

The legislative clerk read as follows:

A bill (H.R. 2353) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

Mr. McCONNELL. Mr. President, in order to place the bill on the calendar under the provisions of rule XIV, I object to further proceeding.

The PRESIDING OFFICER. Objection is heard.

The bill will be placed on the calendar.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. HATCH. Mr. President, the Senate will shortly vote on cloture—

The PRESIDING OFFICER. The Senator will suspend.

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. Mr. President, the Senate will shortly vote on cloture on the Hatch substitute amendment, legislation to renew trade promotion authority and trade adjustment assistance. I know some of my colleagues have concerns about the process. Let me say that I also share those concerns.

From the very beginning of our discussions over 3 years ago on the renewal of TPA, I have done all I could to listen to all of my colleagues and address their concerns.

I first worked with Chairman Baucus to find a way to update TPA in a way that addresses many of the issues that have arisen since 2002, including concerns over labor and the environment.

When Senator WYDEN became chairman of the Finance Committee, I again went to the negotiating table to try to address many of the transparency and procedural issues he raised, and we again came to a bipartisan compromise.

When many of my Senate colleagues said renewal of TAA was a necessary component to passing TPA, I again did my best to meet those concerns, even though I myself have significant reservations about the program.

Throughout the Finance Committee consideration, I tried to conduct an open and fair process, which allowed many Members of the committee, even those who opposed TPA, the opportunity to be heard and to have their amendments adopted. As a result, the committee reported out four pieces of trade legislation, all with strong bipartisan support.

I will acknowledge that the process on the floor has not gone the way any of us would like. At the outset of this endeavor, I stated my commitment to a full, fair, and open debate over our TPA legislation. The majority leader made a similar commitment, and I know that was our intention. Indeed, from the very beginning, we had planned to hear everyone's arguments and consider a number of amendments.

This is how the Senate is supposed to function. Once again, we intended to let it function that way. Unfortunately, there were some who did not want to let that happen. They were, from the very beginning, committed to slow-walking this process and preventing regular order. That is just a fact.

I know there are some who want to blame the majority leader for filing cloture and trying to move this process forward. I am sure some are thinking of voting against cloture this morning in protest. That would be a grave mistake.

Let me remind my colleagues that we tried to move to the bill at the begin-

ning of last week. I know, after the many recent long days on the floor, that seems like a long time ago, but I think everyone here can recall what happened.

We attempted to get on the bill, and we were prevented from doing so. After we found a way to address our colleagues' concerns, we were finally able to begin debate on the TPA bill, but even then the process was slow-going.

As debate began, the majority leader attempted to keep the Senate open on Friday and into the weekend to allow Senators to debate and offer amendments. However, the Senate minority leader objected, which prevented the process from moving forward and set us back even further.

Then, we came to this week and debate finally began in earnest. Shortly thereafter, a new strategy emerged, wholly supported by the opponents of TPA. The strategy has been simple: Prevent any amendments from being called up and object to any and all unanimous consent requests.

I have been here on the floor all week, and I have witnessed firsthand the deployment of this plan to frustrate the process and to prevent a full and fair debate on trade policy. Now here we are facing a cloture vote and the prospect of cutting off debate. It is unfortunate that it has come to this, but given the total lack of cooperation we faced and continue to face on this bill, this is really the only option left.

Invoking cloture is not the end. If we can get agreement with our colleagues, I expect there will still be opportunities to call up and vote on amendments, but we cannot just sit around and wait for solutions to come together on their own.

If any Senator has a proposal for a path forward that will reasonably satisfy the various demands and objections that have been raised and allow us to break the logjam on amendments, I am all ears. Until then, our only choice is to press forward. We could extend this debate forever and still not satisfy every demand; there is no question about that. But this bill is far too important.

I have done all I can to address legitimate concerns, and as a result, the bill is supported by me, Chairman RYAN from the House Ways and Means Committee, Ranking Member WYDEN from the Finance Committee, and, most importantly, the President of the United States.

Let's be real here. We need to get this bill passed. Just this morning, I read that a ministerial that was to begin this month has been canceled, in large part due to the fact that Congress has not approved this bill.

Our Nation's economic health and prestige are on the line here today. The TPA bill is the only way Congress can effectively assert its priorities in our ongoing trade negotiations. It is the only way we can ensure that our trade negotiators can reach good deals with our trading partners. It is the only way

we can ensure that our pending trade agreements even have a shot at reaching the finish line.

As I have stated many times here on the floor this week, I am well aware that some of our colleagues here in the Senate oppose this bill outright and will do everything in their power to keep it from passing. As much as I have tried to change hearts and minds on these issues, there is very little I can do about that. But I also know that there is a bipartisan majority of Senators who support TPA and who, despite concerns about process, want to get this done. We are still in a position to reach a positive outcome on this bill.

I said at the beginning of this debate that this was quite possibly the most important debate we will have this year in Congress. It is President Obama's top legislative priority. It is a very high priority for many of us in Congress. On the substance, this is a good TPA bill, one Senators from both parties can support. It needs to pass. We need to pass it for the American workers who want good, high-paying jobs. We need to pass it for our farmers, ranchers, manufacturers, and entrepreneurs who need access to foreign markets in order to compete. We need to pass it to maintain our standing in the world and continue to advance American values and interests on the world stage. We need to pass it to demonstrate to the American people that despite our many disagreements, their elected representatives are capable of addressing important issues and solving real problems.

There is a path forward here, one that will still allow us to be successful, but in order to get there, we need Senators to support cloture this morning.

I urge my colleagues to join me in voting yes on cloture. It is crucial, it is of paramount concern, and it is something very highly wished for by the President of the United States and by a bipartisan majority in this body.

I hope we will vote yes on cloture here today.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. I thank the Presiding Officer for giving me the opportunity to share some remarks.

I do believe Senator HATCH and Senator WYDEN allowed a good debate in the committee. Unfortunately, we have not been able to have the kinds of amendments here on the floor that they allowed in the committee, so we are moving to this massive bill with very little debate, even on the fast-track policy. If that is adopted and TPP appears before us here on the floor, there will be no amendments on it.

In a few moments, we will vote on whether to shut off debate on the fast-track authority legislation. I see no reason that we have to rush this.

I will just note that we have the highway bill expiring, and we have the

PATRIOT Act expiring. Those are crises which need to be dealt with this week. This bill does not have to be done in that fashion.

This will be a crucial vote. Fast-track is an affirmative decision by Congress to suspend several of its most basic powers for the next 6 years and to delegate those powers to the Chief Executive.

Under the fast-track procedure, the President, not Congress, writes implementing legislation for any yet-unseen global trade pact. That legislation, no matter its contents, cannot be amended in any fashion. No individual Member of Congress can alter any line of text or remove a single provision that violates the will of Congress. That legislation, once called up, is guaranteed a speedy path forward—only 20 hours of debate—and the vote threshold is lowered to a simple majority. No matter how far-reaching the global trade agreement, Congress cannot subject it to the 60 votes applied to important legislation before the Senate or the 67 votes applied to treaties, as it really should be. Congress will have preapproved swift consideration of sweeping global pacts before the text has been made available and seen by a single Member of this body or the American people.

As usual through these processes—and too often—amendments are being constricted and blocked through one maneuver or another. The net result is we are coming down to a cloture vote without any amendments having been voted on.

Mr. President, 2 weeks ago, I sent a letter to the President of the United States asking how fast-track and the vast Trans-Pacific Partnership would impact the jobs and wages of American workers. It is a simple question. Would it increase or reduce manufacturing jobs and wages in the United States? Shouldn't we know that? Is that an improper question to ask? He has refused to answer. I think the reason he has refused to answer is because the answer is not good and will not be well received. They want us to shut off debate and move forward without having these fundamental questions answered.

