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

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

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

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

I yield the floor.

I suggest the absence of a quorum.

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

RECESS

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

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

ENSURING TAX EXEMPT ORGANIZATIONS THE RIGHT TO APPEAL ACT—Continued

The PRESIDING OFFICER. The Senator from Rhode Island.

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

Mr. LEAHY. Will the Senator withhold?

Mr. WHITEHOUSE. I withhold.

The PRESIDING OFFICER. The Senator from Vermont.

USA FREEDOM ACT

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

NATIONAL SECURITY AGENCY

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

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

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

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

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

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

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

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

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

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

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

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

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

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

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

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

TRIBUTE TO CHUCK JOHNSON

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

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

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

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

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

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

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

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

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

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

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

I yield to the Senator.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Good luck, Chuck.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

HIGHWAY BILL

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

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

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

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

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

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

the American people think the government address.

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

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

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

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

MEMORIAL DAY AND CHOICES FOR VETERANS

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

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

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

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

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

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

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

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

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

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

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

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

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

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

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

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

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

trade policies that work for the average American and not just for the multinational corporations.

FREE COLLEGE FOR ALL ACT

Mr. President, I also want to say a word on another issue that I know is of deep concern in the State of Vermont and I am quite confident is of concern in 49 other States as well. We are in a competitive global economy right now, and we have hundreds of thousands of bright, young people who want to go to college, get a higher education but today are unable to afford that higher education.

Here we are desperately needing to have the best educated workforce in the world so we can compete effectively, and what we are saying to our bright, young people is, sorry, you are not going to be able to get the education you need in order to get the high-quality jobs that are available in this country.

What we are saying to hundreds of thousands of those young people is, no, you are not going to be doctors, you are not going to be nurses, you are not going to be scientists, you are not going to become teachers, you are not going to be able to become employees in high-tech companies because you just don't have the education.

Frankly, I think that is absolutely absurd not only for the dreams of low- and moderate-income young people who want to make it into the middle class, but also it is absurd if we are talking about the future of this country having a strong economy.

Thirty years ago, the United States led the world in terms of the percentage of our young people who had a college degree. Today, we are in 12th place. We are in 12th place, and we are competing against countries all over the world that understand the importance of their young people getting the education that is needed in this day and age.

We are also facing a related problem in that we have millions of people—many of whom are no longer young—who are dealing with incredibly oppressive and large student debt. The average graduate now of a 4-year college is approximately $29,000 in debt. That is the average. So there are many more who are graduating $30,000 or $40,000 in debt. If a person goes to graduate school, that number goes much higher.

I recall speaking some months ago to a young woman in Burlington, VT, whose crime was that she went to medical school and is now practicing primary health care among low-income people, which is exactly what we need to see happening in this country. Yet she is saddled with a $300,000 debt. I talked to dentists who are also practicing in community health centers, where we need them. We have a major dental crisis in this country. They are saddled with a $250,000 debt.

Now, what is absurd about the current student debt situation is that at a time when a person can go out and get an auto loan for 1 percent or 2 percent, millions of our young and middle-aged people are paying interest rates on their student debt of 4, 5, 6, 7 percent, and even higher than that. So how does it happen that a person can go out and get an auto loan for 1 or 2 percent, how does it happen that a person can refinance their home mortgage to take advantage of low interest rates, yet people are stuck with 5, 6, 7 percent in interest rates on their student loans? It makes no sense to me at all.

The other part of that is that over a 10-year period, the Federal Government now makes over $80 billion in profits from student loans. Frankly, I would rather see the Federal Government make that money than the private banks. But, in fact, the Federal Government should not be profiting off of the loans that were needed by low- and moderate-income students and their families. That is not a way to make money.

So I have introduced legislation called the Free College For All Act, and it is a very simple piece of legislation. What it says is that, No. 1, we are going to make in this country tuition-free college for all public colleges and public universities in America—tuition-free. We are going to do that by establishing a matching grant program of 2 to 1 from the Federal Government—$1 for the State. When we do that, it will mean that every qualified young person in this country who wants to get a higher education will be able to go to their State colleges, their State University and do it tuition-free.

Now, is that an expensive proposition? It is an expensive proposition. But I think long term, by having a well-educated society, by allowing young people today who cannot afford to go to college to get that education, from an economic point of view, we will gain significantly by this legislation.

This legislation is also paid for in a fair and progressive way. It says to the people on Wall Street who have made huge, huge sums of money by speculating in a whole lot of arcane and dangerous financial tools that we are going to establish in this country a tax on stock transfer—a transfer-stock fee—of one-half of 1 percent. That will raise more than enough money to provide a tuition-free education in our public colleges and universities.

So this is an issue that I am going to pursue. I think it is important, if we want to deal with income inequality and if we want to make sure that everybody in this country gets the education they need, regardless of the income of their families.

USA PATRIOT ACT

Mr. President, there is another issue I wish to very briefly touch on as well today. That issue deals with the USA PATRIOT Act and FISA and civil liberties in this country. Let me make a few basic points.

There is nobody in the Senate, there is nobody in the House who does not understand that there are terrorist groups out there that want to attack the United States of America and our allies and that want to do us harm. There is nobody in the Senate or in the House or, I think, in the United States of America who does not believe that as a nation we have to do everything we can to protect the people of our country from terrorist attacks. There is no debate on that. What the debate is about is how we protect the American people without undermining the Constitution of the United States of America or undermining the privacy rights of the American people.

I think everybody does understand and should understand that modern technology in all of its forms—from iPhones to a dozen or 100 different ways—has greatly outstripped public policy in terms of protecting privacy rights. By and large, the privacy rights we have on the books now were written years and years before the development of the technologies we see right now.

It is absolutely imperative that as a nation we begin a serious conversation, which includes some of the most knowledgeable people in this country—people who know about what technology can do today and what it can do tomorrow, people who are concerned about civil liberties and privacy rights, our law enforcement officials, our national security people, and Members of Congress. What that discussion should be about is pretty simple: How do we protect our country against terrorism at the same time that we protect our privacy rights and our constitutional freedoms.

As we consider whether to reauthorize parts of the PATRIOT Act, we must take stock of where we are today. It is no secret that NSA collects vast sums of information and at one point or another has collected information on virtually every person in this country who uses a telephone. That is no great secret. Since June 2013, we have learned that the NSA collects phone call metadata, including the numbers of both parties, location, time, and duration. They collect text messages, email chat, and Internet browsing history; smart phone app data, including Google Maps, which can pinpoint a person's location to within a few yards. They collect maps of people's social networks, bank and credit card transactions. This is just the tip of the iceberg. There is undoubtedly much more being done that we simply don't know anything about.

Further, local governments and other agencies are also collecting information about the movements and the habits of law-abiding Americans. When we drive down the street, there are cameras that can take pictures of license plates. There are cameras on street corners, cameras in private buildings. The government knows where we are traveling and how long we are gone. Let's be clear. While today we are focusing appropriately on the role of the Federal Government in issues of civil liberties, we must also understand that

it is not just the government that is collecting information on law-abiding Americans. In fact, the private sector's collection of information is just as intrusive and equally dangerous. Private companies, private corporations know a whole lot about what we do. Our every move can be tracked by a smart phone. Almost two-thirds of the American people, by the way, have smart phones.

