Finance.

By Mr. TESTER:

S. 1457. A bill to restore an opportunity for tribal economic development on terms that are equal and fair, and for other purposes; to the Committee on Indian Affairs.

By Mr. COATS (for himself, Mr. MANCHIN, and Mrs. CAPITO):

S. 1458. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to ensure scientific transparency in the development of environmental regulations and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SCHUMER (for himself, Ms. COLLINS, Mr. LEAHY, Mr. MERKLEY, Mrs. SHAHEEN, and Mr. MANCHIN):

S. 1459. A bill to amend the Internal Revenue Code of 1986 to modify the types of wines taxed as hard cider; to the Committee on Finance.

By Mr. BROWN (for himself and Mr. TILLIS):

S. 1460. A bill to amend title 38, United States Code, to extend the Yellow Ribbon G.I. Education Enhancement Program to cover recipients of the Marine Gunnery Sergeant John David Fry scholarship, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. THUNE (for himself, Ms. CANTWELL, Mr. MORAN, and Mr. TESTER):

S. 1461. A bill to provide for the extension of the enforcement instruction on supervision requirements for outpatient therapeutic services in critical access and small

rural hospitals through 2015; to the Committee on Finance.

By Mr. SCHUMER (for himself, Mr. DURBIN, Mrs. GILLIBRAND, Mrs. BOXER, and Mrs. FEINSTEIN):

S. 1462. A bill to improve the safety of oil shipments by rail and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MORAN (for himself, Mr. BLUMENTHAL, Mr. WYDEN, Mr. BROWN, Mr. KING, Ms. COLLINS, and Mr. HOEVEN):

S. 1463. A bill to amend the Veterans Access, Choice, and Accountability Act of 2014 to modify the distance requirement for expanded availability of hospital care and medical services for veterans through the use of agreements with non-Department of Veterans Affairs entities; considered and passed.

By Mr. SCHUMER:

S. 1464. A bill to require all recreational vessels to have and to post passenger capacity limits and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. KIRK:

S. 1465. A bill to amend title XVIII of the Social Security Act to expand access to stroke telehealth services under the Medicare program; to the Committee on Finance.

By Mr. KIRK (for himself, Mr. MENENDEZ, Mr. BURR, Mr. SCHUMER, and Mr. CARPER):

S. 1466. A bill to amend title XVIII of the Social Security Act to modify payment under the Medicare program for outpatient department procedures that utilize drugs as supplies, and for other purposes; to the Committee on Finance.

By Mrs. GILLIBRAND (for herself, Mr. BLUMENTHAL, Mr. BOOKER, and Mr. SCHATZ):

S. 1467. A bill to require the Secretary of Transportation to establish new standards for automobile hoods and bumpers to reduce pedestrian injuries, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. WARNER (for himself, Mr. MCCAIN, and Mr. KAINE):

S. 1468. A bill to designate the arboretum at the Hunter Holmes McGuire VA Medical Center in Richmond, Virginia, as the ''Phyllis E. Galanti Arboretum''; to the Committee on Veterans' Affairs.

ADDITIONAL COSPONSORS

S. 192

At the request of Mr. ALEXANDER, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 192, a bill to reauthorize the Older Americans Act of 1965, and for other purposes.

S. 303

At the request of Mr. ROBERTS, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 303, a bill to amend title 5, United States Code, to provide that individuals having seriously delinquent tax debts shall be ineligible for Federal employment.

S. 311

At the request of Mr. CASEY, the names of the Senator from Rhode Island (Mr. REED), the Senator from New Mexico (Mr. HEINRICH) and the Senator from Florida (Mr. NELSON) were added as cosponsors of S. 311, a bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students.

S. 491

At the request of Ms. KLOBUCHAR, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 491, a bill to lift the trade embargo on Cuba.

S. 524

At the request of Mr. WHITEHOUSE, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 524, a bill to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use.

S. 682

At the request of Mr. TOOMEY, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 682, a bill to amend the Truth in Lending Act to modify the definitions of a mortgage originator and a high-cost mortgage.

S. 799

At the request of Mr. MCCONNELL, the names of the Senator from West Virginia (Mrs. CAPITO) and the Senator from Nebraska (Mrs. FISCHER) were added as cosponsors of S. 799, a bill to combat the rise of prenatal opioid abuse and neonatal abstinence syndrome.

S. 802

At the request of Mr. RUBIO, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 802, a bill to authorize the Secretary of State and the Administrator of the United States Agency for International Development to provide assistance to support the rights of women and girls in developing countries, and for other purposes.

S. 925

At the request of Mrs. SHAHEEN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 925, a bill to require the Secretary of the Treasury to convene a panel of citizens to make a recommendation to the Secretary regarding the likeness of a woman on the twenty dollar bill, and for other purposes.