For too long, the United States has entered into trade deals on the promise of economic bounty, only to see workers impoverished and businesses disappear. Dan DiMicco, the chairman Emeritus of Nucor Steel, explains that this is because these free-trade deals have not been free-trade deals at all. Instead, they have been "unilateral trade disarmament," where we lower our barriers to foreign imports but they retain their barriers to our exports to those countries. This is what is fundamentally at stake here. A lot of people, in their religious view of free trade, don't care whether other countries have barriers. Their view is that we should welcome more imports. Mr. DiMicco has called this the "enablement of foreign mercantilism," a philosophy of trade that is too often

present around the world and certainly in the Asian sector.

Consider this in the context of automobiles. The Wall Street Journal published a story 2 days ago about how the American auto sector could be jeopardized by TPP. The Journal wrote:

In the transportation sector, led by cars, the TPP could boost imports by an extra \$30.8 billion by 2025, compared with an exports gain of \$7.8 billion.

So the imports of automobiles would increase by \$30.8 billion and our exports would increase by only \$7.8 billion. That was a study written by Peter Petri, professor of international finance at Brandeis University.

Well, having dramatically more imports than exports is not going to add jobs. Perhaps that is why we cannot get an answer. In other words, job-killing imports would vastly exceed any growth in foreign exports, thereby putting more Americans out of work.

We have seen this story before. The South Korea trade deal—and I supported that. I have great respect for the South Korean and the Japanese business acumen. But the South Korean trade deal, which was supposed to boost our exports by more than \$10 billion, actually ended up increasing our exports less than \$1 billion. If truth be known, it was \$0.8 billion. Instead, the deal boosted South Korean imports to our country by more than \$12 billion and nearly doubled the trade gap between our two nations, which was already large.

They say: Well, this time it is different. Trust us. Give us 6 more years of executive authority to pass any global deal we like under fast-track. No deal has ever been blocked.

Well, respectfully, the American people don't trust you. Here is what the Pew Poll reported recently: Twenty percent of Americans think these trade agreements create jobs and 50 percent say it destroys jobs.

Have we been adding jobs in manufacturing or losing jobs in manufacturing? We have been losing jobs in manufacturing. Are the American people so wrong in that conclusion? Forty-five percent of Americans think trade reduces wages; only 17 percent say it increases them. By contrast, 72 percent of Vietnamese believe this trade agreement would increase their salaries.

Because TPP is a living agreement, it can be changed after adoption. It says in the language of the agreement where it has this living agreement language that this is unprecedented. This is the first time this has been put in a trade agreement. The Congressional Research Service tells us that, too.

We are now creating a foreign international entity—one more international entity—with a commission that meets and votes and makes decisions that are binding on the United States of America. Frankly, I think this great Nation is exposing itself to too many of these agreements. Tying down the ability of the world's greatest power and economic engine, the United

States, is weakening our ability to function in a way that sovereignty should allow us to function. Dangerously, this agreement creates a new governing global authority that would add new members of their choice, change the terms of the agreement, and even subject U.S. citizens to its ruling—adjudicated in an international tribunal.

It is time for Congress to defend its shareholders—our shareholders—the American people. It is time to return to the regular order and to the principles of sound governance and to assert, not surrender, the power of Congress to the overreaching Chief Executive. I am therefore going to oppose shutting off debate that actually has not even begun.

I am frustrated that two of my reasonable amendments that I think would have had a very good chance of passing have been blocked and apparently will not get a vote. I don't think we have any need to shut off the debate today and to advance to a bill where we have had too few amendments and where we have had a steadfast refusal by the President of the United States, who is pushing every way he can to get this agreement adopted, until he answers the question: Will it improve manufacturing or further reduce manufacturing, as our previous agreement with South Korea did? It reduced manufacturing. Will it increase jobs or reduce jobs? All they promised—and they promised this repeatedly—is that it will increase jobs in the export sector. They don't say what it will do on net, when we have three, four times as many imports as we do exports, on net. As in the past, it appears this agreement will clearly reduce jobs and reduce wages as well, and reduce manufacturing.

We can't have a strong nation without a manufacturing sector—we just cannot. We can't be a strong nation without a steel industry—we just cannot. We need to ensure in these trade agreements—when we open our markets, what these countries want so desperately is access to the U.S. market. That is something of great value. We should not give it away until they agree to open their markets. That is what a good deal is. That is not what is in this deal, and it will not be in the agreement. It will be like previous agreements.

Mr. President, how much time is left on this side?

The PRESIDING OFFICER. There is 13 minutes remaining.

Mr. SESSIONS. I don't see any others here. I will just discuss this a little bit more.

When Mr. Damico, who has been involved in world trade competition for years, said we are enabling mercantilism, what he is saying is that our trading partners have a goal that we don't seem to have, and that is to maximize their exports and minimize their imports.

They want access to the U.S. market. They have a mercantilist philosophy,

and that is what it is, really. That philosophy allows them to put up nontrade barriers, nontariff barriers, to use currency manipulation and other tactics to make it difficult for the United States to penetrate their market. They say they have signed a trade agreement, and they will agree on tariffs, for example, but they still, on net, don't open their market as effectively as we open our markets. That is the reality.

As a result, we have had a continual decline in manufacturing. We have seen a surge in our trade deficits. March was the highest trade deficit in almost a decade. The whole first quarter was horrible. Our trade deficits are increasing.

If this agreement is passed, will it increase or decrease our trade deficits? Isn't that a fair question to ask? Will it increase or decrease our trade deficits? They will not answer. Unfortunately, the answer is it is going to increase our trade deficits. We know that. If it were not true, they would be hollering about how it is going to greatly reduce our trade deficits. They would be saying, on net, we are going to have more jobs. They would say wages would go up.

The truth is we are not negotiating these agreements effectively, and the net result is it is going to weaken manufacturing, allow a reduction in jobs, and really put downward pressure on wages.

I hate to have to oppose this legislation at this time, but I have come to that conclusion. I have supported most of the trade agreements in the past.

I understand that we are in a global economy, and we have trading partners around the world. There is no way we are going to reverse that. Globalism is here to stay. We need to be a part of it. But it is time for our Nation to protect our manufacturing and our workers from unfair competition.

We cannot take the view, as some do and say openly, that if our competitors manipulate their currency to make their products cheaper and they penetrate our market and close American businesses as a result—we cannot say: That is all right; we have cheaper products. Don't worry about it. In the long run, somewhere along the way, it will all work out.

That is a guiding principle for the people pushing this legislation. They won't admit it, at least the politicians won't, publicly, but we know that is the guiding principle. I say that is a mistake. I say that is an extreme position. I say that we do have an interest in protecting our jobs, our manufacturing, and the ability of the American people to have a good job, to have a retirement plan, to have an insurance policy. I think that is important.

So I urge that we back off this agreement now. Let's reevaluate it and have the President of the United States answer the question: Will we create higher wages or lower wages? Will we increase manufacturing or reduce manufacturing? Will we increase wages or not?

I thank the Chair, and I reserve the remainder of the time on this side.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I echo the words of Senator SESSIONS, my colleague from Alabama.

These free-trade deals are not free trade. If they were free trade, they would be a couple of pages long that simply listed the tariffs that we are eliminating as incentives. Instead, these are a collection of special interest deals that take us somewhere else from where the proponents said they would.

Senator SESSIONS said something interesting: This is really about jobs. They would be making claims about jobs. Instead, they make claims about geopolitics in China and all of that. That is fine, but there are certainly other ways to deal with that better than we have.

We have seen big promises. We saw them from the first President Bush as he negotiated NAFTA. We saw them from President Clinton when he pushed NAFTA through Congress. We saw them from President Clinton on PNTR with China, which was not a trade deal but certainly acted like one in many ways in terms of what happened with China then. We saw them with the second President Bush with the Central America Free Trade Agreement. And we are seeing them now with President Obama and South Korea.

On South Korea, President Obama's administration promised an increase of 70,000 jobs and promised wages would go up. They always say more jobs, higher wages, but then we ended up losing 75,000 jobs under the South Korea Free Trade Agreement.