Private companies can know what we read, what we are emailing about, what Web sites we visit. They know when we have purchased a ticket, and they know where that trip is taking us. They know whether we are going on a plane or a train or a bus. When we go to a grocery store, our discount card gets scanned and the grocery store knows exactly what we are eating. It is the same situation at the pharmacy. They know what kind of medicine we are buying, enabling people to make judgments about one's health. They know when a woman is pregnant based on her purchases. In the name of fitness, people are wearing watches and Fitbits that record our heart rate and exercise pattern and how much we sleep.

In the wrong hands, this information could prevent us from getting health insurance through our jobs. It could even prevent us from getting hired in the first place. In other words, enormous, enormous, undreamed of amounts of information are out there and, in the wrong hands, that could be a real danger to our country and to the lives of millions of innocent people.

This is what the attack on privacy looks like. Someone can access our phone calls. They can access our credit card records. They can comb through our purchases. They can analyze our spending habits. They can access our emails and our contacts. They can track our movements. Pretty much anything and everything we do these days can be tracked and recorded.

Now, many of my colleagues come to the floor of the Senate and talk about America being a free country. Well, if somebody knows everything we are doing, maybe it is time to recognize that we are not quite as free as we think we are. I know that in response to the argument I am raising, people will say: Well, trust these large corporations; trust the government. They are honest people. By and large, many of them are. I am not suggesting otherwise.

In terms of government policy, however, let us not forget that 45 years ago we had a President of the United States named Richard Nixon. And what Richard Nixon believed was that anything the President of the United States did, by definition, was legal. The President can break into his or her opponent's political headquarters—not a problem. He is the President. He can spy on people—not a problem. He is the President.

So I ask my colleagues and the American people—and I do not suggest for one second that this is true of the Obama administration. But I ask the American people to think about what happens in the future if we have a President who really does believe that he or she is the law, that he or she can or should have access to the kinds of information that are out there. Think about the incredible power the administration has, the potential for blackmail, the political advantages that administration has.

People say: Well, it is a pretty crazy idea. It is never going to happen.

Well, a lot of things have happened that we never thought could happen.

It seems to me that now is the time for us as a nation, for us as elected officials to have a very important conversation about how we balance our need—of which there is no debate—to protect the American people against terrorist attacks while at the same time we respect the privacy rights and the constitutional rights of our people and how we maintain America as a free and open society.

I got involved in this issue a number of years ago when I voted against the USA PATRIOT Act. I remember some librarians in the State of Vermont came to me and they said: You know, as a result of section 215 of the USA PATRIOT Act, law enforcement officials—the FBI can come to a librarian and demand that the librarian provide information about the books people are borrowing from the library.

Of course, section 215 goes a lot further than that.

Do we want to be a nation in which we are looking over our shoulders and worrying about the books we are reading because somebody may say: Oh, well, you are reading a book about Osama bin Laden; clearly, you must be a terrorist. Is that really the kind of fear we want to see established in this country?

So I say to my colleagues, it is great to come to the floor and talk about freedom, but what freedom is about ultimately is the right of people to do what they want to do in a law-abiding way without harming other people. That is called freedom. In my view, people have a right to make a telephone call today without that information being collected by the government. People have a right to go on the Internet and send an email with the absolute assurance that as law-abiding citizens their visits to a Web site or the emails they send will not be tracked by the government. People have a right to go to a grocery store and make purchases without somebody knowing what they are buying.

I intend to introduce legislation shortly which will call for a comprehensive review of data collection by public and private entities and the impact that data is having on the American people. I don't know if this is a progressive piece of legislation or a conservative piece of legislation, but I would hope this concept would have broad support across the political spectrum from people who actually do believe in a free society, that our young people should not be worried about the kinds of books they read or the Web sites they visit.

We must bring together leaders in the technology world, people who not only know what technology today is doing as far as invading our privacy rights but what the future holds, because I am quite certain that every single day, this technology is growing more and more sophisticated and more and more intrusive, and sitting down with people who are experts on technology—we have to have civil libertarians, people who understand what the First Amendment is, what the Fourth Amendment is, what our Bill of Rights is about, what our Constitution is about, and, of course, involved in that discussion must be law enforcement and our security experts. The goal of all of this must be to create legislation which does everything we can to protect the safety of the American people but also protects our privacy rights and our constitutional rights.

I look forward to working with my colleagues on both sides of the aisle on that legislation.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Thank you, Mr. President.

I have been on the floor a number of times this week talking about the importance of trade and talking about the need for us to expand more exports around the world. The United States has not been in a position for 7 years to do that. That is why trade promotion authority is incredibly important to our workers, our farmers, and the people we represent. By doing so, we will give people a shot at actually increasing their salary and their family's income because trade jobs tend to pay better and have better benefits.

In my home State of Ohio, 60 percent of our soybean crop is exported. We want to be sure those farmers have access to more markets. Twenty-five percent of our manufacturing jobs—factory jobs—are now trade jobs. So these exports are very important.

Unfortunately, what has happened over the last 7 years is that as we try to sell our products and our services to the 95 percent of the world outside of our borders, it is getting harder because other countries are concluding trade agreements with each other.

So during this time when the United States has basically been sitting on the sidelines, other countries have negotiated trade-opening agreements. This means lowering tariffs and nontariff barriers, actually taking market share away from us that we would otherwise have. So this is an important issue. If you are for jobs, you should be for exports. You should be for the U.S. Government helping our workers and helping us to be able to knock down these barriers.

Other countries tend to have higher tariffs. They tend to have higher non-tariff barriers. So this is part of what we ought to be about in this body. I am glad we are finally taking this up. The administration now supports this. That is good. However, as we do that, we also have to be darn sure that the playing field is more level.

What do I mean by that? Well, we know that other countries have higher tariffs than we do, on average. But they also do other things that make it harder for our workers to compete. One is that they subsidize their products. We know this because we have taken a number of these countries to court—meaning the World Trade Organization—about this very topic.

Here in the United States, we have the ability, if a company is selling into our market with a subsidized product, to seek relief for that. We should. It is not fair. Second, some countries just want to dump their products here in the United States at below their cost. Why? It is kind of like what they say in business: This is a loss leader. They will take a loss on it, but they will get market share and knock out a U.S. competitor. That takes jobs away from us. That is also not fair.

Again, there are international tribunals that deal with this, but also we have our laws here in this country that say: If you are dumping your product here in the United States, that is considered unfair. A company can bring a case. If they can prove they are materially injured—that the company is materially injured—they can find some relief there.

So as we are expanding opportunities for trade all around the world, which is a good thing, we also have to be sure that our laws work to protect our workers who are not getting a fair shake. By the way, a lot of these workers are doing everything right, everything that is being asked of them. They are going through worker retraining to learn how to operate the most highly technical, sophisticated machines that are the most efficient.

Frankly, that often results in fewer jobs, but it results also in very high quality U.S. products that are being made with the best technology. Some of these workers have been asked to make concessions in their pay or their benefits in order to be competitive. What they say to me is: ROB, you know we are in a global marketplace. We know we are going to have to compete. We know it is not just about competing with Indiana anymore; it is about competing with India, China, Japan, Brazil, and the European Union. So we are willing to become more competitive, to learn these skills, to play by these global rules. But once we do that, we want that playing field to be level.