S. 1020

At the request of Mr. VITTER, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 1020, a bill to amend title XVIII of the Social Security Act to ensure the continued access of Medicare beneficiaries to diagnostic imaging services, and for other purposes.

S. 1081

At the request of Mr. BOOKER, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 1081, a bill to end the use of body-gripping traps in the National Wildlife Refuge System.

S. 1121

At the request of Ms. AYOTTE, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 1121, a bill to amend the Horse Protection Act to designate additional unlawful acts under the Act, strengthen penalties for violations of the Act, improve Department of Agriculture enforcement of the Act, and for other purposes.

S. 1143

At the request of Ms. CANTWELL, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1143, a bill to make the authority of States of Washington, Oregon, and California to manage Dungeness crab fishery permanent and for other purposes.

S. 1148

At the request of Mr. NELSON, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1148, a bill to amend title XVIII of the Social Security Act to provide for the distribution of additional residency positions, and for other purposes.

S. 1193

At the request of Mr. ROBERTS, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1193, a bill to amend the Internal Revenue Code of 1986 to make permanent and expand the temporary minimum credit rate for the low-income housing tax credit program.

S. 1347

At the request of Mr. ISAKSON, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 1347, a bill to amend title XVIII of the Social Security Act with respect to the treatment of patient encounters in ambulatory surgical centers in determining meaningful EHR use, and for other purposes.

S. 1369

At the request of Mrs. FEINSTEIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1369, a bill to allow funds under title II of the Elementary and Secondary Education Act of 1965 to be used to provide training to school personnel regarding how to recognize child sexual abuse.

S. 1378

At the request of Mr. PAUL, the names of the Senator from Colorado (Mr. BENNET) and the Senator from Montana (Mr. DAINES) were added as cosponsors of S. 1378, a bill to strengthen employee cost savings suggestions programs within the Federal Government.

S. 1434

At the request of Mr. HEINRICH, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 1434, a bill to amend the Public Utility Regulatory Policies Act of 1978 to establish an energy storage portfolio standard, and for other purposes.

S. CON. RES. 12

At the request of Mr. BLUMENTHAL, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. Con. Res. 12, a concurrent resolution recognizing the need to improve

physical access to many federally funded facilities for all people of the United States, particularly people with disabilities.

AMENDMENT NO. 1226

At the request of Mr. WYDEN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of amendment No. 1226 proposed to H.R. 1314, a bill to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.

AMENDMENT NO. 1246

At the request of Mr. SULLIVAN, the names of the Senator from Massachusetts (Ms. WARREN) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of amendment No. 1246 intended to be proposed to H.R. 1314, a bill to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.

AMENDMENT NO. 1252

At the request of Mr. BROWN, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of amendment No. 1252 intended to be proposed to H.R. 1314, a bill to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.

AMENDMENT NO. 1299

At the request of Mr. PORTMAN, the names of the Senator from Montana (Mr. TESTER), the Senator from Massachusetts (Mr. MARKEY) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of amendment No. 1299 proposed to H.R. 1314, a bill to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.

AMENDMENT NO. 1404

At the request of Mr. MERKLEY, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of amendment No. 1404 intended to be proposed to H.R. 1314, a bill to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1438. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table.

SA 1439. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, supra; which was ordered to lie on the table.

SA 1440. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 2048, to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1438. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE III—TRADE PREFERENCES FOR NEPAL

SEC. 301. SHORT TITLE.

This title may be cited as the ''Nepal Trade Preferences Act''.

SEC. 302. SENSE OF CONGRESS.

It is the sense of Congress that it should be an objective of the United States to use trade policies and trade agreements to contribute to the reduction of poverty and the elimination of hunger.

SEC. 303. ELIGIBILITY REQUIREMENTS.

(a) IN GENERAL.—The President may authorize the provision of preferential treatment under this title to articles that are imported directly from Nepal into the customs territory of the United States pursuant to section 304 if the President determines—

(1) that Nepal meets the requirements set forth in paragraphs (1), (2), and (3) of section 104(a) of the African Growth and Opportunity Act (19 U.S.C. 3703(a)); and

(2) after taking into account the factors set forth in paragraphs (1) through (7) of subsection (c) of section 502 of the Trade Act of 1974 (19 U.S.C. 2462), that Nepal meets the eligibility requirements of such section 502.

(b) WITHDRAWAL, SUSPENSION, OR LIMITATION OF PREFERENTIAL TREATMENT; MANDATORY GRADUATION.—The provisions of subsections (d) and (e) of section 502 of the Trade Act of 1974 (19 U.S.C. 2462) shall apply with respect to Nepal to the same extent and in the same manner as such provisions apply with respect to beneficiary developing countries under title V of that Act (19 U.S.C. 2461 et seq.).