Today we are voting on whether to end debate on the fast-track bill. If people are a little confused, it is very understandable. We are going to end debate, but we have barely begun it.

Historically, when we do trade agreements in this town—as bad as they have turned out to be for the American public and working families in places such as Reno and Cleveland, and smaller towns such as Mansfield and Lima, and really small towns such as Jackson, OH—when we passed these trade agreements, at least we have had open debate where we could offer amendments. The last time we did fast-track legislation on the Senate floor, there were 3 weeks of debate. This is about 3 days. We considered 50 amendments. We have considered two so far.

The majority leader came to the floor at the end of the first full day of debate and said we are filing cloture to shut down debate. At the end of the first full day of debate, they began the process of shutting down debate. The majority leader promised an open process.

I don't get it when my Democratic colleagues—I guess I get it with the free-trade fundamentalists here and people who are not as independent as Senator SESSIONS and the total party

loyalists who will always vote with their leadership. But I don't get it when Democrats in this body, who really do genuinely care about workers, as do many Republicans—why they are willing to shut down debate because the majority leader says let's shut down debate.

We had two votes on Monday night and none since. Six amendments are pending, but votes for them haven't been scheduled. Two hundred amendments have been filed. At least 30 Senators have filed amendments and a number of Senators have filed multiple amendments. We have 200 amendments filed and 2 votes and 6 amendments pending, even though the 6 amendments that are pending don't have any schedule on how they are going to be dealt with. At least one of them has been second-degreed, basically obviating or taking away any ability to vote strictly on that amendment. We had two votes on Monday night, no votes on this issue since, and as for the six amendments themselves, who knows how they are going to be disposed of. That is an open process?

People on my side of the aisle are willing to vote to shut down debate when 25 of their Democratic colleagues and another—I don't know, a half dozen; I don't know how many Republicans—are also offering amendments. So 200 amendments have been filed by—I just found this. Forty-six Senators have actually filed 200 amendments on an issue we haven't considered in 13 years, and we are going to shut down debate at the end of the first full day of consideration.

We had a truly open legislative process the last time we did it. I think it was a Republican Senate at the time. It was a very closely divided Senate. We have been promised repeatedly that is what this underlying bill deserves. It is what the American people deserve.

Keep in mind this fast-track legislation means that we will be considering—it opens the process, opens the door to two trade agreements that encompass 60 percent of the world's economy. Forty percent of the world's economy is in the Trans-Pacific Partnership and an additional 20 percent with the United States and the European Union, the so-called TTIP agreement. Again, after two votes, the majority leader filed for cloture at the end of the first full day of debate.

We are not being unreasonable. We have played this straight. We are simply asking for the Senate to debate this important legislation. I really don't understand how any Senator in either party, when half of the Senate has offered amendments—200 of them and counting and every day there are more amendments offered—how we can shut down debate when 200 amendments have been filed by 46 Senators. We are simply asking for votes on our amendments. I don't care when we complete it. I don't care if we right now defeat cloture and then come up with some kind of a UC to give us votes

on 25 or 50 of these amendments with time scheduled so we can finish. I don't care if we finish today or Friday or Saturday or Sunday or stay to Memorial Day or come back a week after Memorial Day and finish. It really doesn't matter about the time. I know a lot of my colleagues don't want to go home this week and have people who are angry because they know these trade agreements don't serve the public interest, and we know there are millions of Americans who have lost jobs because of decisions we make here.

We make decisions here that throw people out of work. Even the Wall Street Journal editorial page, the greatest cheerleader—the most vigorous, vociferous cheerleader for free trade of any newspaper in the country, I believe—even they acknowledge that people are thrown out of work from trade agreements because of the dislocation. We are going to leave here and vote on this without even having amendments on how to take care of those workers and how to do trade enforcement. It simply doesn't make sense.

Amendments such as the Brown-Portman Leveling the Playing Field Act amendment include much-needed trade enforcement provisions in this trade promotion bill. It was for all intents and purposes unanimously accepted in the Finance Committee. It has all kinds of Republican cosponsorships and all kinds of Democrat cosponsorships. My colleagues in the leadership in both parties, even though the leadership in both parties doesn't reflect the majority of the Members of both parties—that is the way it is sometimes—but we are asking for a vote on that. We haven't been given that yet—an actual vote. There have been promises, but there has been nothing really substantive in the end.

These provisions on a level playing field are supported by the White House and by House Republicans who have asked them to be included in fast-track. They are supported by numbers of U.S. industries that face an onslaught of unfairly traded imports and need our trade remedy laws to be as strong as possible.

We are not debating the Brown-Portman amendment. We are not debating any amendments. We are simply rushing to conclude consideration of this fast-track bill.

We are fast-tracking this whole idea of a fast-track process. Why is that good for our country or our workers or our small manufacturers and the supply chains of all of these big industries? Why is that good for our communities?

We have waited 8 years, and this has to be done today. Eight years we have waited for this. We had one full day of debate. Then the majority leader shut down the debate, after one full day of debate.

What we do in this fast-track bill will have implications for years to come. It will affect the Trans-Pacific Partner-

ship and the Transatlantic Trade and Investment Partnership, both permanent trade agreements that represent more than half the world's economy.

I ask unanimous consent for 2 additional minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. BROWN. This will affect both TPP, 40 percent of the world's economy, and then a year or so later, TTIP, the Transatlantic Trade and Investment Partnership, the United States-European Union agreement—both permanent trade agreements. There is 40 percent in TPP of the world's economy, and 20 percent in TTIP of the world's economy. These are permanent trade agreements that represent a huge part of the world's economy.

This bill will affect global labor standards, it will affect global environmental standards, it will affect international intellectual property standards, and more and more and more. That is why Senator SESSIONS has spoken out so effectively against it. That is why people in both parties are insisting they get these amendments, that they are voting against cloture until they get these amendments—Members of this body who have supported cloture in the past for a whole host of things.

Why we are rushing to end debate before it has truly begun is mystifying. Regardless of whether they support or oppose the underlying bill, I hope my colleagues recognize the importance of getting fast-track legislation right—not getting it done by Memorial Day, some artificial deadline that somebody somewhere set but getting this trade legislation right.

The Senate has not given the underlying bill the attention and deliberation it deserves. It has not given the amendment process the ability to—let alone to work its way through but even to get off the ground. I urge my colleagues to vote against cloture and ensure that a reasonable number of amendments get considered.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I can report there has been an all-night effort to try to work out this issue to bring parties together, particularly around our colleagues being able to offer more amendments, and on the issue of the Export-Import Bank—something I favor very strongly, and Senator CANTWELL makes a very important point that we have trade agreements, but it is also important to have financing tools, which is what the Export-Import Bank is all about. So we have been working throughout the night trying to address both of those issues, Export-Import Bank and the question of our colleagues being able to offer more amendments.

When you hear the words “TPA” and “TPP,” it sounds like a company that has been through too many mergers,

but the fact is these terms are enormously important to America's economic future. Our markets are basically open. Many countries hit us with double- and triple-digit tariffs on our exports. Export jobs often pay better than the nonexport jobs do because there is a lot of value added in the process.

The vote today will begin the efforts to replace the outdated trade rules of the 1990s with a modern set of trade rules that can help America get more of those good-paying jobs.

When you talk about international trade, the first thing you have to focus on is the estimate is, in the developing world, there are going to be about 1 billion middle-class consumers. Those are middle-class consumers with money—money in their pockets—and they can buy American goods and American services. They can buy our wonderful ag products like Oregon wine. They can buy helicopters and bicycles and planes and computers. There is enormous affection around the world for buying the American brand, for buying the Oregon brand.

With modern trade rules, we can make sure our exporters are able to get the kinds of goods and services that those billion middle-class consumers are going to want to buy, and that is always what drives the modern economy—middle-class consumers buying goods and services. One billion people in the developing world are going to be middle class in 2025.

