

had their communications collected or reviewed under the authorities granted by the FISA Amendments Act. If only a handful of people inside the United States have been surveilled in this manner, then that would indicate that Americans' privacy is being protected. On the other hand, if a large number of people inside the United States have had their communications collected or reviewed because of this law, then that would suggest that protections for Americans' privacy need to be strengthened.

Unfortunately, while Senator UDALL of Colorado and I have sought repeatedly to gain an understanding of how many Americans have had their phone calls or e-mails collected and reviewed under this statute, we have not been able to obtain even a rough estimate of this number.

The Office of the Director of National Intelligence told the two of us in July 2011 that "it is not reasonably possible to identify the number of people located in the United States whose communications may have been reviewed" under the FISA Amendments Act. I am prepared to accept that it might be difficult to come up with an exact count of this number, but it is hard for me to believe that it is impossible to even estimate it.

During the committee's markup of this bill Senator UDALL and I offered an amendment that would have directed the inspectors general of the intelligence community and the Department of Justice to produce an estimate of how many Americans have had their communications collected under section 702. Our amendment would have permitted the inspectors general to come up with a rough estimate of this number, using whatever analytical techniques they deemed appropriate. We are disappointed that this amendment was voted down by the committee, but we will continue our efforts to obtain this information.

I am concerned, of course, that if no one has even estimated how many Americans have had their communications collected under the FISA Amendments Act, then it is possible that this number could be quite large. Since all of the communications collected by the government under section 702 are collected without individual warrants, I believe that there should be clear rules prohibiting the government from searching through these communications in an effort to find the phone calls or e-mails of a particular American, unless the government has obtained a warrant or emergency authorization permitting surveillance of that American.

Section 702, as it is currently written, does not contain adequate protections against warrantless "back door" searches of this nature—even though they are the very thing that many people thought the FISA Amendments Act was intended to prevent. Senator UDALL and I offered an amendment during the committee's markup of this

bill that would have clarified the law to prohibit searching through communications collected under section 702 in an effort to find a particular American's communications. Our amendment included exceptions for searches that involved a warrant or an emergency authorization, as well as for searches for the phone calls or e-mails of people who are believed to be in danger or who consent to the search. I am disappointed that this amendment was also voted down by the committee, but I will continue to work with my colleagues to find a way to close this loophole before the FISA Amendments Act is extended.

I recognize that the collection that has taken place under the FISA Amendments Act has produced some useful intelligence, so my preference would be to enact a short-term reauthorization to give Congress time to get more information about the impact of this law on Americans' privacy rights and consider possible modifications. However, I believe that protections against warrantless searches for Americans' communications should be added to the law immediately.

An obvious question that I have not answered here is whether any warrantless searches for Americans' communications have already taken place. I am not suggesting that any warrantless searches have or have not occurred, because Senate and committee rules regarding classified information generally prohibit me from discussing what intelligence agencies are actually doing or not doing. However, I believe that we have an obligation as elected legislators to discuss what these agencies should or should not be doing, and it is my hope that a majority of my Senate colleagues will agree with that searching for Americans' phone calls and e-mails without a warrant is something that these agencies should not do.

ADDITIONAL STATEMENTS

TRIBUTE TO NANCY KEENAN

• Mr. BAUCUS. Mr. President, today I wish to give my warm congratulations to my dear friend and fellow Montanan Nancy Keenan. Nancy announced recently that she would step down as President of NARAL Pro-Choice America to return to her home state of Montana for some well-deserved R & R. Nancy has served as president of NARAL for the past 8 years, devoting her time to protecting the rights of women across the country.

Nancy has a storied career that epitomizes the tough female figures of Montana history. Nancy grew up in the blue-collar town of Anaconda, as one of five children in her Irish Catholic family. Her father was a boilermaker for the Anaconda smelter, and her mother worked as a clerk at the Marcus Daly Hotel and later at Thrifty Drug Store.

Upon entering college, Nancy paid her way by taking a job at the smelter,

becoming one of the first women laborers at the smelter. This was a tough and dangerous place to work, shoveling ore and handling big buckets of boiling copper. But Nancy took on the challenge with the tenacity that we friends have gotten to know very well. Her hard work paid off. Nancy became the first in her family to graduate from college. She obtained her bachelor's degree in elementary education from Eastern Montana College. Later she received her master's degree in education administration from the University of Montana. Nancy spent 13 years teaching special education in Anaconda.

Nancy speaks fondly of her time growing up in Anaconda, and her desire to enter public service was shaped early in life. Nancy once told the story of the family discussing public service and political happenings while around the dinner table each night. She said, "I remember my dad often posing problems. When my sisters, brothers, and I would protest, 'But it isn't fair,' my dad would simply reply, 'Then make it fair.'" Nancy did just that.

Nancy was first elected to the Montana House of Representatives in 1983, and she served 6 years as a state legislator. In 1988, she was elected to statewide office as the Montana Superintendent for Public Instruction, a position she held until 2000.

As a public official, she never shied away from the difficult issues. And Nancy's commitment to women's rights has been steadfast in her career. During Nancy's eight years at the helm of NARAL Pro-Choice, she has worked nonstop to protect women's right to choose.

She is a fighter and one of the hardest workers you will ever know. She embodies the tenacity and savvy forged while working at the Anaconda Copper Smelter to pay for college. Nancy has inspired a new generation of leaders, particularly young women, and her dedication to Montanans throughout her life deserves our thanks and recognition.

I congratulate Nancy as she enters the next chapter of her life and wish her all the best as she returns to Montana.●

OBSERVING NATIONAL CANCER RESEARCH MONTH

• Mr. BLUMENTHAL. Mr. President, today I wish to commemorate National Cancer Research Month, honoring the courageous and determined researchers, clinicians, and patients, who contribute their energy and talent to our Nation's progress in cancer prevention and treatment. In May, we recognized their bravery and unfaltering commitment to fighting a complex, multifarious disease that affects millions of Americans. This year, I particularly acknowledge the prevalence and continuing scourge of tobacco-related cancers and efforts made to combat them through innovative research, prevention measures, and programs for the