SEC. 304. ELIGIBLE ARTICLES.

(a) IN GENERAL.—An article described in subsection (b) may enter the customs territory of the United States free of duty.

(b) ARTICLES DESCRIBED.—

(1) IN GENERAL.—An article is described in this subsection if—

(A)(i) the article is the growth, product, or manufacture of Nepal; and

(ii) in the case of a textile or apparel article, Nepal is the country of origin of the article, as determined under section 102.21 of title 19, Code of Federal Regulations (as in effect on the day before the date of the enactment of this Act);

(B) the article is imported directly from Nepal into the customs territory of the United States;

(C) the article is classified under any of the following subheadings of the Harmonized Tariff Schedule of the United States (as in effect on the day before the date of the enactment of this Act):

4202.11.00	4202.22.60	4202.92.08
4202.12.20	4202.22.70	4202.92.15
4202.12.40	4202.22.80	4202.92.20
4202.12.60	4202.29.50	4202.92.30
4202.12.80	4202.29.90	4202.92.45
4202.21.60	4202.31.60	4202.92.60
4202.21.90	4202.32.40	4202.92.90
4202.22.15	4202.32.80	4202.99.90
4202.22.40	4202.32.95	4203.29.50
4202.22.45	4202.91.00	
5701.10.90	5702.91.30	5703.10.80
5702.31.20	5702.91.40	5703.90.00
5702.49.20	5702.92.90	5705.00.20
5702.50.40	5702.99.15	
5702.50.59	5703.10.20	
6117.10.60	6214.20.00	6217.10.85
6117.80.85	6214.40.00	6301.90.00
6214.10.10	6214.90.00	6308.00.00
6214.10.20	6216.00.80	
6504.00.90	6505.00.30	6505.00.90
6505.00.08	6505.00.40	6506.99.30
6505.00.15	6505.00.50	6506.99.60
6505.00.20	6505.00.60	
6505.00.25	6505.00.80	

(D) the President determines, after receiving the advice of the United States International Trade Commission in accordance with section 503(e) of the Trade Act of 1974 (19 U.S.C. 2463(e)), that the article is not import-sensitive in the context of imports from Nepal; and

(E) subject to paragraph (3), the sum of the cost or value of the materials produced in, and the direct costs of processing operations performed in, Nepal or the customs territory of the United States is not less than 35 percent of the appraised value of the article at the time it is entered.

(2) EXCLUSIONS.—An article shall not be treated as the growth, product, or manufacture of Nepal for purposes of paragraph (1)(A)(i) by virtue of having merely undergone—

(A) simple combining or packaging operations; or

(B) mere dilution with water or mere dilution with another substance that does not materially alter the characteristics of the article.

(3) LIMITATION ON UNITED STATES COST.—For purposes of paragraph (1)(E), the cost or value of materials produced in, and the direct costs of processing operations performed in, the customs territory of the United States and attributed to the 35-percent requirement under that paragraph may not exceed 15 percent of the appraised value of the article at the time it is entered.

(c) VERIFICATION WITH RESPECT TO TRANSSHIPMENT FOR TEXTILE AND APPAREL ARTICLES.—

(1) IN GENERAL.—Not later than April 1, July 1, October 1, and January 1 of each year, the Commissioner responsible for U.S. Customs and Border Protection shall verify that textile and apparel articles imported from Nepal to which preferential treatment is extended under this title are not being unlawfully transshipped into the United States.

(2) REPORT TO PRESIDENT.—If the Commissioner determines pursuant to paragraph (1) that textile and apparel articles imported from Nepal to which preferential treatment is extended under this title are being unlawfully transshipped into the United States, the Commissioner shall report that determination to the President.

SEC. 305. TRADE FACILITATION AND CAPACITY BUILDING.

(a) FINDINGS.—Congress makes the following findings:

(1) As a land-locked least-developed country, Nepal has severe challenges reaching markets and developing capacity to export goods. As of 2015, exports from Nepal are approximately $800,000,000 per year, with India the major market at $450,000,000 annually. The United States imports about $80,000,000 worth of goods from Nepal, or 10 percent of the total goods exported from Nepal.

(2) The World Bank has found evidence that the overall export competitiveness of

Nepal has been declining since 2005. Indices compiled by the World Bank and the Organization for Economic Co-operation and Development found that export costs in Nepal are high with respect to both air cargo and container shipments relative to other low-income countries. Such indices also identify particular weaknesses in Nepal with respect to automation of customs and other trade functions, involvement of local exporters and importers in preparing regulations and trade rules, and export finance.

