



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 114th CONGRESS, FIRST SESSION

Vol. 161

WASHINGTON, TUESDAY, MAY 19, 2015

No. 77

Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

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

Let us pray.

Gracious God of all, we have heard glorious things about Your goodness. Let Your glory be over all the Earth. Our hearts make melodies to You because of Your exceeding greatness. Thank You for Your faithfulness that endures forever.

Today, give us steadfast hearts that we may honor You with our lives. Be near to our Senators, giving them a powerful awareness of Your presence. Lord, increase in them such knowledge, love, and obedience that they may grow daily in Your likeness. Grant us wisdom and courage for the living of these challenging days as You surround us with Your divine favor.

We pray in Your great Name. Amen.

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 (Mr. COTTON). The majority leader is recognized.

TRADE

Mr. McCONNELL. Mr. President, today we will continue our work on the trade legislation, which is before us. I know Senators on both sides are eager to offer amendments. Yesterday was a good start. We voted on a few amendments. We have a half dozen more pending, but we need to keep the ball

moving. So let me again encourage Members of both parties to offer those amendments that they may have. Let me again encourage Members to work with the bill managers to get the amendments moving.

We want to process as many amendments as we can. We know we already lost a week to needless filibustering and delaying of this bill, which means one less week to have amendments considered. So we need cooperation from the leadership across the aisle to ensure we do not lose any more time.

Our friends on the other side seem quite eager to let everyone know how uninterested they are in obstruction these days. You will not find a happier guy than me if that turns out to be true. So we will see if they demonstrate the spirit of cooperation they keep telling us about as we continue to debate trade.

Either way, Members on both sides who recognize the benefits of trade to their constituents are determined to pass important export and jobs legislation this week. I hope to see it pass by the same kind of overwhelming, bipartisan margin we saw in the Finance Committee a few weeks ago, because voting to improve this bill is one way to prove you care about the middle class. It is one way to prove you care about American jobs and American workers.

One study tells us that knocking down unfair trade barriers in places such as Europe and the Pacific could boost our economy by as much as \$173 billion and that it could support as many as 1.4 million additional American jobs.

In Kentucky, the study says it could bring almost \$3 billion in new investment and support more than 18,000 additional jobs. That is in my State alone. We know a lot in the Commonwealth about the benefits of trade. More than half a million Kentucky jobs are already related to international trade. We know that those kinds of jobs typically pay more than other jobs.

Kentuckians also know that a lot of rhetoric on the other side of this issue does not always “stand the test of fact and scrutiny,” as President Obama put it.

The 7,000 workers at the Toyota plant in Georgetown, KY, might agree. Following a trade agreement we recently enacted with South Korea, they are now working hard to export Camrys—Camrys—made in Kentucky to Korean consumers. Given some of the overheated language surrounding that U.S.-Korea trade agreement, you may be surprised to hear about these automotive workers in my State who are building Camrys in Kentucky and sending them to Korea. But the truth is that just about every serious public official knows that eliminating the restrictions that hurt American workers and American goods is good for our country.

It is something Republicans have long believed. It is an area where President Obama now agrees, as well. It is an area where many serious Democrats also agree. So I hope we can join together to score a victory for American workers. To get there, let's work now to offer amendments, to get them pending, and to engage in substantive debate rather than more pointless delay for its own sake.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

USA FREEDOM ACT

Mr. REID. Mr. President, 2 years ago the American people first became aware that the National Security Agency was collecting private information about their phone calls. This is called the Snowden revelation.

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



Printed on recycled paper.

S3009

Under the banner of national security, the National Security Agency was mining information about home phone calls and how long they lasted. They found out whom they were calling—and not only that. They found out whom the call was between. They also determined how long that call lasted.

NSA essentially was conducting a dragnet, without first attempting to determine whether that information was relevant to a national security problem. NSA ran this program under the authorities granted to them by section 215 of the PATRIOT Act, which expires on June 1 of this year. The American people were outraged by these revelations and Congress rightly acted.

Last year, the House passed a bill by a vote of 303 to 121 to end the NSA's so-called bulk metadata collection program and reform and extend the authority for this program.

I brought a similar bill to the floor authored by Senators LEAHY and LEE. There was a bipartisan group of Senators who joined them to call for its passage. But sadly, the majority leader—at that time the minority leader—stood in the way of bipartisan reform. Instead of passing meaningful reform, he led a Republican filibuster of this bill. That was one of a couple hundred that was led by my friend.

This year, Senators LEAHY and LEE worked again with the Chairman and ranking Member of the House Judiciary Committee on the USA FREEDOM Act, which ends the National Security Agency's bulk collection program and extends and reforms the authorities under section 215 of the PATRIOT Act.