That is fair. That is the least that they should expect from us here in the Congress—to ensure that while they are making these changes to be more competitive that we are watching their back. That is what a lot of the debate has been about with regard to this trade promotion authority vote that we are having.

This is the opportunity for Congress to express its will as to what these trade negotiations ought to look like. It is not about a specific negotiation, the Trans-Pacific Partnership or the TTIP negotiations with the EU or other bilateral relationships, it is about establishing what Congress believes ought to be the right rules going forward.

AMENDMENT NO. 1299

I am very hopeful that today on the floor we will have the opportunity to vote on a couple of different amendments related to this. One that the Presiding Officer is very well aware of is a strong interest of mine. It is ensuring that other countries do not manipulate their currency so that their exports are less expensive to us and our exports that we send to them are more expensive. That is not fair.

When they intervene deliberately in their currency for that purpose and do it in a large-scale and protected way, that is called currency manipulation. There are rules against it. The International Monetary Fund has rules against it. As an example, every one of the partners in the trade agreement that is being negotiated now with the Pacific countries—every one of those countries in the Trans-Pacific Partnership—has signed up to those obligations already.

So the amendment we will be voting on today simply says: Here is the standard that you have already agreed to. Let's say that when you are negotiating a trade agreement with us to lower barriers—both here in the United States, to give them more access to our market, and to give us more access to their market, which, as I said earlier, is something we have to be doing to help our farmers and our workers—let's be sure that those benefits cannot be undone by them going in and manipulating their currency, which is a market distortion.

Most countries would say: We agree with that. We are not doing it. Currently that is true. I don't think any of the 12 countries we are talking about here are currently doing it. I will say that they have in the past. Since 2012, I do not believe Japan has been doing it. Don't take my word for it. Listen to the International Monetary Fund and the Department of Treasury. They give us a report every year on this.

But before that, they did it over 300 times. It makes it a whole lot harder for us to compete. Again, our workers and our farmers are willing to be the most productive, the most efficient. They know they have to compete. We should applaud them for that. We should support them and help them. But they want to be sure that after they have done all of that and after we have reduced some of these barriers, the playing field does not tilt, making it easier for these other countries to send their products here, which outcompete ours because of currency manipulation.

That is what that issue is all about. There will be two amendments, one of which will be offered by Senator HATCH and one offered by me and Senator STABENOW. The one that we are offering is one that does have teeth in it. In other words, it seems to be an enforceable provision. But it leaves the discretion within the Office of the U.S. Trade Representative to determine how that is done. This is an office that I had the honor of holding at one time. I had the great honor of representing our country all around the world in negotiating agreements and talking about these very issues with other countries.

I can tell you that sometimes other countries may not want to talk about it, but at the end of the day, they know that currency manipulation is bad for everybody. It is bad for the international trading system. It is tempting to do because short term, it makes your exports less expensive. If you want to be an export-driven economy, as China is, that helps sometimes.

But it is not ultimately in anybody's best interests. So let's have these disciplines, but let's make them enforceable, so that there is some ability for us to truly stop this manipulation, to discourage it, to have disciplines in place. That is what that amendment is going to be about. By the way, I know the administration has said they do not support this. It is interesting because here is Secretary Lew's letter this week to Congress: ''Holding our trade partners accountable for their currency practices has always been important to this administration.''

Well, let's hold them accountable. I agree with him. I agree with this letter. I do not agree with his recommended veto threat to the President, should we actually put accountable language into trade promotion authority. So I hope they will stick with this letter and not his recommendation to the President. The President himself has talked about this.

He has talked about his opposition to currency manipulation, and, by the way, so have 60 Senators. This was in 2013. They are not all currently serving in the Senate, but 60 Senators actually signed a letter saying: ''In our trade agreements, we must have accountable, enforceable currency manipulation provisions.''

So most of this body has been on record in the past. This is what the President said back in 2007. It was not this week, but it was 2007. He said he would work with his colleagues in the Senate to ensure that any trade agreement brought before this Congress is measured not against the administration's commitment—not just a commitment, but that we will do this—but instead against the rights of Americans to protection from unfair trade practices, including currency manipulation.

So the notion that the President might veto this because it has protections against currency manipulation—I

do not think so. I think he understands the importance of trade promotion authority. I certainly do. I think he knows that we need to get off the sidelines and get back in the business of negotiating agreements that make sense for our farmers, our workers, and our service providers.

But I think in his heart, he also realizes he has to have this discipline in place. The alternative, by the way, would be interesting. You could end up with lowering tariffs and nontariff barriers in this agreement. Then one of these countries that has previously been involved in currency manipulation, such as Malaysia or Japan could step in and do it again and undo so many of the benefits. That would be pretty tough to explain to our constituents. We had the opportunity to address this and chose not to. Some are concerned about this being a poison pill. I would just say the obvious. If you have more protections in here, it won't be harder to pass this in the House of Representatives, because the concern, obviously, a lot of people have is that trade is somehow not fair.

I agree that we ought to pass trade promotion authority. It is incredibly important to the people I represent. It is incredibly important to our country. It is even a geopolitical issue now because America's footprint in that region of the world, Asia-Pacific, should be greater. We are competing with China in so many respects. One is with regard to commerce.

China is one of those countries that are negotiating agreements pretty rapidly with countries all throughout the region. It is important that we get back in the business of establishing those trade ties. That is the geopolitical issue.

I would even say it is a national security issue and a strategic issue. But it is also just important to our economy. We all want to give this economy a shot in the arm. This weak recovery we are working through right now is weaker because we are not seeing the gains in exports we would otherwise see if we were opening up these markets. By the way, we only have free trade agreements with 10 percent of the global GDP.

If you think about it, we don't have an agreement with the EU or with China or with Japan or with many other large economies, such as Brazil. But with about 10 percent of the world we do have trade agreements. We send 47 percent of our exports to that 10 percent of the world. From Ohio, by the way, it is more than half. It is about 52 percent of our exports. But again, as we do that, let's be darn sure that we are leveling that playing field, that we are addressing these issues we all know exist, whether it is dumping products here or whether it is illegally subsidizing products or whether it is manipulating currency. It seems to me that this is the right balance. It seems to me that this is something that Congress owes the people I represent—to watch their backs, to make sure they get a fair shake.

The other amendment that I hope we will have the opportunity to vote on this afternoon is being discussed right now in another room off this Chamber. It is an amendment that ensures that you have a more level playing field with regard to being able to bring these cases against companies that sell their products in the United States unfairly because they sell them at below cost, they dump them or they subsidize them.

There are governments that do a lot of subsidization. Again, that is another market distortion. We should fight against it. The rules that are currently in place have been there a long time. They are consistent with the World Trade Organization. Other countries have these rules in place as well. But I will tell you that the way in which companies seek relief and get relief right now is far from perfect, because so often, by the time a company can show that they are materially injured—which is the standard—it is too late. The market share is gone. Many of the workers are gone. Sometimes the companies themselves are gone.

This legislation is going to be offered by Senator BROWN, my colleague from Ohio, and me. Senator BROWN has been talking about this issue on the floor. He is passionate about it. When we travel around the State, both of us, to places such as Cleveland, Toledo, Youngstown, and Dayton, we hear about this issue.