(3) Implementation by Nepal of the Agreement on Trade Facilitation of the World Trade Organization could directly address some of the weaknesses described in paragraph (2).

(b) ESTABLISHMENT OF TRADE FACILITATION AND CAPACITY BUILDING PROGRAM.—Not later than 180 days after the date of the enactment of this Act, the President shall, in consultation with the Government of Nepal, establish a trade facilitation and capacity building program for Nepal—

(1) to enhance the central export promotion agency of Nepal to support successful exporters and to build awareness among potential exporters in Nepal about opportunities abroad and ways to manage trade documentation and regulations in the United States and other countries;

(2) to provide export finance training for financial institutions in Nepal and the Government of Nepal;

(3) to assist the Government of Nepal in maintaining publication of all trade regulations, forms for exporters and importers, tax and tariff rates, and other documentation relating to exporting goods on the Internet and developing a robust public-private dialogue, through its National Trade Facilitation Committee, for Nepal to identify timelines for implementation of key reforms and solutions, as provided for under the Agreement on Trade Facilitation of the World Trade Organization; and

(4) to increase access to guides for importers and exporters on the Internet, including rules and documentation for United States tariff preference programs.

SEC. 306. REPORTING REQUIREMENT.

Not later than one year after the date of the enactment of this Act, and annually thereafter, the President shall monitor, review, and report to Congress on the implementation of this title, the compliance of Nepal with section 303(a), and the trade and investment policy of the United States with respect to Nepal.

SEC. 307. TERMINATION OF PREFERENTIAL TREATMENT.

No preferential treatment extended under this title shall remain in effect after December 31, 2025.

SEC. 308. EFFECTIVE DATE.

The provisions of this title shall take effect on January 1, 2016.

SA 1439. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 1221 proposed by Mr. HATCH to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

At the end of section 102(b), add the following:

(21) PROTECTION OF INDIAN EXPORTS AND TREATY RIGHTS.—

(A) IN GENERAL.—The principal negotiating objectives of the United States with respect to the protection of exports and treaty rights of Indian tribes are to ensure that—

(i) goods of or for the benefit of Indian tribes may be exported through ports in the United States;

(ii) treaty rights of Indian tribes are protected; and

(iii) goods of or for the benefit of Indian tribes have the opportunity to compete in the world market.

(B) DEFINITIONS.—In this paragraph:

(i) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(ii) TREATY RIGHTS OF INDIAN TRIBES.—The term ''treaty rights of Indian tribes'' means rights pursuant to treaties between Indian tribes and the United States that confirm the rights and privileges of each Indian tribe and the United States.

RECESS UNTIL 12:01 A.M. TOMORROW

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate stand in recess until 12:01 a.m.

There being no objection, the Senate, at 11:13 p.m., recessed until Saturday, May 23, 2015, at 12:01 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 23, 2015.

DEPARTMENT OF DEFENSE

PETER LEVINE, OF MARYLAND, TO BE DEPUTY CHIEF MANAGEMENT OFFICER OF THE DEPARTMENT OF DEFENSE.

DEPARTMENT OF STATE

PAUL A. FOLMSBEE, OF OKLAHOMA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICES, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRADORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MALI.

STAFFORD FITZGERALD HANEY, OF NEW JERSEY, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF COSTA RICA.

FOREIGN SERVICE

FOREIGN SERVICE NOMINATION OF DOUGLAS A. KONEFF.

FOREIGN SERVICE NOMINATION OF JUDY R. REINKE.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH BRIAN C. BRISSON AND ENDING WITH CATHERINE M. WERNER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 4, 2015.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH PETER J. OLSON AND ENDING WITH NICOLAS RUBIO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 15, 2015.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH CRAIG A. ANDERSON AND ENDING WITH HENRY KAMINSKI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 15, 2015.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH ANTHONY S. AMATOS AND ENDING WITH ELENA ZLATNIK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 15, 2015.

EXTENSIONS OF REMARKS

MEMORIAL DAY AND HONORING OUR FALLEN SERVICEMEMBERS

HON. JOYCE BEATTY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, May 22, 2015

Mrs. BEATTY. Mr. Speaker, Memorial Day represents one of our nation's most important holidays.

Each year, our nation unites, regardless of political differences and ideology, to remember the heroes from all branches of military service who paid the ultimate sacrifice to defend the very freedoms we hold so dear.

This Monday on Memorial Day, as we honor the courageous men and women in uniform who gave their lives to defend our country, we continue our nation's long-held tradition of paying tribute to America's fallen soldiers.

On this day of remembrance, let us recall that these brave men and women left behind countless loved ones and family members who also deserve our collective gratitude.

As we remember the remarkable lives of our nation's fallen soldiers and their families on this Memorial Day, we must continue to honor them each day, as a single day of commemoration is far short of what they deserve.