Chairman HATCH is with me on the floor. What we have sought to do for now about 7 months is replace the old 1990s playbook on trade with a modern one. That is important because in the 1990s nobody had iPhones, nobody was texting. We are talking about a very different time.

Here is an example: Opponents have often, and I think with substantial legitimacy, talked about how there has been way too much secrecy associated with trade. If you believe deeply in trade, as I do, and you want more of it, why would you want to have all this secrecy that just leaves the American people with the view that something is being hidden back in Washington, DC?

So Chairman HATCH and I came together and put in place the most transparent policies on trade in our country's history. For example, by law—by law—before the President of the United States signs the Trans-Pacific Partnership, that document has to be public for 60 days before the President signs it. On top of that, there are probably another 2 months that take place before anybody in the Senate or anybody in the House on the floor of those bodies actually votes. What that means—and I want to give the opportunity to my colleague to make closing remarks—what it means is, as part of the new day on trade policy—in the past a lot of Americans were in the dark about trade policy. Now they will be able to come to a townhall meeting of their elected officials, such as the ones

I plan to hold in a few days at home. The American people will be able to come to a townhall meeting, and starting with the Trans-Pacific Partnership Agreement, have that document in their hands for close to 4 months before their elected representative has to vote. That is what Chairman HATCH and I have sought to do in terms of coming up with a modern trade policy.

I think it is appropriate that my colleague—and I appreciate his partnership—will have a chance to wrap this up.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. I appreciate my partner and his kind comments and his intelligent comments here this morning.

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

The PRESIDING OFFICER (Mrs. FISCHER). Without objection, it is so ordered.

Mr. HATCH. Madam President, I ask unanimous consent to call up the following amendments en bloc: 1, Boxer No. 1371; 2, Whitehouse No. 1387; 3, Brown No. 1252, to level the playing field; 4, Feinstein No. 1424; 5, Menendez No. 1430; 6, Paul No. 1383; 7, Paul No. 1408; 8, Sullivan No. 1246; 9, Sessions No. 1233; 10, Cruz No. 1384; 11, Cardin No. 1230; 12, Paul No. 1408.

The PRESIDING OFFICER. Is there objection?

The Senator from Ohio.

Mr. BROWN. Madam President, reserving the right to object, again, I appreciate the generosity of Senators HATCH and I think WYDEN on this. Some 200 amendments have been filed by 46 Senators. We have had two votes. We have six pending, but the six pending—they have had some interesting adjustments in terms of second-degree amendments, in terms of not being actually called for votes. Now we have an offer of nine more. That is a good step, but the majority leader came to the floor at the end of the first full day of debate to file cloture to shut down debate. We had only two votes all week.

I would like to have more votes. I think all of us on all sides of the discussion on this debate—the pro-free-trade Republicans and the anti-free-trade Republicans, the pro-free trade Democrats and the overwhelming majority of Democrats who don't like the way the rules are under TPA—would be willing to come together and pick out 20 or so amendments of the 200 that have been offered by 46 different Senators and have that debate with time limits. We should do all of that.

Instead, we have nine amendments here. As I said—in case I didn't say it three times—we have had only two votes so far. There are nine amendments here. Most of these amend-

ments—including level the playing field, which seems to have unanimous support—level the playing field is non-germane. So if Senators vote for cloture now, then all of those nongermane amendments are dropped and most of these nine will not see the light of day.

Madam President, I object to the UC. The PRESIDING OFFICER. Objection is heard.

The Senator from Utah.

Mr. HATCH. Madam President, I just want to point out that we tried to bring this bill up Thursday, then Friday. It was objected to. Then we brought it up Monday. We only had two amendments. Then Tuesday, Wednesday, and now today there have been logjams all the way through.

Now, look, I have been as fair as anybody could be. I have tried to accommodate my colleagues on the other side, and we were not making any headway.

So I thought that by calling up these 12 amendments, that would resolve it. But if not, we should proceed with the vote.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Madam President, I would again reiterate our offer. I don't know that I can do it exactly in a UC request. But I reiterate our offer that we sit down—that the leaders sit down—and discuss 15 amendments a side—15 Republican amendments, 15 Democrat amendments—and that we have a serious negotiation without cloture hanging over our head that will drop all of these nongermane, very serious enforcement amendments.

We had a vote last Tuesday where for the first time in 25 years a trade motion was actually defeated. The whole point of that vote was that we wanted enforcement as part of TPA, TAA. That is what this has been all about.

But in this UC request, most of the enforcement—for instance, level the playing field, but also some other things—will drop because they are non-germane.

I offer to Senator HATCH if there is a way of having this discussion and really moving forward—

Mr. CORNYN. Madam President, regular order.

The PRESIDING OFFICER. All time has expired.

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 the Hatch amendment No. 1221 to 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 the substitute amendment, No. 1221, offered by the Senator from Utah, Mr. HATCH, to H.R. 1314, 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.

The yeas and nays resulted—yeas 62, nays 38, as follows:

[Rollcall Vote No. 183 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
Carper	Heller	Sasse
Cassidy	Hoeven	Scott
Coats	Inhofe	Shaheen
Cochran	Isakson	Sullivan
Coons	Johnson	Thune
Corker	Kaine	Tillis
Cornyn	Kirk	Toomey
Cotton	Lankford	Vitter
Crapo	McCain	Warner
Cruz	McCaskill	Wicker
Daines	McConnell	Wyden
Enzi	Moran	

NAYS—38

Baldwin	Hirono	Reid
Blumenthal	King	Reid
Booker	Klobuchar	Sanders
Boxer	Leahy	Schatz
Brown	Lee	Schumer
Cardin	Manchin	Sessions
Casey	Markey	Shelby
Collins	Menendez	Stabenow
Donnelly	Merkley	Tester
Durbin	Mikulski	Udall
Franken	Murphy	Warren
Gillibrand	Paul	Whitehouse
Heinrich	Peters	

The PRESIDING OFFICER. On this vote, the yeas are 62, the nays are 38.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The majority leader.

Mr. MCCONNELL. Madam President, I am very happy the Senate has decided to take another step forward on this very important initiative not only of the President's but of the majority party's as well, and I thank the folks on the other side who are also similarly inclined.

Let me just make it clear. Senator HATCH and Senator WYDEN have done a terrific job. They are open to continuing to try to get amendments. We still have the opportunity to do that. As everyone knows, it requires some level of cooperation because anybody can object to somebody else getting an amendment. But Senator HATCH and Senator WYDEN are anxious to do additional business, to open it up for more amendments, and with everybody's cooperation, that could be achieved.

The PRESIDING OFFICER. The Democratic leader.

Mr. REID. Madam President, I think it would be appropriate—we have gotten to where we are—that we have a quorum call so we can find out where we are on amendments. There is agreement out there; we just have to see how we can get it arrived at. So I suggest the absence of a quorum.

Mr. HATCH. Madam President, will the Senator withhold so I can make a short speech, less than a minute?

Mr. REID. Of course.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. I thank my colleague from Nevada.

Madam President, I thank all our colleagues for their support in helping us get this far. This last vote was a major step forward on this important legislation. We have a few more votes we are going to have to do, and we are getting very close to maybe doing this very important bill. I hope that now that we have taken this step, we can find a way to finish this legislation in short order, and I am willing to work with my colleagues to get us there.

Once again, I thank everyone who supported this today. It means a lot to me personally.

I yield the floor.

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

The PRESIDING OFFICER (Mr. RUBIO). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. FISCHER). Is there objection?

Without objection, it is so ordered.

(The remarks of Mr. NELSON pertaining to the introduction of S. 1430 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. NELSON. Mr. President, I thank the Chair for the time, and I yield the floor.

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

The PRESIDING OFFICER (Mr. HOEVEN). Without objection, it is so ordered.

Mr. BROWN. Mr. President, we are going to be voting, we hope, on an amendment that is called the antidocking amendment. It observes, by reading the Trans-Pacific Partnership, that there apparently is a path for the executive branch to allow another country to become part of the Trans-Pacific Partnership without a vote of Congress.