We hear: Yes, we can operate on a level playing field, but please help us to ensure that when we find a product that is subsidized and when we find a product that is being dumped here, we have the chance to be able to get the relief that we deserve.

So this amendment enhances those protections for Ohio workers seeking relief from these illegally undersold or subsidized imports. By the way, the amendment is now backed by over 80 trade associations and companies, including some great companies in Ohio: Nucor, ArcelorMittal, U.S. Steel, Timken, and others. It is a commonsense, bipartisan measure that basically says that workers should not have to lose their jobs before their company can get relief from these illegal actions. And 78 out of 100 of my colleagues here on the floor of the Senate recently backed a Customs bill that included this language. So there is a lot of support for this here on the floor.

We would love to get this included in this legislation because this is the legislation that is the most likely to move through the House and to the President. This is the legislation where it ought to be, given that we are talking about how to expand exports. That is good. But also ensure that we have more fairness in terms of international trade situations.

Last night on the floor, I was talking about AK Steel, in West Chester, OH. They have 4,000 workers in the State of Ohio. I talked about their production facilities in Zanesville, OH. Some 250 workers are there—UAW workers. They make grain-oriented electrical steel. It is a specialty steel. It is exported all over the world.

I went through what happened to them. They were exporting it to China. China illegally shut out this kind of specialty steel. They lost 92 percent of their exports to China, even though it was illegal for China to do it. The U.S. Government took China to the World Trade Organization and won. China then appealed that. China used all the time they could to avoid complying with that order. By the time it was over, it was 5 or 6 years. They lost 92 percent of their exports. So they lost hundreds of jobs in Ohio because they couldn't get into that Chinese market.

By the way, it is now happening in the European Union. For other purposes—apparently because of concern about other products—the European Union is also now blocking some of this specialty steel made in my home State of Ohio.

So it happens overseas; we know that. Yet, when this same company goes to our Commerce Department and our International Trade Commission to seek relief for illegally traded imports coming in—these are imports which are illegally traded—they have a hard time getting relief in time for it to be helpful to them being able to get on their feet. So American products are shut out of China and the EU, but American workers cannot get the help they deserve in a timely manner to keep illegally traded imports from flooding our market.

This amendment would change that. This is the amendment we have been talking about. It is called the level the playing field amendment. It helps protect thousands of American jobs that would otherwise be put at risk because our trade laws frankly haven't kept up with the speed of international commerce.

I had some Ohio steel pipe and tube manufacturing companies in my office yesterday. As some of you know, Ohio is a leader in this part of the steel industry, which is a growth industry for the most part because there are a lot more oil and gas wells, natural gas wells cropping up around the country. These companies employ thousands of workers across my State.

Frankly, they are having a tough time because of the market—nothing to do with imports but the fact that the price of oil is such that it is harder to justify drilling new wells. So the fracking has slowed down and they have lost some business.

But the other thing that has happened is there has been a surge of foreign imports. So there are now a record number of imports of pipe and tube products coming into this country at a time when our companies are already seeing kind of a soft market because of the lower price of oil and less activity in the oilfields and natural gas fields in Ohio and around the country.

So there are companies, such as TimkenSteel, which has over 1,000 workers in Canton, OH, that are continuing to make investments in their plants so they can be updated, modern, and the most efficient plants in the world.

They just made a $300 million investment. Indeed, I was there recently. I was able to visit with them and see some of their new investments. It will be one of the most modern steel plants in the world. Their export products are very impressive. They send them all over the world. These are engineered steel products. Just yesterday, they told me they are now approaching about 50-percent capacity. That is barely breaking even for them. By the way, they are at a higher capacity than most in the industry these days. Again, it is a combination of a soft market and a record number of imports of pipe and tube products.

A little further east, in the Mahoning Valley, Vallourec in Youngstown also produces pipe and tube products. Some of you have followed Vallourec because it has been in the news. It is kind of a poster child for what American manufacturers should be doing, which is investing in plant and equipment. It is the first new steel mill in Mahoning Valley in probably a couple of generations. It is very exciting. But, boy, they are having a tough time right now. Even though they have invested in their infrastructure and they are doing all the right things and they are becoming more competitive, they are having a tough time.

Some of you may know about them because actually just a couple of years ago President Obama was in that factory in Youngstown using it as a backdrop to tout our American manufacturing comeback.

A record level of import penetration is now causing incredible disruption in their production. These imports are entering our country at very low prices, and we all suspect this is the basis for a future trade remedy case. Again, it is either dumping, selling below cost, or a subsidized product. They want to make sure they have the ability to bring this case before it is too late. Our trade remedy laws haven't kept up with the fast pace of the global economy. Vallourec had 1,200 workers in Youngstown just a couple years ago. They have now had to furlough 300 workers, and I am told they are at about 20 percent capacity.

Last week when I was on the floor, I talked about another company, Wheatland Tube, which is also in Mahoning Valley. I now have an email from one of the officials at Wheatland Tube, and this is what he said:

> As an individual employed in manufacturing, I understand better than most that trade is a key component for economic growth.

He starts off saying they know we need to trade. Then he says:

> However, it's important for U.S. manufacturers (i.e. steel pipe and tube producers) to have the tools to challenge unfair trade, and that's why I believe that ANY and ALL future trade agreements considered must include enforcement provisions to ensure that trade is conducted fairly.

> As a U.S. citizen who makes a living in manufacturing . . . provisions included in the Leveling the Playing Field Act—

That is the amendment I am talking about—

> will close loop holes in the trade laws to ensure that companies can access these laws to challenge trade distorting practices. I also support language in the TPP that prevents currency manipulation and the ''dumping'' of foreign products in the U.S.

> It's essential that provisions to close loop holes in trade laws are included in a final trade bill. After all, there's a huge difference between FAIR trade and FREE trade. JMC Steel Group—

Which is the parent of his organization—

> relies on these laws, and has utilized them in recent years to challenge trade distorting practices that have injured our industry and our employees. Without laws to regulate unfair trade, I know my job—

''My job,'' he says—

> and the jobs of thousands of other manufacturing workers, is at risk.

So to Mike Mack, who sent me this email from Wheatland Tube in Warren, OH, I appreciate your expressing your point of view, and I appreciate your supporting this amendment. I appreciate the fact that you understand that trade is important and that you have to be competitive. And that is not easy. It requires some concessions, and it requires some sacrifices. But once you do that, we have to be sure we have their back.

When these American pipe and tube manufacturers were in my office yesterday, they said one thing that really worried me. They said: If our trade remedy laws aren't fixed and fixed quickly, one of us will not be at this table next year because we will be out of business.

These are good companies. These are companies that are doing the right thing. And they are telling me: Look around the table. There are several of us here now. At least one of us may not be here next year.

Because of these concerns we are hearing from workers and companies, we are offering a very simple and modest clarification of U.S. law regarding the definition of ''material injury.'' In fact, I believe it is actually exactly what Congress intended originally.

The proposed legislation makes no changes to the definition of ''material injury.'' Instead, the legislation clarifies that ''the [International Trade] Commission shall not determine that there is no material injury or threat of material industry to a domestic industry merely because the domestic industry is profitable or because the performance of the domestic industry has recently improved.'' I think this clarification underscores what the current language already shows. The definition of ''material injury'' is not intended to be so burdensome on U.S. companies that they have to go under or at least see job loss before they can get the relief they deserve.