HONORING FALLEN VETERANS

HON. STACEY E. PLASKETT

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Friday, May 22, 2015

Ms. PLASKETT. Mr. Speaker, I rise today to honor the members of our armed forces who have given their lives in defense of our democracy. The men and women whose dedication has been to protect not just our land and people, but also the principles we hold so dear: the principles of life, liberty and the pursuit of happiness.

The veterans from my home district in the U.S. Virgin Islands have long been among the first to answer America's call to duty. In some cases, even fighting in defense of this great nation before they were officially a part of it.

Our territory had only been under the U.S. flag for a few months when America entered into World War I. Virgin Islanders had not yet been granted American Citizenship, but our people served—and they did so bravely, and with honor.

In the fight to preserve our democracy all Virgin Island veterans have given, but there are some, like the nine brave Virgin Island souls, who gave the ultimate sacrifice in the wars in Iraq and Afghanistan.

This Memorial Day, I ask that my colleagues join me in saluting the sacrifice and honoring the memory of these men. They are:

Army SSG Kendall Thomas; Army PFC Jason Lynch; Marine Lance Cpl. Shane L. Goldman; Army SPC Jose Rosario; Army SSG Gregory Rivera-Santiago; Army LTC David C. Canegata; Army SFC Floyd Lake; Army SGT Jorge Scatliffe and Army SGT Errol James.

This nation owes these men, and the countless others who have paid the ultimate sacrifice, a great debt; one which we can never really repay. Our resolve is that their sacrifice is not in vain as we rise up in their stead in the continuing fight for liberty and justice for all.

CONGRATULATING PHIL LARUE

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, May 22, 2015

Mr. KIND. Mr. Speaker, I rise today to thank Phil LaRue for his many contributions to the New Democrat Coalition. Next month, Phil will be leaving the New Democrat Coalition to move back to Pennsylvania.

The New Democrat Coalition, which I have the honor to Chair, is a group of 46 pro-growth, innovation focused Members of the House Democratic Caucus. New Dems support policies to expand economic growth and foster the new economy; a fiscally responsible and efficient government; and a robust foreign policy that includes a pro-growth trade agenda.

Phil joined the New Dem staff as Communications Director in June 2013. Since then, he has been a trusted advisor to me and many Members of the Coalition. Over his tenure, the New Democrat Coalition has been at the forefront of many issues important to our country including working to reopen government during the shutdown in the fall of 2013, introducing and advocating for Comprehensive Immigration Reform, advancing a competitiveness agenda, building support for regulatory reform, and working to pass a pro-growth, pro-worker trade agenda. Phil's work sharpening our message, interacting with the press, identifying opportunities, and coordinating key stakeholders has been critical to the Coalition's success.

In addition, Phil was a key architect in the New Democrat Coalition's American Prosperity Agenda released in March 2015; the first comprehensive policy agenda in the Coalition's 18 year history. The American Prosperity Agenda lays out a vision for policies Congress should prioritize in three key areas: 1. Grow the Economy in Every Town and City, 2. Give Everyone a Shot at the American Dream, and 3. Make Government Work Better for the Middle Class.

Mr. Speaker, on behalf of the Members of the New Democrat Coalition, thank you Phil.

SPURRING PRIVATE AEROSPACE COMPETITIVENESS AND ENTREPRENEURSHIP ACT OF 2015

SPEECH OF

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 2015

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 2262) to facilitate a pro-growth environment for the developing commercial space industry by encouraging private sector investment and creating more stable and predictable regulatory conditions, and for other purposes:

Mr. BLUMENAUER. Mr Chair, I voted for H.R. 2262, the Spurring Private Aerospace Competitiveness and Entrepreneurship (SPACE) Act of 2015 to promote continued American competitiveness and ingenuity in space exploration. I agree with many of my fellow Democrats that as this industry matures, we should be regularly revisiting the issue of the "learning period," and its related Federal Aviation Administration (FAA) regulations regarding spacecraft, as well as rules relating to indemnification.

This is why I supported the Edwards amendment to the SPACE Act to shorten the extension of these provisions to five and four years, rather than continuing them through 2025. Though that amendment failed, I voted to support the underlying bill because it is important to encourage growth in this industry, considering the end of NASA's space shuttle program in July 2011, and the rapid development of this industry internationally.

As is now happening with our commercial drone industry, which can help us with everything from enforcing environmental protections to improving worker safety, a failure to move beyond outmoded federal regulations in the U.S. will mean other countries progress and we're left behind. A failure to reach agreement on these critical areas of emerging technology and the role of the federal government will undercut American's ability to compete and lead in the 21st century. Research, innovation and investments are happening in the area across the globe. We must strike the right balance, but Congress ought not play a role by adding complexity and delay.