In other words, as to the world's second largest economy, China, the administration, this President or the next President, could decide that, well, China should join the 12 countries al-

ready part of TPP if we affirm this vote down the road with TPP.

If China could join—the second largest economy in the world—they would backdoor, if you will, because of the administration's willingness to do it, with no input from the public, with no input from the Congress.

Our amendment is really simple. It sets up a process over a 90-day period. If a President wants to bring a country into the Trans-Pacific Partnership, that country would have to meet certain criteria, the same kinds of criteria that we have seen with these 12 countries, including sex trafficking and some labor law and other things.

Then Congress would actually vote. Congress would get 90 days to decide, up or down, whether a country can join TPP after it is up and running. The country that most concerns us, of course, is China. So when you hear this amendment discussed, you will hear China used as an example, because its economy, obviously, is so large. It passed Japan as the world's second largest economy, I believe, a year or so ago.

We just want to make sure that our integrity and the integrity of these 12 countries—12 other countries—is preserved. The way to do that and for the public to be heard is that Congress has to make the decision on whether another country can join.

That is what our so-called docking amendment does. I know Senator FRANKEN is about to take the floor. I want to say a couple of other things. This amendment is in no way meant to kill TPP. It simply spells out the process for future countries to join.

Here is exactly how the process would work. The President would notify Congress about an intent to enter negotiations. It would require certification from the two committees—Ways and Means in the House, Finance in the Senate. Then it would ultimately come to a Senate vote. That is how this would work to protect, I think, the public interest and to give the public input into what countries actually join the TPP. It makes sense, I think, for all countries involved.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Mr. President, I ask unanimous consent to speak as in morning business.

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

USA FREEDOM ACT

Mr. FRANKEN. Mr. President, I rise today to speak in support of the USA FREEDOM Act of 2015. I am a proud cosponsor of this bicameral, bipartisan bill which brings much-needed reform to the Federal Government's surveillance programs, including an end to the bulk data collection program that the intelligence community has said is not necessary, that the public has said they don't support, and that the Second Circuit has ruled as unlawful.

I am particularly proud to have developed the bill's transparency provisions with my friend Senator DEAN HELLER of Nevada. We are greatly indebted to Senator LEE and to Senator LEAHY for their leadership and their tireless work.

Americans understand, as I do, that our job here is to strike an appropriate balance, making sure, on the one hand, that we are safeguarding our national security, without trampling on our citizens' fundamental privacy rights, on the other hand. But the public cannot know if we succeed in striking that balance if they do not even have the most basic information about our major surveillance programs. That is why my focus has been on transparency, because I want to make sure that the American people are able to decide for themselves whether we are getting this right.

I support the USA FREEDOM Act because it moves us in the right direction on all of these fronts. On June 1, several national security authorities will expire. The House acted responsibly and passed USA FREEDOM, a bill that reflects the combined efforts and agreement of Republicans and Democrats, members of the intelligence and law enforcement communities, and advocates for privacy and civil liberties, as well as members of the tech sector and business communities.

This legislation ensures that the necessary authorities continue in force through 2019, and it makes important reforms that will actually improve national security. You do not need to take my word for that. The Director of National Intelligence and the Attorney General have told us, in no uncertain terms, that we ought to pass the USA FREEDOM Act and promptly.

Yet some of my colleagues are attempting to present us with a choice between reauthorization of the soon-to-expire authorities with no reform whatsoever or complete expiration of those authorities. That is profoundly unfortunate, because we have a compromise bill that has overwhelming support and was overwhelmingly approved by the House of Representatives by a vote of 338 to 88.

It draws broad-based support from business, from civil society, and within the government. I believe that the only thing that would stop this bill from garnering similar strong bipartisan support here in the Senate is if Republican leaders who oppose this bill pressure my Republican colleagues to filibuster. I really hope that does not happen. I hope it does not happen because USA FREEDOM's reforms represent real and meaningful progress. The bill ends the old program for the bulk collection of telephone metadata, which, according to reports discussed at a hearing last year, principally gathered call records from landlines. It replaces that program with a more targeted approach that permits the collection of call detail records, including prospective collection of those records. You

get a warrant, and you collect those prospectively, based on the government's reasonable, articulable suspicion of a link to international terrorism.

Now, I believe that is a much more sensible approach. I know that some of my colleagues disagree. Last November, one of my colleagues suggested that bulk collection is preferable to a targeted approach because American's privacy would be at risk if the government were "going to have to go to those companies and ask for the data."

But of course, no matter what, we have to go to the companies and ask them for the data. The records at issue here are the phone company's business records. That is what they are. I should also note that those companies have both legal and business reasons for why they retain and protect these records as they do, from the potential for billing disputes to commercial analytics to regulatory concerns.

The FCC regulations require them to hold on to telephone call records for 18 months. None of that has changed. It bears emphasizing that the relationship USA FREEDOM calls for between phone companies and the government is nothing new. Our Nation's law enforcement and intelligence agencies have long worked with phone companies to obtain specific records, either historic or prospective records, when conducting domestic criminal investigations or carrying out sensitive national security investigations such as FISA wiretaps.

So we have been doing this for a long time. The intelligence community, national security, law enforcement experts, and American businesses, not to mention the House of Representatives, all understand that we have to strike the right balance. We need to safeguard our national security, but we need to do it in ways that do not unduly tread on privacy and civil liberties.

Leaders across these different public and private sectors have managed to come together to strike that balance in the USA FREEDOM Act. That is where my work with Senator HELLER comes in. We recognized that when the public lacks even a rough sense of the scope of the government's surveillance programs, they have no way of knowing if the government is getting that balance right. So there needs to be more transparency.

Since the Snowden revelations came to light 2 years ago, a steady stream of news reports has provided details about NSA programs that collect information about both foreign nationals and the American people. Despite these disclosures, it remains impossible for the American people to get even a basic sense of the real size and scope of these programs. Americans still don't know the number of people whose information has been collected under these programs. They have no sense of the extent to which U.S. persons are affected and, particularly, have no way of knowing how often the government

has searched that information, such as call detail records of Americans. Senator HELLER and I crafted transparency provisions to make sure Americans get that kind of information. That way the American people can better judge the government's surveillance programs for themselves.

Under USA FREEDOM, the government will be required to issue detailed annual reports for each of the surveillance authorities at issue. Importantly, the government will have to tell the public how many people have had their information collected, and for certain authorities—like those permitting the targeted collection of call detail records or the communications of foreigners abroad—the government will also have to say how many times it has run searches for Americans' data.

The USA FREEDOM Act doesn't just require the government to be more transparent. We also make it possible for American businesses to provide their customers with more information about what they are asked to turn over to the government. This is not only good for transparency, it is good for our economy. It has been estimated that the Snowden revelations are costing American companies billions of dollars because people have lost trust in those companies, often assuming that all companies are handing over all of their information to the government.

So by allowing companies to report the size and scope of the government's requests, the public can get a better sense of what information is actually being turned over, and the bill makes clear that a company that has not received any national security requests from the government is free to say so.

All of this will calm fears, both here and abroad, and allow American companies to better compete with their foreign counterparts.

The provisions Senator HELLER and I wrote will expand the options that companies have to issue their own transparency reports and allow companies to issue those reports more quickly. But we also listened to the intelligence community to make sure we were striking the right balance and ensuring that ongoing investigations are not jeopardized by additional transparency.

Now, look, to get the broad, bipartisan support we needed, Senator HELLER and I had to compromise a great deal. We didn't get everything we wanted when we initially negotiated our provisions last year, and we had to compromise further still this year, particularly with regard to government reporting under section 702, which authorizes the collection, for intelligence purposes, of communications of foreign persons abroad. I am disappointed the bill doesn't include all of the requirements we agreed on last year and that were included in the Senate bill last Congress, which had 58 votes.