I hope this amendment will be supported, as it was in the Customs package. I hope we can get it to the floor for a vote. I think it is incredibly important that we make sure this goes along with something that is also very important, which is to expand our exports all around the world.

We want to be sure American companies that are being harmed by illegal imports feel we are here to back them up and know they won't have to wait and watch as subsidized or dumped imports put them on the verge of going out of business and laying off hundreds, if not thousands, of workers.

So the whole notion here is that before companies are gravely or severely injured, they have the chance to make their case, that they can have confidence that the U.S. trade laws will be enforced as Congress originally intended them to and that they will be able to compete on this level playing field.

Protecting workers and jobs is not a partisan issue; this is something both sides of the aisle believe in. It is about fairness. It is about ensuring that those factory workers and towns all across America understand that as we expand exports, as we open trade between countries, we are also looking out for them and ensuring it is done in a fair way.

But if they are willing to work hard, play by the rules, they can indeed not just succeed but thrive here in this, the greatest country on the face of the Earth, the country that has this economy that has been in the past the envy of the entire world, on the cutting edge. We need to get back to that. We need to continue making things in this country. We need to continue encouraging innovation and creativity. In doing so, we will be able to have the kind of robust economic recovery all of us hope for. Part of this is trade, more exports, and being sure it is fair. Part of this is ensuring that in this body, we provide those rules of the road. If we do so, I believe we will not only be able to help the people we represent, as we should, but also begin to rebuild a consensus around the importance of trade.

Some of you have probably followed what is going on in the House this week with regard to trade promotion authority. It is tough to find the votes, and I think that is reflective of the fact that a lot of our constituents back home are skeptical. They are skeptical about trade because they have seen too often, as I mentioned earlier, that other countries were not playing by the rules, and I gave the specific examples of the U.S. steel company trying to sell its product in China or the EU and being blocked but not getting relief here.

We can fix this. It is not a matter of changing our posture on trade. We are a country that is courageous. We believe in trade. We are not going to

shrink from it. But we are also a country that believes in rules and believes in taking care of the people whom we represent so that they are not unfairly treated in the international marketplace. That is what this debate is about.

I hope we will have a good vote on the currency manipulation amendment we talked about. Whether or not we will be able to get up the other amendment is still a matter of debate, as I understand it. I hope we will be able to work through that and offer this incredibly important amendment, which is bipartisan, called level the playing field that I talked about. I think having votes on both of those strengthens trade promotion authority. Frankly, it makes it easier to get that legislation through the House and also, in the end, get America back in the business of helping the workers and farmers and the service providers whom we represent.

I yield back the remainder of my time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

THE PATRIOT ACT

Mr. SESSIONS. Mr. President, we will be talking about the PATRIOT Act and the USA FREEDOM Act that has been offered, and I think it is an important issue. I believe the PATRIOT Act provides critical tools that have helped protect America, and I believe it does so without any infringement on constitutional rights.

Some say we have to compromise rights or balance rights against the threats. Maybe sometimes we have to do that. But when we wrote the PATRIOT Act in the Judiciary Committee—of which I am a member, Senator LEAHY is a strong libertarian, Senator HATCH is a strong libertarian, Senator HATCH was chairman, Senator LEAHY was ranking member, I had been a Federal prosecutor for 15 years; people like Jon Kyl and DIANNE FEINSTEIN and so many others worked on it for months—it wasn't passed in a few days without thought. People talked about it. It was on the radio and television, we got letters, we had hearings with professors and constitutional scholars, law enforcement officers, some public and some classified briefings, and we tried to write a bill, and I believe did, that provided the Federal Government an expedited method to access phone call data, metadata as it is called, under section 215 of the act.

Now, this data has no content—no phone communications at all. It is just phone numbers, even less than you get on your telephone bill when it comes to you in the mail every month. That data is maintained at the telephone companies in their records. Everybody who makes a phone call should know that, if they are alert to the world. So that record is not your personal record. That record is the telephone company's record.

Now, if you have documents at home, if you have records in your desk, records anywhere in your house, if you have a gun or drugs that are illegal in your house, nobody can come in your house, they can't go into your car, can't go into your glove compartment or trunk without a court order because it is within your custody and you have a right, under the Fourth Amendment, to be free from an unreasonable search. The law enforcement officer has to get a court order, backed up by facts, before they can breach that Fourth Amendment.

Of course, the Fourth Amendment simply says that your right is against unreasonable search and seizure. It doesn't say the government can never conduct a search. An unreasonable search and seizure is what the Constitution talks about. I would say, first and foremost, it is reasonable the government be able to identify certain matters of evidence that could prevent a 9/11-type attack on America that could cause the deaths of thousands of Americans.

So what is it that is provided for under this act? I am raising this because I think my colleagues have misunderstood it, and they are more worried about it than they should be. In fact, I think many of their worries are based on a false understanding of how the system works and a false understanding of how law enforcement is conducted in America every day.

So these telephone companies all maintain these records and they are accessible by law enforcement. And it does not take a court order, colleagues; it takes a subpoena. A subpoena is an order for production issued by an entity empowered to issue subpoenas.

The basic standard for a Drug Enforcement Administration agent to get people's telephone records that are in the possession of a telephone company is the administrative subpoena. They do not have to go to a judge, they do not have to go to the U.S. attorney or any Federal prosecutor. They are empowered if the documents are relevant to an investigation they are conducting because they are not an individual's possession; they are the phone company's records. This is done every day.

Now, oddly, the FBI doesn't have that power. The FBI is the Agency charged with the responsibility of investigating and stopping terrorist attacks, but they have never been given this power. They have to issue their subpoenas simply by calling the Federal prosecutor in the U.S. attorney's office. I was a U.S. attorney for 12 years, an assistant U.S. attorney for 2½. I approved hundreds and hundreds, thousands of subpoenas.

In almost every major investigation you want telephone toll records. You are investigating a drug dealer and you capture somebody and he starts providing evidence. He says: I talked to the main drug dealer. How many times? Hundreds. Did you use a phone? Yes. So you immediately subpoena the telephone records. Those come right in, and they can prove he is telling you the truth. He has made 50 or 100 phone calls to the main drug dealer. That corroborates his testimony and builds truth and power in the prosecution's case that this person is indeed a drug dealer and this witness is telling the truth.

Now, there are all sorts of reasons for getting documents. That is just one of them, but it is done every day by a subpoena. As I said, a subpoena does not require a judge's approval.

So this all got stirred up in the PATRIOT Act, and we set up this procedure with judicial oversight where the phone companies' phone data—metadata—is simply put in one secure system that is accessible by the Federal Government. I don't believe that violates any constitutional rights. It is just a mechanism by which to further the system. And before they can access it, the FBI, the National Security Agency, has to have more proof and put out more evidence and go through more hoops than the drug enforcement agent does to get your telephone records. Remember, these records have no names. They have nothing but a telephone number, the date the number was called, and how long the conversation was.

Nobody is accessing those records for personal gain. Only 30-some people in the United States have the ability to access this system. That is the way it works, and so I believe, colleagues, this does not in any way impact the integrity of the constitutional right to be free from unreasonable search and seizure under the Constitution.