MAY AS NATIONAL FOSTER CARE MONTH

HON. JOYCE BEATTY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, May 22, 2015

Mrs. BEATTY. Mr. Speaker, this month, I join my colleagues in recognizing May as National Foster Care Month.

National Foster Care Month was established over 20 years ago to bring foster care issues to the forefront, highlight the importance of

permanency for every child, and recognize the essential role that foster parents, social workers, and advocates have in the lives of children in foster care throughout the United States.

The goal of this special month is to raise awareness about the experiences and needs of the more than 400,000 youth in the foster care system.

It is also an opportunity to celebrate the thousands of dedicated foster families who care for these children as well as the social workers and service providers who support them.

I'd like to share a few statistics that showcase the child welfare landscape.

In 2013, there were an estimated 399,546 children in foster care.

In Ohio, there are about 14,000 children in foster care and 2,500 of these children are waiting for adoptive homes.

We cannot allow these statistics to shape the reality of our nation's foster youth.

All children deserve safe, loving, and permanent homes.

We have a responsibility to continue to create policies that will improve outcomes and the overall well-being of foster youth and their families.

While we have made progress, there is still much more to do.

I look forward to working with my colleagues to enable every child in foster care can succeed.

Every child in our country deserves the opportunity to succeed, and I hope that throughout the month of May, we'll be able to raise awareness to the needs of foster children across the United States.

COMMEMORATING THE 50-YEAR ANNIVERSARY OF HEAD START

HON. STACEY E. PLASKETT

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Friday, May 22, 2015

Ms. PLASKETT. Mr. Speaker, I rise today to commemorate the 50-year anniversary of Head Start in this country, and to honor the many professionals whose dedication to early childhood education has kept the program going.

But as we are celebrating the successes of Head Start, let us not overlook the fact that our commitment to early education and our efforts as a body to preserve the Head Start program are not exactly even-keeled.

While Head Start has served more than 30 million children and families in urban and rural areas across the country, in many cities, families see long waiting lists.

In my home district in the U.S. Virgin Islands, the funded enrollment in Head Start is just under 900, but there are more than 750 children on the waiting list—an increase from the 600 who were on the list the year before. This in part, comes as a result of funding constraints that has prevented the expansion of Head Start.

I don't have to stress the importance of this program. Access to Head Start not only improves children's preschool outcomes, but has been shown to positively impact high school graduation rates and even help families move out of poverty.

It is my hope that this body continues to hold firm the commitment to providing quality early education for our children and work together in closing the educational opportunity gap.

Half a century later, President Lyndon Johnson's vision and words still hold true: this is, in fact, ''one of the most constructive, and one of the most sensible, and also one of the most exciting programs that this nation has ever undertaken.''

Let's continue investing in our most valuable resource: our children.

HONORING DIANA MAAS

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, May 22, 2015

Mr. KIND. Mr. Speaker, I rise today to thank Diana Maas for her many contributions to the House of Representatives and specifically to my office. Diana will be leaving my office to pursue opportunities back in her home state of Wisconsin.

Diana first came to Capitol Hill as a Staff Assistant for Congressman Dave Obey. She joined the staff of Senator Herb Kohl in 2011. In 2011, she joined my staff as Legislative Correspondent. From day one in my office, Diana worked tirelessly on behalf of the citizens of western and central Wisconsin. As Diana moved up in my office, she became an integral part of the legislative team. She was particularly successful in working on awarding the Medal of Honor to Lieutenant Alonzo Cushing. One hundred and fifty years after his death at the Battle of Gettysburg. Lieutenant Cushing now has received his due recognition, in part because of Diana's commitment to navigating legislation down the often complicated path of awarding the Medal of Honor. While working to honor Lt. Cushing, Diana simultaneously worked tirelessly on behalf of our veterans and students.

Diana has returned to the great state of Wisconsin and has joined the Spooner School District as their Communications Specialist. While I am sorry to see her leave my staff after three years, I wish her the best of luck in her new role. Diana embodies the term public service and has worked tirelessly to make our nation a better place, which has not been easy given the current toxic environment. It is unfortunate that we are losing such a competent and dedicated public servant.

Mr. Speaker, on my behalf; thank you to Diana for her service and dedication to not only the constituents of the Third District of Wisconsin, but to all Americans.

STROKE AWARENESS MONTH

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, May 22, 2015

Mr. BLUMENAUER. Mr. Speaker, as co-chair of the Congressional Neuroscience Caucus, I rise today to recognize the month of May as Stroke Awareness Month.