But I am committed to pressing my colleagues to revisit this issue in the

future—hopefully before the sunset of section 702—in 2017. That, of course, is the Internet traffic of foreign persons abroad who are suspected of being terrorists.

But in the meantime, the good news is that after all the give-and-take, our provisions that did get included in the bill will usher in a new era of transparency about our Nation's surveillance agencies. They will allow the American public to see—on an annual basis—whether the government really makes good on its promise to end bulk collection, and they will give those of us in Congress important tools as we work to continually improve our country's laws.

The transparency provisions are an essential part of USA FREEDOM, and the bill overall is a step in the right direction for reforming our Nation's intelligence laws. It is a step that the House has already taken on an overwhelmingly bipartisan basis. It is a step that the Senate should take as well.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. TILLIS. Mr. President, I wish to speak briefly on an amendment I have filed regarding a crisis we are experiencing in the H-2B visas.

In North Carolina, we have a very large seafood industry, and we have a crisis that is shared by a number of other States that have the seafood industry with respect to the availability of H-2B visas, and the busy time is just about to start in a couple of weeks. It is the worst possible time for this industry.

We literally have jobs that have been created by people such as Don Cross and his brother and their Pamlico Packing Company in Grantsboro, NC. They simply can't find workers to do this job. It is going to ruin their business, and it is unacceptable. These are jobs these folks have created, like the Crosses, and they can't be filled. The jobs are waiting to be filled.

It is affecting other businesses we have in the shrimp and crab industries, but it is also affecting other businesses—will affect other businesses—such as grocery stores, restaurants, and other industries, like tourism, across the country.

The problem I have—and the nature of the amendment I will speak to briefly—but I have reached out to the Department of Homeland Security to ask a series of questions, and I simply haven't received answers. That is why I decided to offer an amendment—or to file the amendment.

DHS has refused to issue more work visas, even though the statutory cap of used visas has most likely not been reached. DHS claims the cap has been reached, and that is really odd because it is unusually early for them to take that position.

This is what I think the real truth is. Not every business applying for these visas is using them. DHS normally ap-

proves more visas so we make it more likely that we reach the cap, but we don't believe they have done that this year.

That is why we have asked for an audit, to make sure we know how many applications were actually approved, how many visas are actually used by the State, within the State, and how many of those visas are actually putting legal, migrant, immigrant workers into these jobs.

This year, they haven't even done an audit. We simply want to know why.

I think DHS is playing games with the numbers, and I demand answers. DHS seems eager to help the illegal population get acclimated, but they don't seem to place a priority on American businesses that need these people to come and work in our seafood processing facilities, not only in North Carolina like Don Cross's Pamlico Packing Company but packing companies across the coast.

I have had a discussion with a number of Members on the other side of the aisle. They share our concerns, and we are all working trying to simply get the answers.

So what my amendment does is—until we get the answers, until we solve the problem, we want to suspend the travel for all DHS employees to government conferences and symposiums until the Agency provides more transparent data as to how the H-2B program is being administered for this fiscal year and for the three previous fiscal years.

I want answers and I want action. We have businesses in North Carolina and across the country in the coastal States that need these workers, and we want answers now.

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

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

UNANIMOUS CONSENT REQUEST—S. 1381

Mr. MANCHIN. Mr. President, I come to the floor and I, like my good friend the Senator from Massachusetts, am very concerned about the lack of transparency in this whole process of the trade agreement, very concerned.

I saw the TPP text. I went downstairs and I saw that. I have to say the whole process was extremely disturbing to me. Members must go to a classified room. Now, we do go to classified rooms, as a bipartisan group, on many issues that are very important to this country. I had gone down because I wanted to see for myself the transcript of the TPP, what they have dealt with and how far they are along right now in the negotiations.

The viewing of the documents that are very technical in nature, as we all know, is oftentimes without a trade staffer with appropriate clearance. So

here I am, I am not able to take staff—or only staff who has had secured clearance, and it might not be the staff on my staff who has the expertise in this, so that takes that equation away.

We are unable to take any notes to consider what we just saw unless we have a photographic memory. Unfortunately, I do not. I have tried the best I can to remember and look for things I knew I was looking for. But still yet, it is almost impossible to walk out of there having the ability to sit down and evaluate what you just saw, and then we are unable to talk to anyone about it—even to my staff, as I would like to get their input, since I have been, basically, looking at the details, and especially the public, too, has no idea about any issues that concern them.

The secretive nature of the largest free-trade deal in America's history truly just lacks common sense. Let me explain. In July of 2001, President Bush at that time released the draft text of the Free Trade Area of the Americas Agreement, the FTAA. He did this months before he was granted fast-track authority. He wasn't afraid to let us see it. He wasn't afraid to let the American public know what was in that. We were able to see it, and it didn't squelch the deal. It didn't harm anything.

They released the text of the FTAA, the different positions of 34 countries in important areas such as intellectual property rights, investor-state dispute settlements, and antidumping duties—all very important to our country and the jobs we have in this country.

Now we have a massive 12-country trade agreement that is currently being negotiated, and the President wants us to grant him the fast-track authority before not only the American people have even seen the text but mostly even our staffs whom we delegate to work on these intricate documents.

Our bill that we will be asking consideration for would simply require the President to release the scrubbed, bracketed text of any trade agreement at least 60 days before Congress would grant the fast-track authority. This is pretty sensible, pretty reasonable. Just release the scrubbed document that you have agreed on so far 60 days before you ask us to give the fast-track authority.

Before any Member of Congress is asked to vote on the most expansive bill in U.S. trade history, the American people deserve to see what is in the bill. That is why they elect us, to make sure we are able to confer with them, have a dialogue, and explain why we are or why we may not be for a certain piece of legislation, especially a trade agreement.

If this bill is as good for the American worker as proponents have claimed, then the administration and anybody else should not find it objectionable to see the details before Congress is forced to grant the President trade promotion authority.

I want to say, in my beautiful little State of West Virginia, as I go through it and we look back through the trade agreements that have already been granted since NAFTA, we have not seen an uptick. In fact, we have lost 31,000 manufacturing jobs. I, for one, am not willing to vote to put one more job in jeopardy in West Virginia.

That is the concern we have. So what we are asking for is a very modest, very sensible, very reasonable, commonsense approach to how we should do the job the people elect us to do and how it should be transparent.

At this time I yield the floor to my friend, the Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Mr. President, I thank my good friend from West Virginia, Senator MANCHIN. I thank him for his leadership. I thank him for his independence. I thank him for his partnership as we push for greater transparency on this very important trade bill.

In the past few weeks, the public has heard a lot about the Trans-Pacific Partnership, a massive trade deal the United States is negotiating with 11 other trade companies. The public has heard from supporters that it is the most progressive trade deal in history—a deal that will benefit working families and small businesses—and they have heard from opponents that it will only tilt the playing field further in favor of multinational corporations and leave workers and everyone else behind.

The public has heard a lot, but in all that time they have never actually seen the deal itself. In fact, the press hasn't seen the deal, economists haven't seen the deal, legal experts haven't seen the deal. Most everyone in America hasn't seen the deal. Why? Because the administration has classified the deal, making it illegal for any of those people to read it.

Members of Congress, as Senator MANCHIN said, can read it so long as they go into a secret room and don't leave with any notes. But even Members of Congress are prohibited from talking about the details in public or discussing the details with the people they were sent to Washington to represent. And yet, in the next day or two, the Senate is scheduled to vote on whether to grease the skids to make that secret trade deal—the TPP—the law of the land.

This isn't how democracy is supposed to work. One of our fundamental principles of representative government is transparency. Our government is supposed to keep things secret from the people only if it has a very good reason to do so. So why is this trade deal a secret? I just want to go over the answers I have heard so far, the reasons.