Somebody may say: Well, they could abuse that. Well, they could abuse it, that is true. But I have to tell you, I have seen this system. I have seen the people who operate it. They are not out there trying to corruptly spy on politicians or anyone else. I don't know how they could use the system to do that anyway. Anybody who works at the telephone company can access your telephone toll records now. So how much security do you have in your telephone toll records, pray tell?

But these people aren't doing that. They are intensely focused. If they have information connecting a phone number to a foreign terrorist or terrorist organization and they can see other people have called that number. They can do some preliminary investigations and if there is a hit and some information that coincides with other data they have, they may be able to investigate it. That may lead to other information that may stop an attack on the United States of America.

These people are not after drug dealers, they are not after bank cheats, fraudsters or armed robbers; they are

after terrorists. That is all they are authorized to use the system for.

I just have difficulty having the words to express how I feel about this.

So this system can save this country from massive attacks. We know, and our officials are telling us, there are more threats out there than before.

A lot of people watch these television programs, these CSI shows and things, and they get the false impression of the power of the American Government to conduct surveillance and the extent to which it is limited. I have worked with FBI agents, DEA and IRS agents. They are not risking their careers. They are not signing false statements. You see that sometimes on television. Even the heroes do things that violate the rules. In my experience, none of the Federal officers I dealt with violated the rules. If criminals walked, they walked. Even though they desperately needed some information, the agents do not lie, defraud or cheat.

I will tell you, these people at the NSA aren't doing that. They are patriots. They are the best kind of people you want to have serving in America. So I think this is an exaggerated thing.

I hope, colleagues, we will spend more time identifying and looking through the challenges we face, the threats we face in America, and that we will examine this program and be sure we fully understand what is at stake and the advantages that it brings. The President has given us examples of what will happen. Director Comey of the FBI said that losing these authorities would be a big problem as the Agency uses section 215, the key section, in about 200 cases a year to get records through the Foreign Intelligence Surveillance Court.

By the way, colleagues, the Internal Revenue Service can issue an administrative subpoena to get your bank records. I think they have the power to issue telephone toll records too—but, no, not here in this system. You have to go through the court process.

We talk about the roving wiretap authority that would expire if we do not reauthorize these programs. That is used in counterespionage and counterterrorism investigations and it allows the FBI to conduct surveillance on a person who may be using a burner phone. In other words, using a telephone and then throwing it away and switching to a new phone so they maintain their ability to communicate without interception.

This is important when you actually do get a warrant that allows a title III wiretap of a terrorist phone. You get this ability when you go to court. In the affidavits I have seen—in all 12 years as a U.S. attorney, I think I had one or two wiretaps approved—they were hundreds of pages of affidavits. You have to monitor it all. It takes tremendous time, but if you are after a terrorist, a wiretap can be a decisive and important matter.

Then, you face the problem of, well, you have a wiretap and it names the phone and the number of it, but he throws that phone down and picks up another one. How do you deal with that? So this allows a roving wiretap and provides a mechanism for a person who changes phones, and it is consistent with the fundamental principle we use in drug cases and organized crime cases.

In a Washington Times article published today, the President of the Law Enforcement Legal Defense Fund and former Assistant Director of the FBI, Ron Hosko, said:

> ISIS is singing a siren song calling people to their death to crash on the rocks—and it's the rocks that ISIS will take credit for. They're looking for those who are disaffected, disconnected and willing to commit murder. So if we're willing to take away tools, OK, congressman, stand behind it [and] take the credit by putting the FBI in the dark.

In other words, be sure we will be taking credit for shutting off the ability of our investigators to protect America.

President Obama said it is indeed helping protect America. Last year, he said:

> The program grew out of a desire to address a gap identified after 9/11. One of the 9/11 hijackers, Khalid al-Mihdhar, made a phone call from San Diego to a known al-Qaida safehouse in Yemen. NSA [the National Security Agency] saw that call, but could not see that the call was coming from an individual already in the United States.

They didn't have the legal ability or a system at that time that could do it.

The President went on to say of the telephone metadata program:

> Section 215 was designed to map the communications of terrorists, so we can see who they may be in contact with as quickly as possible.

Speed is critical.

The President went on to say:

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

I think the President is right about that. We don't have superhuman abilities in this country. We don't monitor everybody's phone calls. There is no way humanly possible Federal agents can do that. But once they identify someone who is being connected to a terrorist group, they can at least follow their phone number and whom they may be calling.

Passing the House bill I believe is not the right thing. The bill would eliminate entirely the database through which our intelligence analysts are able to quickly access information to connect the dots.

The bill ends these programs. It just does. It ends the metadata program, replacing it with a nonexistent, untested system. It relies on the hope that private telephone companies will agree to retain this data. But these companies have made it clear they will not commit, and flatly refuse to commit, to retaining this telephone data in their computer systems for any period of time as contemplated by the House-passed bill, unless they are legally required to do so—and the bill does not require them to do so.

One provider said the following:

> [We are] not prepared to commit to voluntarily retain documents for any particular period of time pursuant to the proposed [House bill] if not otherwise required by law.

The House has refused to put that in.

Colleagues, when I was prosecuting, phone companies kept the data 3 years, some phone companies more. One rural phone company never got rid of their data. It was amazing how often older phone calls helped connect the dots, improved facts that are critical in a prosecution.

For example, somebody says: I never called John Jones, and then you find 50 calls from their phone document to John Jones. These things have tremendous importance. When we are looking to prevent an attack on America, trying to produce intelligence to prevent enemy attacks on this country, just the fact that one individual is calling another individual who is known to be a terrorist is exceedingly valuable information. My goodness, maybe it is an innocent call, but it is worthy of looking at and investigating. That is how investigation work. That is how crimes are solved. That is how attacks are stopped. One shred of evidence, one bit can lead to new bits that can lead to more and more evidence and reveals an entire organization poised to attack our country.

Let me repeat. I don't believe we have a violation of the Constitution. I am absolutely convinced the procedures utilized in this process are utterly consistent with the policies approved by thousands of court cases nationwide that law enforcement uses on a daily basis to investigate tax cheats and drug dealers. And we can't use these same tactics against terrorists who are enemies of the United States and seek to perhaps blow up and kill thousands of people?

I think this is a mistake. I urge my colleagues to be careful about it.

Yesterday, we received a letter from the Sergeants Benevolent Association. It pleads with us to do a short-term extension of the program: Congress, do your duty. The letter says:

> With provisions of the USA PATRIOT Act set to expire in less than two weeks, the responsible course is to pass a short-term extension of the expiring authorities—including section 215. This will allow time for the Senate to undertake the kind of serious deliberative process critical national security issues demand and that the American people expect of ''the world's greatest deliberative body.''

I think we are doing that now. That is my opinion. I was present when the law was drafted, and we tried to be sure we did that and I believe we did. Some of the concerns are real. A lot of good people are concerned about it. So I think it is time for us to slow down, go

back to the basics, lay out this program, see what the complaints are, and then see if they are justified. If they are, the program will have to end. But I don't believe it needs to end, and right now we are heading on a path that will end it.

I thank the Presiding Officer and I yield the floor.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

REPUBLICAN LEADERSHIP IN CONGRESS

Mr. REID. Mr. President, as I read this morning's news, I was intrigued and struck by a Pew Research poll. Pew conducted a national survey to gauge Americans' satisfaction with Congress. Unsurprisingly, Americans are disillusioned with the Senate and the House Republicans.

