

is the way things should happen around here.

I would hope we don't have these lines drawn in the sand and we can start being appropriators again. When I came here many years ago, I was so fortunate, only two freshmen were on the Appropriations Committee. I was on it and also Senator MIKULSKI.

I loved that committee all these years. It was so much fun.

It hasn't been much fun lately because we haven't had an Appropriations Committee that has been functioning decently. Senator MIKULSKI and Senator SHELBY are legislators. They wish to do legislation as the two managers of this bill do. I would hope we could move forward.

I have no problem with the Coburn amendments and Paul amendment. Let's vote on them and move on.

The time has come when we have to try to get it passed. The week is coming to a close. We have other nominations. We have to move to things when we get back. We know all the problems we have when we get back. I wish to do some more work on appropriations bills when we get back.

I ask unanimous consent the mandatory quorum required under rule XXII be waived.

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

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Madam President, I ask unanimous consent that the cloture motion be withdrawn and that at a time to be determined by the majority leader, notwithstanding rule XXII, in consultation with Senator MCCONNELL, the Senate proceed to executive session to consider the following nomination: Calendar No. 220; that there be 2 hours for debate equally divided between the proponents and opponents; that following the use or yielding back of time, the Senate proceed to vote, with no intervening action or debate on the nomination; that the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order; that any related statements be printed in the Record; and that President Obama be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. I ask unanimous consent that the Senate proceed to morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

The Senator from Colorado is recognized.

ENDING BULK COLLECTION OF PHONE RECORDS

Mr. UDALL of Colorado. I welcome this opportunity to speak on the floor about the National Security Agency surveillance programs, their effectiveness, and their future.

I am proud to be joined by my colleague from Oregon, Senator WYDEN, who will comment as well after my remarks. He has been a stalwart leader on these issues, and it has been my honor to join forces with him and to draw attention to this very important discussion President Obama recently welcomed.

He called for a public debate on finding the right balance between national security and privacy in the context of NSA's surveillance programs.

His call is long overdue, and it is an opportunity we should not squander. As I have said time and time again to Coloradans and as they have said back to me as well, we owe it to the American people to have an open, transparent debate about the limits of the Federal Government's surveillance powers and how we reconcile the need to keep our families safe while still respecting our hard-won constitutional rights to privacy.

Although I would have preferred that this debate would have been kicked off by more transparent actions by the White House instead of by unauthorized leaks, we are nonetheless presented with a unique opportunity—an opportunity to finally have an open dialog about the limits of our government's surveillance powers, particularly those relating to the vast dragnet of Americans' phone records under section 215 of the PATRIOT Act.

This is a debate in which I feel privileged to take part. It is a debate that Senator WYDEN has been a part of since before I was elected to the Congress and one that I have been engaged in for a number of years now.

I want to be clear. I have acted in every possible way that I could within the confines of our rules that protect classified information to oppose these practices and bring them to light for the American people. I have fought against overly intrusive sections of the PATRIOT Act and the FISA Amendments Act and registered objections repeatedly with the administration. I believe these efforts are critical for protecting our privacy and also ensuring our national security.

I serve on both the Senate Armed Services Committee and the Senate Intelligence Committee, and in those assignments I focus every day on keeping Americans safe, at home and abroad. I recognize that we still live in a world where terrorism is a serious threat to our country, to our economy, and to American lives. Make no mistake, our government needs the appropriate surveillance and antiterrorism tools to combat the serious threats to our Nation. But it is up to the White House and Congress to ensure that these tools strike the right balance between keep-

ing us safe and protecting our constitutional right to privacy. This is a balance I know we can achieve, but, in my view, the PATRIOT Act's bulk phone records collection program does not achieve that balance. That is why I am here on the Senate floor with my colleague Senator WYDEN to call for an end to the bulk phone records collection program, as we know it today.

Two years ago we were here on the Senate floor considering extending certain PATRIOT Act provisions. At that time I argued that the sweeping surveillance powers we were debating did not contain sufficient safeguards to preserve the privacy rights of Americans. In particular, I argued that the PATRIOT Act's business records provision—or section 215—permits the collection of records on law-abiding Americans who have no connection to terrorism or espionage. As I said at that time, we ought to be able to at least agree that an investigation under PATRIOT Act powers should have a terrorist- or espionage-related focus.

We all agree that the intelligence community needs effective tools to combat terrorism, but we must provide those tools in a way that also protects the constitutional freedoms of our people and that lives up to the standard of transparency our democracy demands. The Bill of Rights is the strongest document we have. Another way to put it: It is the biggest, baddest weapon we have. We need to stand with the Bill of Rights and in this case the Fourth Amendment.

Following Mr. Snowden's actions and the subsequent declassification of information concerning the NSA's surveillance programs, Americans in recent weeks are coming to understand what it means when section 215 of the PATRIOT Act says the government can obtain "any tangible thing" relevant to a national security investigation. That is the Foreign Intelligence Surveillance Court's way of saying that section 215 permits the collection of millions of Americans' phone records on a daily, ongoing basis. As a member of the Senate Intelligence Committee, I have repeatedly expressed concern that the FISA Court's secret interpretation of this provision of the PATRIOT Act is at odds with the plain meaning of the law. This secrecy has prevented Americans from understanding how this law is being implemented in their name.

In my view and the view of many Americans, this large-scale collection of information by the government has very significant privacy implications for all of us. What do I mean by that? Information about our phone calls—or, as it is known, "metadata"—may sound pretty simple and innocuous, but I believe that when law-abiding Americans call up their friends, family, doctors, religious leaders, or anyone else, the information on whom they call, when they call, and where they call is private information and should be subject to strong privacy protections.