Some say the administration can't release the deal because the deal isn't finished yet. OK, so maybe there are some unresolved issues, but everyone

agrees the deal is nearly complete. It is close enough to being done that its supporters can confidently claim it is the most progressive trade deal in history. If you are sure that is right, then show it to us. If some parts aren't finished, then show us the parts that are finished. Don't keep every single word of the deal classified.

Others say releasing the text now would be tipping our hand in continuing negotiations, but that doesn't make any sense either. Our government has already shared the details of our positions with the other TPP countries, and those countries have shared details with us. That is how negotiations work. Publicly releasing what our negotiating partners have already seen couldn't possibly undermine our negotiations because, by definition, our negotiating partners have already seen it.

Here is another argument I have heard. Releasing the text of an unfinished international agreement simply isn't done; it is a breach of protocol. Well, that is not true either. As Senator MANCHIN pointed out, in 2001, President George W. Bush publicly released the scrubbed bracketed text of the Free Trade Agreement of the Americas several months before seeking fast-track authority for that agreement. At the time, his U.S. Trade Representative said that releasing the text "would increase public awareness and support for the trade deal." Guess what. Congress still approved that fast-track deal. Of course it can be done. It has been done, and it should be done.

Still others say that publicly releasing the text would endanger state secrets. Wow. But this agreement is not about nuclear weapons programs or military operations. There isn't any national security information in this deal. This deal is about things such as copyright rules and labor standards. And I know the President doesn't think there is any sensitive national security information in the deal. That is why he has already committed to publicly releasing the entire text. He just won't do it until after Congress has already voted to grease the skids to make it law.

That brings us to the last justification—that we should all be satisfied that the administration will release the text of the deal a few months before Congress has to vote on whether to approve it. But by then, Congress will have lost the ability to amend the deal, to stop the deal, or to slow it down. In other words, by the time you—the American public—can read the deal, your elected representatives will have lost the ability to use your input to help shape that deal. That sounds like a lousy arrangement to me.

So if there are no good reasons for secrecy here, that leaves only a bad reason, and believe it or not, it is a reason I have heard people give multiple times: We should keep the deal secret because if the details were made public now, the public would oppose it. Well,

that is how our democracy is supposed to work.

If the TPP is mostly done and the public wouldn't support it if they could see it, then it shouldn't become the law. That is why I have introduced a simple bill with my friend from West Virginia, Senator MANCHIN. This bill would require the President to publicly release the scrubbed bracketed text of a trade deal at least 60 days before Congress votes on any fast-track for that deal. That would give the public, the experts, and the press an opportunity to review the deal. It would allow for some honest public debate. It would give Congress a chance to actually step in and block any special deals and giveaways that are being proposed as part of this trade deal before Congress decides whether to grease the skids to make that deal the law.

If this trade deal is so great, if it will work so well for America's workers and small businesses, then make it public. We should pass this bill today and give the American people some time to read the deal before we tie ourselves to fast-track.

Whether you support fast-track or oppose it, whether you support TPP or oppose it, we should all agree that we should have a robust, informed debate on something that is this important. Anything less is a disservice to the people who sent us here to work for them.

So I ask unanimous consent, Mr. President, that the Committee on Finance be discharged from further consideration of S. 1381, that the Senate proceed to its immediate consideration, the bill be read a third time and passed, and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Utah.

Mr. HATCH. Mr. President, reserving the right to object, one concern I have heard from opponents of the trade promotion authority is that trade agreements currently under discussion have been negotiated behind closed doors and that by renewing TPA, Congress would be enabling and even encouraging further secrecy.

I am going to talk more on this in a minute, but there are 30 days before the President signs, 60 days after he signs where this will become well known. So I have to object to my dear colleagues' bill—I guess it is a bill at this time. I just have to object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Utah.

Mr. HATCH. Mr. President, I have heard this concern from opponents of trade promotion authority from time to time—that trade agreements currently under discussion have been negotiated behind closed doors and that by reviewing TPA, Congress would be enabling and even encouraging further secrecy. These arguments are particularly being made about the Trans-Pacific Partnership, or TPP, which is not

before us. Of course, we need to keep in mind that every Senator complaining about this supposed secrecy associated with TPP has had an opportunity to read through the current text of the agreement. And the agreement is not yet concluded. It won't be unless we pass TPA.

At the same time, I would be very surprised if these same Senators decrying the secrecy of the TPP negotiations also believe that contract negotiations between unions and management should be made public or that it would be a wise negotiating tactic for a private citizen negotiating the sale of their home to post all the offers they have received on the Internet.

My point is that in the midst of any high-stakes negotiation, some level of confidentiality is essential to getting a good deal, and especially in this case.

That said, I certainly understand the concerns about transparency, particularly when our government is negotiating on behalf of our country. Fortunately, our TPA bill strikes a good balance to address these very concerns. Our TPA bill goes further than any previous version of TPA to promote transparency and congressional oversight of the whole trade negotiation process.

First of all, under our bill, the full text of a completed trade agreement must be made public at least 60 days before the President can even sign it, giving the American people unprecedented access and knowledge of all trade agreements before they are signed and well before they are submitted to Congress.

In addition, the President must submit to Congress the legal text of a trade agreement and a statement of administrative action at least 30 days before submitting an implementing bill.

On top of that, our bill ensures that any Member of Congress who wants access to the unredacted negotiated text at any time during the negotiations will get it. In addition, Members of Congress will—once again, at any time during the negotiations—be able to request and receive a briefing from the U.S. Trade Representative's office on the status of the negotiations.

Our bill also creates in statute a transparency officer at USTR who will consult with Congress and advise the USTR on transparency policies. This will help ensure that there are consistent transparency policies across the Agency and promote greater public understanding of trade negotiations.

Now, let's be clear. I, as well as other authors of this legislation, understand the concerns we have heard from both inside and outside Congress about the need for greater transparency in the trade negotiation process. We have really worked hard to address these concerns in this legislation, and in particular the concerns of the distinguished Senator from Massachusetts, who is a good friend, whom I admire, and who I think has brought a certain dimension to this Senate that is very important.

In short, any Member of Congress who is concerned about a lack of transparency in trade negotiations should be a cosponsor of this TPA bill—that is, of course, if they are also supporters of expanded markets for U.S. exporters and the creation of high-paying American jobs. Those who oppose TPA and trade agreements outright will likely continue to use this supposed lack of transparency as an excuse to oppose the bill.

Those with genuine concerns will see that this bill is the right approach. And we have tried to make it the right approach. I believe it is the right approach. I believe the administration says it is the right approach. I know the Trade Representative says it is the right approach. He has bent over backwards to inform us and to open his office and to open matters into these not-yet-concluded agreements.

There is plenty of time for us to look at those agreements—any agreement that comes—and make up our own determinations at that time. So I don't believe the distinguished Senator from Massachusetts will be deprived of an ability to look into these matters, completely test the transparency, and look at these agreements in ways that I think would please any reasonable person.

With that, I have had to object, but I hope we can pursue this bill and get it through as soon as we can because it will be a banner day for the President, I have to admit. He is my President, but he is not my party; yet, he is right on this. For the life of me, I can't understand why we are having so much difficulty with his and my friends on the other side. We ought to be supporting a President who has bent over backwards, through his Trade Representative and those around him, to be as open as he possibly can on this matter, at least at this particular time and I believe afterwards as well.

I always feel bad when I have to object to a person's unanimous consent request, but I do object.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Will my good friend the Senator from Utah yield for a question?

Mr. HATCH. I will be glad to yield for a question.

Mr. MANCHIN. Senator, I have the utmost respect for you and the job you do here every day for all of us. I appreciate that. But we have a difference here. My difference is that I have to look at the people in West Virginia—fewer than 2 million people—who depend on the opportunity to make a living for themselves, and they have hard, strong feelings about what we have done over the years in trade agreements. They haven't seen an uptick in opportunity for themselves or their families.