I guess that is kind of an understatement, if you look at the content of the poll. Despite constant self-congratulations from the Republican leadership, the American people are rejecting the Republican leadership in Congress.

Just listen to a few of these findings: Seventy-two percent of Americans disapprove of the job being done by Republican leaders in Congress. That is an alltime high; just 4 percent of Americans say Republicans in Congress have exceeded expectations—4 percent; even self-identifying Republicans object to how their party has governed; 55 percent of Republicans disapprove of Republican congressional leadership's job performance; fewer than 4 in 10 Republicans say their party is doing a good job representing their views, but among the results of the Pew survey, there is an especially troubling trend. The survey found that 65 percent of Americans say Republicans have failed to live up to their campaign promises; only 27 percent of Republicans believe their party is keeping its campaign promises—not Independents, not Democrats but Republicans.

''Integrity'' is a simple word, but here in the Capitol it is everything. As elected officials, all we have to offer our constituents is our integrity. If we are not as good as our word, then we are no good for anything.

It is appalling that 5 months into this new Congress, most Americans believe the congressional Republicans cannot be trusted to keep their word.

What were those promises Republicans made? How about this one from the majority leader: ''Our focus would be on passing legislation that improves the economy, that makes it easier for Americans to find jobs, and that helps restore Americans' confidence in their country and their Government.''

That is what the majority leader said last year, but his record this year tells a completely different story. So far this year, Republicans have ignored the needs of their constituents. Just look at how Senate Republicans have spent their time so far this year:

The Keystone Pipeline legislation, which is a handout to billionaires and certainly special interests, is a bill that brings foreign oil into our country and then ships it right back to the foreign nations; a near shutdown of the Department of Homeland Security, even as ISIS and other terrorist groups were threatening our Nation; a senseless delay over funding for victims of human trafficking took weeks to finally finish; an unprecedented delay in the confirmation of the Attorney General of the United States being held longer than any prospective Attorney General in the history of the country, not only of her but many, many judges, not even holding hearings for them and other Cabinet and sub-Cabinet officers—not even holding hearings.

Of course, there is nothing on the calendar because the committees are reporting nothing out of the committees.

They passed an immoral budget that cuts taxes for the wealthiest individuals and corporations, while attacking working families and seniors; a trade bill that is tantamount to aid for foreign corporations and does nothing for the middle class; procrastinating a reauthorization of job creating legislation such as the highway bill.

We are going to be asked in the next few hours to extend the highway bill for the 33rd time—33rd time—for a couple of months. What a shame, when we have 64,000 bridges that are structurally deficient, 50 percent of our highways and roads are in really bad need of repair.

Now, 65 percent of Americans say yes, 53 percent of Republicans say so, too, that they are not living up to their campaign promises. So who can argue with that?

One need only look at Senate Republicans' legislative agenda to realize there is nothing on the horizon that helps working American families. At this rate, Congress will finish this year with nothing to show the middle class—nothing.

This trade bill, as I mentioned this morning, is a handout to multinational corporations and does nothing for the middle class, except cause them to lose jobs that will be shipped overseas. But the wealthiest 1 percent have reaped benefits during this first 5 months of this Congress. That is why Americans—72 percent of Americans—disapprove of the way Republicans are leading Congress.

But there is still time to right the ship. There are many things we can do in the Senate to help boost the middle class. We can pass a highway bill that immediately injects jobs into our economy, while ensuring that our businesses and families have safe roadways, rails, and bridges to navigate. We can give American workers a livable wage and ensure that no full-time employee is living in poverty.

We can address the mounting burden that student loan debt has on our economy, which is worse than any other debt, more than credit card debt, more than anything else. There are many other things we can do for American families that have not been done.

It is clear Republicans are not accomplishing much on their own, so why not work with us? Democrats are willing.

Together, we can all keep our word to our constituents. We can follow through on our commitment to help middle-class Americans and get them the help they need and deserve.

Mr. HATCH. Mr. President, I ask unanimous consent to enter into a colloquy with the distinguished ranking member of the Finance Committee, Senate WYDEN.

The PRESIDING OFFICER. Without objection it is so ordered.

OUTSTANDING ISSUES IN THE TRADE DEBATE

Mr. HATCH. First of all, I want to thank Senator WYDEN for his efforts in trying to accommodate the priorities of Members of the Senate during debate on this bill. We have been hard at work trying to address various concerns. Now, as we approach a final vote, we need to talk about some outstanding issues that we have not been able to resolve during this debate.

Specifically, there are four issues that we are committed to addressing.

First, during this debate we developed language to address Member concerns about immigration policy, particularly the concerns that trade negotiations could be used to alter U.S. immigration law or policy. An amendment filed by Senator CRUZ during the floor debate clarified this issue.

Second, one of the provisions of the TPA bill relates to forced labor and human trafficking. Senator MENENDEZ championed an effort to include these provisions in the bill reported by the Finance Committee. Since that time, Senator MENENDEZ worked with us to refine these provisions and to improve their operation. We supported an amendment filed by Senator MENENDEZ to make these refinements.

There is also strong bipartisan interest in providing more robust direction for trade in the fishing industry. Senator SULLIVAN has been a leader in this area.

Finally, there were proposed amendments to strengthen U.S. trade remedy laws. Senators BROWN and PORTMAN were key leaders in this area and filed an amendment to address this issue on the floor. We supported this amendment as well.

I believe there was strong bipartisan consensus in favor of all four of these efforts. Unfortunately, we were unable to address them during consideration of the TPA bill on the floor. Going forward, I want to be clear that we are committed to address all four of these concerns in the context of the future conference of the Trade Facilitation and Trade Enforcement Act, which has already passed the Senate. I have a letter here from Chairman RYAN of the

House Ways and Means Committee committing to work with us on these issues when that bill goes to conference.

I ask unanimous consent that the letter be printed in the RECORD.

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

COMMITTEE ON WAYS AND MEANS,
Washington, DC, May 22, 2015.

Hon. ORRIN G. HATCH,
Chairman, Committee on Finance, U.S. Senate, Washington, DC.

Hon. RON WYDEN,
Ranking Member, Committee on Finance, U.S. Senate, Washington, DC.

DEAR CHAIRMAN HATCH AND RANKING MEMBER WYDEN: As the Senate is considering the Bipartisan Congressional Trade Priorities and Accountability Act, I would like to convey that I intend to seek adoption of legislative changes to H.R. 1907, the Trade Facilitation and Trade Enforcement Act of 2015, when it is considered in the House. These changes will include the following four provisions:

Legislation sought by the House Congressional Steel Caucus (H.R. 2523), to make improvements to the antidumping and countervailing duty laws;

The text of Senate Amendment 1384, offered by Sen. Hatch and Senator Cruz, to ensure that trade agreements do not require changes to U.S. immigration laws;

The text of Senate Amendment 1430, offered by Senator Menendez, related to human trafficking; and

The text of Senate Amendment 1246, offered by Senator Sullivan, related to opportunities for trade in fish, seafood, and shellfish.

I look forward to continuing to work with you on this important legislation.

Sincerely,

PAUL RYAN.

Mr. HATCH. I would ask Senator WYDEN if he is willing to work with me to address these issues in this fashion.