There have been bipartisan and bicameral calls for the Senate to take up that legislation. Yet again, instead of committing to bringing up this bipartisan bill, last month the senior Senator from Kentucky introduced a bill that would extend the authorities for the National Security Agency's bulk collection program for 5½ years. Then the Second Circuit, almost simultaneously—within 24 hours of that decision by the majority leader—found the bulk collection illegal.

In reaction to the court's decision, the House last week passed the USA FREEDOM Act by a vote of 338 to 88. By a four-to-one margin, the House voted to end the National Security Agency's illegal bulk data collection program and reform its practices.

But even in the face of that court's decision, the majority leader stood once again against bipartisan reform. Instead of heeding the Republican-controlled House's calls for reform, the majority leader introduced a bill that would extend the authorities for the National Security Agency's illegal program for 2 more months.

Congressman GOODLATTE, the chair of the Judiciary Committee in the House, said they will not accept a short-term extension of the bill. This morning, Leader MCCARTHY, the second ranking Republican in the House, said they will not accept any extension.

That is exactly what the Speaker, Congressman BOEHNER, said.

If we squander this opportunity to deliver sound reforms to this illegal program, we are handling our duties irresponsibly here in the Senate.

To stand in the way of reforming these practices is to ignore the voice of the American people. Just yesterday, a new poll commissioned by the American Civil Liberties Union showed that 82 percent of Americans are concerned that the Federal Government is collecting and storing the personal information of Americans, and they do not like it.

If we are unable to reform these practices, we are ignoring the ruling of the Second Circuit, which rejected the National Security Agency's bulk collection program, and we are not allowing the American people's voice to be heard.

I think, most importantly, if the senior Senator from Kentucky does not allow this commonsense reform simply with a vote on the Senate floor about what happened in the House, they are ignoring the rare bipartisan support that we have.

Just last week, 190 House Republicans voted to end the National Security Agency's illegal program. There is bipartisan consensus in favor of ending this program. Many of the Republican leader's own colleagues have called for it as well.

Last week, Attorney General Loretta Lynch and James Clapper, Director of National Intelligence, wrote a letter to Senator LEAHY, the ranking member of the Judiciary Committee. Both the Attorney General and the Director of National Intelligence voiced their support for the USA FREEDOM Act, saying:

Overall, the significant reforms contained in this legislation will provide the public greater confidence in how our intelligence activities are carried out and in the oversight of those activities, while ensuring vital national security authorities remain in place.

I agree with that statement. But sadly, the majority leader continues to stand in the way of bipartisan reform to end these illegal practices. As we face the June 1 expiration of these authorities, the majority leader still offers no viable alternative.

We cannot allow this program to be extended. The majority leader should listen to the American people because we cannot extend an illegal act. That is what the majority leader is asking us to do.

The majority leader should listen to the American people, consider the action of his Republican colleagues, and respect the expertise of the intelligence community.

The Senate should act now on the USA FREEDOM Act before it leaves for the Memorial Day recess and restore the confidence of the American people.

NOMINATIONS AND HIGHWAY BILL

Mr. REID. Mr. President, we have heard so much about how great the Re-

publicans are doing here, about how well things are working now. We are doing no nominations—none. We are 5 months into this Congress, and we basically approved virtually no one. It is interesting to say there are not many names on the calendar to bring up. Why? Because they are not even holding hearings on all the nominations. We always hear about the need for jobs—but not from my Republican colleagues. We hear from us. One of the prime examples of that is the highway bill. It is about to expire. What are we going to do? Nothing. There is no program to extend this bill. It has already been extended short term 33 times. Think about that. We used to do bills here for 5 years, 6 years so that the directors of transportation and all of these States around the country could plan ahead.

We are being penny-wise and pound-foolish. We are having these short-term extensions, which are very expensive, creating no jobs. For every \$1 billion we spend on these highway programs, we create 47,500 jobs. My Republican colleagues are ignoring this.

What is the business of the day, Mr. President?

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided, and the Democrats controlling the first half and the majority controlling the second half.

The assistant Democratic leader.

DACA AND DAPA PROGRAMS

Mr. DURBIN. Mr. President, 14 years ago, I introduced a bill known as the DREAM Act. My friend and colleague Senator LEAHY was the chairman of the Senate Judiciary Committee, and for the last 14 years we have tried to pass this basic law, and here is what it says: If you were brought to the United States as a child, and you were undocumented in America, but you have lived here without committing any serious crime and finished high school, we will give you a chance. If you will agree to at least complete 2 years of college or enlist in America's military, we will give you a path to citizenship.

I offered this legislation because so many young people—about 2½ million—living in this country were brought here when they were infants, small children. They didn't have any voice in the matter, their parents decided. They came to the United States. They have lived here as Americans.