Stroke, an attack in which blood flow and oxygen to the brain are blocked, is the leading cause of long-term disability in the United States. Each year, more than 795,000 Americans suffer from stroke, and in my own home state of Oregon those numbers are above the national average. The health care expenses, including associated medications and missed days of work, cost the United States an estimated $34 billion each year.

The human costs, however, are more devastating. In the United States alone, an annual average of 130,000 of those who have had a stroke die. Even those who survive often experience a significant decrease in their quality of life. Over two-thirds of survivors must live with sometimes overwhelming long-term consequences, such as paralysis, motor activity, speech, and the ability to understand speech. Many of those survivors and their families also face financial repercussions. Some must even deplete their savings and sell their assets just to cover the costs associated with post-stroke care.

As part of Stroke Awareness Month, we must ensure our constituents understand that stroke is treatable and preventable, as long as citizens arm themselves with the proper diagnostic tools and health information. Common stroke symptoms include: crushing chest pain; sudden weakness of the face, arm, or leg; sudden confusion; trouble speaking or understanding speech; sudden trouble walking or seeing; loss of balance; and sudden, severe headache. The ability to recognize these symptoms and seek medical attention immediately is critical to surviving a stroke and minimizing long-term disability.

Stroke affects people of all ages, but several underlying factors that put individuals at higher risk include unhealthy diets, tobacco use, and physical inactivity. Understanding the risks involved with certain lifestyle choices and making healthier choices can often help reduce a person's risk of stroke.

The federal government needs to be a better partner with stroke survivors, and it is the aim of our Congressional Neuroscience Caucus to do just that. We must find ways to increase the effectiveness of the federal investment in developing new treatments. In addition, we have an obligation to work with survivors and their families to make the path to recovery less arduous. Options we should consider include improving access to post-stroke therapy and finding ways to reduce the financial impact on survivors and their families. One important first step is recognize May as Stroke Awareness month in order to continue to educate Americans about stroke symptoms, prevention, and treatments.

50TH ANNIVERSARY OF THE LAUNCH OF HEAD START

HON. JOYCE BEATTY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, May 22, 2015

Mrs. BEATTY. Mr. Speaker, I rise today in recognition of the 50th Anniversary of the launch of Head Start.

In 1965, President Lyndon B. Johnson started Head Start and the program has since grown to provide children from low-income families access to comprehensive preschool programs and prepare them for kindergarten and a successful future.

Head Start is a key component of our national commitment to give every child, regardless of circumstances at birth, an opportunity to succeed in school and in life.

Access to Head Start clearly improves children's preschool outcomes across developmental domains on multiple measures.

There are 39,293 Head Start students in Ohio.

Within my district, in Franklin County, Head Start serves 3,351 young students.

I support the President's budget request for Head Start, which increases funding by $1.5 billion.

I believe that we all should commit to supporting early childhood education, this crucial program, and work together, in a bipartisan way, to ensure that every child in America has an equal shot at success in school and beyond.

Daily Digest

HIGHLIGHTS

Senate passed H.R. 1314, Ensuring Tax Exempt Organizations the Right to Appeal Act, as amended.

Senate

Chamber Action

Routine Proceedings, pages S3253–S3312

Measures Introduced: Fourteen bills were introduced, as follows: S. 1455–1468. **Pages S3309–10**

Measures Reported:

S. 253, to amend the Communications Act of 1934 to consolidate the reporting obligations of the Federal Communications Commission in order to improve congressional oversight and reduce reporting burdens, with an amendment in the nature of a substitute. (S. Rept. No. 114–58)

S. 565, to reduce the operation and maintenance costs associated with the Federal fleet by encouraging the use of remanufactured parts. (S. Rept. No. 114–59)

S. 286, to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian tribes. (S. Rept. No. 114–60) **Page S3309**

Measures Passed:

Veterans Access, Choice, and Accountability Act: Senate passed S. 1463, to amend the Veterans Access, Choice, and Accountability Act of 2014 to modify the distance requirement for expanded availability of hospital care and medical services for veterans through the use of agreements with non-Department of Veterans Affairs entities. **Pages S3288–89**

Veterans Access, Choice, and Accountability Act: Senate passed H.R. 2496, to extend the authorization for the replacement of the existing Department of Veterans Affairs Medical Center in Denver, Colorado, to make certain improvements in the Veterans Access, Choice, and Accountability Act of 2014. **Pages S3289–90**

Ensuring Tax Exempt Organizations the Right to Appeal Act: By 62 yeas to 37 nays (Vote No. 193), Senate passed H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations, after taking action on the following amendments proposed thereto: **Pages S3256–74, S3274–89, S3290–99**

Adopted:

By 70 yeas to 29 nays (Vote No. 186), Hatch Modified Amendment No. 1411 (to the language proposed to be stricken by Amendment No. 1299), of a perfecting nature. **Pages S3256, S3291–92**