With that being said, what we have asked for here, the Senator from Massachusetts and I, is not something that has never been done before. I can't ex-

plain why President George W. Bush would have done this. Maybe it was on his own volition, saying: I am going to put out this agreement that has been scrubbed. Basically everything has been agreed on. We will let you see it and discuss it—the American people and the Senate and Congress that represents those people—to see if we have total buy-in and support. If not, we can make some adjustments and changes.

He did that. That is really what we have asked for here. I respect your right to object, and I understand the process here. But the American people don't have input into this, and it has a 51-vote threshold from this day forward. So any of us who have any objections or maybe have something that would enhance this bill don't have that opportunity. That is the reason we have asked for this.

I know the Senator was here and was very much involved in 2001. What was your position or your opinion when President Bush released a draft text of the Free Trade Area of the Americas, the FTAA? Do you recall, by any chance?

Mr. HATCH. I don't personally recall that at this time, other than that it did pass.

Mr. MANCHIN. He let everybody see it months ahead of time before he was granted the fast-track authority. He never even asked for TPA until he released it. And I am sure that you were in the majority at the time, and everyone had to support that position, I would think.

Mr. HATCH. If the Senator would yield—yes, we did. We supported the President's position, if I recall correctly. There is nothing that says the President can't do that. But this bill says he must at least do certain things.

Mr. MANCHIN. That is because he hasn't offered it to us.

Mr. HATCH. This is a 6-year bill.

Mr. MANCHIN. It is a 3-3. You are right.

Mr. HATCH. There is going to be another President in 2016, whether Republican or Democrat or otherwise.

So there is nothing that says the President can't do that, but we are making sure he does do that. We have done it because of questions that have been raised by people such as the distinguished Senator from Massachusetts and you. We think we have put reasonable time constraints in there, especially since you can review the TPP as it exists—although that may or may not be the final agreement. You can review that now, if you want, and that is well in advance of it.

Mr. MANCHIN. Senator, again, I know you understand it. I am sure you probably have gone down into the secured room and maybe have looked through some parts yourself. But it is quite an onerous process. I couldn't take my staff person who had expertise in that arena because he did not have that clearance. So I had to go in, and I couldn't take notes out. Then on top of that, I couldn't even speak to him

about what I saw because he didn't have that clearance.

I have never been through something like this. For me to go home to West Virginia and say, with all full knowledge and my ability to make a decision on the facts I have in front of me, that I support or I do not support it for these reasons—I can't really do that. I am not really sure if I could support it. Maybe I can support TPP. But I am really objectionable to TPA by not having that opportunity to have input in TPP.

I think that is where I fall. And with a 51-vote threshold, I am not going to have any input to represent the people of West Virginia. With all due respect, that is where I am on this.

Mr. HATCH. I understand the distinguished Senator. Let me say that we all have to make our own individual decisions here.

I would encourage you to reconsider because I think we have a good bill that is far better than it has been in the past. Frankly, it is your administration that is putting this forward, and I am doing everything I can to help this administration get this through.

Mr. MANCHIN. I understand.

Mr. HATCH. Remember that this is the procedural mechanism that gives Congress the right to really know what is going on and to really look at these matters. That is why we put in these particular provisions, which, as far as I know, are better than they have ever been. So Members of Congress will have an opportunity to know what is in these bills. I don't know fully what is in TPP, myself, and I am going to be one of the most interested people on Earth when that comes, if not the most interested, and when we finally agree. It is still not a completed agreement, as far as I know.

All I can say is I think we provide enough time in this bill for anybody who is sincere enough and dedicated enough to look at it.

Mr. MANCHIN. Senator, if you do see something, let's say, as the bill unfolds and comes to its completion, that you really think is going to harm the people of Utah, you are not going to have any input to change that harm. And it is only going to take 51 votes to pass it, even if harm is in there for Utah.

Mr. HATCH. We will have the ability to take this floor, and those in the House to take the House floor, and fight against it if you disagree with it and it starts to get 51 votes.

The administration knows that. They know they can't do a slovenly agreement. They have got to do a good agreement in order to get both sides up here to, in a bipartisan way, accept the agreement for our country.

Mr. MANCHIN. I just feel very strongly that this most reasonable thing that we have asked for is something that was done under President Bush. I think it was in his wisdom to put it out there before. There was nothing to hide.

If we looked into their dialogue back at that period of time, they felt it was

necessary, as Senator WARREN mentioned, to get the public's buy-in, to get support from the public. So they were proud of what they put into it.

I am not saying things in here aren't good and won't be good for this country. But there might be some things that could be improved upon that would make it much better for this country.

I have lost 31,000 manufacturing jobs since NAFTA. It is hard when I go through my State and I look at people struggling. The jobs have not returned. They have not come to our little State. We did not see the uptick.

I am not saying my State represents every State, but I am sure there are parts of every State that have been hit pretty hard by this, and we want to make sure we get this one right. That is all we have asked for.

So I am sorry you had to object. I hope you understand our position on this.

Mr. HATCH. I do, and I appreciate the distinguished Senator and his efforts to represent his State. I know he does a very good job. I know the senior Senator from Massachusetts is doing a very good job. We are friends. This isn't going to change that. All I can say is that we disagree respectfully. I think I have made this as palatable as we possibly could under the circumstances.

The point I have been making is that the agreement is available 60 days before it is even signed. So it isn't as if people will not have a chance to look at it or to fight against it or talk to the President—whoever that might be.

The fact of the matter is that I am not sure that it should be longer than 60 plus 60 plus, I think, another 60.

So all I can say is that I have to object, as manager of this bill. I never feel good about objecting to something my colleagues want. I respect your desire to have as much information as you can. I respect the senior Senator from Massachusetts.

Mr. MANCHIN. Would the Senator be kind enough to yield for a question from the Senator from Massachusetts if I would yield?

The PRESIDING OFFICER. The Senator from West Virginia has the floor.

Mr. MANCHIN. I yield for the Senator from Massachusetts for the purpose of a question.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Mr. President, I just want to say to the Senator from Utah how much I respect his leadership in this Senate and his leadership on so many important issues.

All I want to say about this is that we are just asking for the trade deal to be made public before we have this crucial vote about whether there will be any opportunity in the future to amend the trade deal, to slow down the trade deal or—as the Senator from West Virginia says—if we really find objectionable parts, to be able to block it. We are just asking for some transparency

before we have this crucial vote on the TPA. We don't want to see fast-track until the American public can evaluate the deal. That is all we are asking for at this point.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. I would like the floor. But I would yield the floor to Senator HATCH, and then ask my friends to stay on the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I thank the distinguished Senator from California.

MORNING BUSINESS

Mr. HATCH. Mr. President, I ask unanimous consent that the Senate be in a period of morning business until 4 p.m., with Senators permitted to speak therein for up to 10 minutes each, and that the time during morning business count postcloture.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from California.

FAST-TRACK AUTHORITY

Mrs. BOXER. Mr. President, I thank my colleagues, Senators WARREN and MANCHIN, because what they tried to do here is to give to the American people the same opportunity they had when George W. Bush was President and a trade deal was being negotiated. Before fast-track came up, everybody saw the deal.

Mr. President, I ask unanimous consent that I be added as a cosponsor to their bill.

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

Mrs. BOXER. I appreciate that. I am proud to stand with them on this. And I do respect Senator HATCH. He is my dear friend. But let's be clear. When you go down to that secret room—and I had the same experience as Senator MANCHIN. I couldn't take the proper staffers because they didn't have the clearance.

This isn't about fighting ISIS or the war in Syria or any other very high security matter. It is about a trade deal that is supposed to be negotiated in the best interests of the people of this country.

All my friends are saying is that before we give this President the ability to fast-track this deal, let's look at it. Here is what happens when he gets fast-track authority: Not one Member of this Senate and not one Member of the House can offer any amendment whatsoever.

I think the Senator from West Virginia was very clear on the point. What if we find out that there is something horrible in there for our State?

The Senator from Massachusetts pointed out that there are whole parts of this deal—and I know I am not speaking out of turn here—where it