By 62 yeas to 37 nays (Vote No. 191), Hatch Amendment No. 1221, in the nature of a substitute. **Pages S3256, S3295**

Rejected:

By 48 yeas to 51 nays (Vote No. 187), Stabenow (for Portman) Amendment No. 1299 (to Amendment No. 1221), to make it a principal negotiating objective of the United States to address currency manipulation in trade agreements. **Pages S3256–59, S3265–67, S3267–69, S3280–83, S3292–93**

By 39 yeas to 60 nays (Vote No. 188), Wyden (for Warren) Amendment No. 1327 (to Amendment No. 1221), to prohibit the application of the trade authorities procedures to an implementing bill submitted with respect to a trade agreement that includes investor-state dispute settlement. **Pages S3256, S3293**

By 47 yeas to 52 nays (Vote No. 189), Brown Amendment No. 1251 (to Amendment No. 1221), to require the approval of Congress before additional countries may join the Trans-Pacific Partnership Agreement. **Pages S3256, S3293–94**

By 36 yeas to 62 nays, 1 responding present (Vote No. 190), Hatch (for Flake) Amendment No. 1243 (to Amendment No. 1221), to strike the extension of the trade adjustment assistance program. **Pages S3256, S3294–95**

During consideration of this measure today, Senate also took the following action:

Chair sustained a point of order that Wyden (for Shaheen) Amendment No. 1227 (to Amendment

No. 1221), to make trade agreements work for small businesses, was not germane, and the amendment thus fell. **Pages S3256, S3293**

Chair sustained a point of order that Hatch (for McCain) Amendment No. 1226 (to Amendment No. 1221), to repeal a duplicative inspection and grading program, was not germane, and the amendment thus fell. **Pages S3256, S3294**

Chair sustained a point of order that Hatch (for Inhofe/Coons) Modified Amendment No. 1312 (to Amendment No. 1221), to amend the African Growth and Opportunity Act to require the development of a plan for each sub-Saharan African country for negotiating and entering into free trade agreements, was not germane, and the amendment thus fell. **Pages S3256, S3294**

By 61 yeas to 38 nays (Vote No. 192), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the bill. **Pages S3295–96**

Measures Considered:

USA FREEDOM Act: Senate continued consideration of the motion to proceed to consideration of H.R. 2048, to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes. **Page S3299**

Messages from the House: **Page S3309**

Measures Referred: **Page S3309**

Executive Reports of Committees: **Page S3309**

Additional Cosponsors: **Pages S3310–11**

Additional Statements: **Pages S3305–09**

Amendments Submitted: **Pages S3311–12**

Record Votes: Eight record votes were taken today. (Total—193) **Pages S3292–96, S3298**

Recess: Senate convened at 9:30 a.m. and recessed at 11:13 p.m., until 12:01 a.m. on Saturday, May 23, 2015. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S3312.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 16 public bills, H.R. 2568–2573; and 2 resolutions, H.J. Res. 56; H. Con. Res. 52 were introduced. **Pages H3573–74**

Additional Cosponsors: **Page H3574**

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Womack to act as Speaker pro tempore for today. **Page H3567**

Senate Messages: Messages received from the Senate by the Clerk and subsequently presented to the House today appear on page H3567.

Senate Referrals: S. 261 and S. 612 were referred to the Committee on Transportation and Infrastructure. S. 501 was referred to the Committee on Natural Resources. **Page H3572**

Quorum Calls—Votes: There were no Yea and Nay votes, and there were no Recorded votes. There were no quorum calls.

Adjournment: The House met at 2:30 p.m. and adjourned at 2:33 p.m.

Committee Meetings

No hearings were held.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR SATURDAY, MAY 23, 2015

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

No hearings are scheduled.

Next Meeting of the SENATE

12:01 a.m., Saturday, May 23

Senate Chamber

Program for Saturday: Senate will vote on the motion to invoke cloture on the motion to proceed to consideration of H.R. 2048, USA FREEDOM Act. If cloture is not invoked on the motion to proceed to consideration of H.R. 2048, Senate will vote on the motion to invoke cloture on the motion to proceed to consideration of S. 1357, Foreign Intelligence Surveillance Act.

Next Meeting of the HOUSE OF REPRESENTATIVES

3 p.m., Tuesday, May 26

House Chamber

Program for Tuesday: House will meet in pro forma session at 3 p.m.

Extensions of Remarks, as inserted in this issue

HOUSE

Beatty, Joyce, Ohio, E789, E789, E790
Blumenauer, Earl, Ore., E789, E790
Kind, Ron, Wisc., E789, E790
Plaskett, Stacey E., Virgin Islands, E789, E790

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