Mr. WYDEN. I agree, that these are very important issues that we are committed to addressing in the coming conference on the Trade Facilitation and Trade Enforcement Act.

I will note that the Brown-Portman trade remedy legislation was included in the Senate version of the bill. I think it would be appropriate to try to address these other issues in that context as well, and I commit to working with Chairman HATCH to do so.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent to enter into a colloquy with Senators HATCH and WYDEN.

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

NEPALI EXPORTS

Mrs. FEINSTEIN. Senators HATCH and WYDEN, I appreciate your work on the trade promotion authority and trade adjustment assistance legislation. As you have said, this bill authorizes the President to conclude high-standard free-trade agreements, which are expected to tremendously benefit California and the Nation. It also reauthorizes the Trade Adjustment Assistance Program to provide retraining and income support for workers displaced by international trade. In 2013, more than 7,000 Californians received assistance from this program.

While I support H.R. 1314, I remain concerned that the United States must do more to help the people of Nepal recover from the earthquake and aftershocks that have devastated the country. As you know, the earthquakes have killed nearly 10,000 people, displaced more than 2.8 million others, and damaged or destroyed more than 500,000 homes. The U.S. Geological Survey estimates losses could exceed Nepal's $20 billion annual gross domestic product, which is a truly staggering figure for such a poor nation.

While the international community has rushed to provide humanitarian aid, the United States can do more to assist Nepal's long-term economic recovery.

Senator HATCH, do you agree that the United States should consider providing preferential treatment to Nepali exports to help the country recover?

Mr. HATCH. Thank you, Senator FEINSTEIN. Yes, I agree. The United States came to Haiti's aid after it suffered a devastating earthquake in 2010. We should do the same for Nepal today.

Mrs. FEINSTEIN. Thank you, Senator HATCH. To that end, I have filed an amendment, No. 1438, that would provide nonsensitive Nepali exports duty-free treatment in the U.S. market. Doing so would be consistent with our response to Haiti's devastating earthquake in 2010 and would attract much needed international investment in Nepal during this time of need.

While I understand that we will not have an opportunity to further amend H.R. 1314, I ask you to provide your commitment to work include my legislation in the Trade Facilitation and Trade Enforcement Act of 2015—also known as the Customs enforcement bill—or a similar bill as reported by a conference committee to reauthorize trade facilitation and trade enforcement functions and activities.

Mr. HATCH. You have my commitment to do so.

Mrs. FEINSTEIN. Thank you, Senator HATCH. I appreciate your commitment to assisting Nepal.

Senator WYDEN, do you also commit to include my Nepal legislation in the Trade Facilitation and Trade Enforcement Act of 2015?

Mr. WYDEN. Yes, I also commit to include your Nepal legislation in the Customs enforcement bill.

Mrs. FEINSTEIN. Thank you, Senator WYDEN.

Mr. GRASSLEY. Mr. President, I appreciate Chairman HATCH and Ranking Member WYDEN's work on this bill, and agree that this bill provides accountability and transparency. On immigration, I have expressed concerns every step of the way about the executive branch negotiating changes to immigration laws through trade agreements. Even before I became chairman of the Judiciary Committee—in fact, when I was chairman and ranking member of the Finance committee—I opposed previous administrations' attempts to include immigration provisions in trade agreements.

Because of that, I demanded that the Judiciary Committee be consulted on anything related to immigration. That has been done, and that has helped stop the administration in recent years from including provisions in trade agreements requiring changes to the immigration laws.

During consideration of this bill in the Finance Committee this year, I asked USTR Ambassador Froman about this issue, and specifically if they were including anything on immigration in the next agreement, specifically the Trans-Pacific Partnership. He gave us assurances that they were not. Ambassador Froman was clear that other countries are making offers to each other in the area of temporary entry, but that the U.S. has decided not to do so.

Nevertheless, Chairman HATCH and I wrote him a letter after he testified, and he wrote back with more assurances. Ambassador Froman acknowledged that there is a chapter in the Trans-Pacific Partnership agreement on the temporary entry of persons, but that this chapter only includes ''good governance provisions on transparency with respect to visa processing and cooperation on border security.'' He also said that this chapter includes commitments of other Trans-Pacific Partnership parties to make information on requirements for temporary entry publicly available. The U.S. already is very transparent about its visa application processes and eligibility requirements, and already processes visas as expeditiously as possible.

When the committee took up the bill, Chairman HATCH and Ranking Member WYDEN, at my request, included language in the accompanying report that would make it very clear that Congress will not tolerate changes to immigration laws, policies, or practices. This language is very strong and sends a signal to negotiators that trade agreements will not pass if they require changes to our immigration system, prevent us from changing our immigration laws or policies or even just repeat commitments we may have unfortunately made in previous trade agreements.

I appreciate the Chairman and Ranking Member's attention to this issue.

Mrs. FEINSTEIN. Mr. President, I rise today in support of the trade legislation before the Senate.

What we have done so far has been to consider:

No. 1, the Trade Preferences Extension Act of 2015. This bill extends a number of trade preference programs related to Africa and Haiti. It also reauthorizes the Generalized System of Preferences Program, which expired in 2013.

No. 2, the Trade Facilitation and Trade Enforcement Act of 2015. This bill includes new trade enforcement mechanisms to protect American workers from unfair trade practices. The

legislation also includes a complete ban on importing goods created by child labor, which I strongly support.

No. 3, trade adjustment assistance. This bill reauthorizes Federal assistance for worker retraining and income support to those displaced by trade. In fiscal year 2013, 7,609 Californians received training under the program, so I believe it is critical that we continue this assistance.

No. 4, trade promotion authority. This bill authorizes the President to conclude free-trade agreements with our trading partners. In exchange, those agreements will receive an up-or-down vote in the Congress.

I voted for these bills because they will update our trade policy in a smart, effective way.

The process of considering these bills has enabled me to see the extraordinary importance of trade to California's economy.

In 2013, California's total gross domestic product was an estimated $2.2 trillion. That makes it the eighth largest economy in the world, surpassing that of Russia and Italy and soon to overtake Brazil. The services industry—both high-skilled professional services and lower skilled jobs in accommodation, food and administration—have lead California's economic recovery since the 2008 recession. In fact, 66 percent of all new jobs in California created over the past year were in services.

Trade is critical to sustaining this job growth. In 2013, California exported $114 billion in services, which was a 58-percent growth since 2006. California's services exports substantially contributed to the overall services trade surplus of the United States, which reached over $200 billion in 2013.

The Trans-Pacific Partnership is expected to boost services exports even more by prohibiting customs duties for digital products; applying the same nondiscrimination standards for digital goods as manufactured goods; prohibiting countries from requiring companies to transfer their technology, business processes, or intellectual property; and requiring strong and enforceable intellectual property rights. From Silicon Valley to Hollywood, these expected provisions will continue to drive California's services exports and our overall economy.

In 2014, California exported $174.1 billion in total merchandise goods, supporting more than 775,000 jobs. That is a near 11 percent increase in jobs since 2009.

Now, there is a common perception that only large businesses benefit from trade. That has not been the case in my State. Small and medium-sized businesses—and their employees—have led the way in merchandise exports in California. Some 75,175 companies exported from California in 2013, of which 95.8 percent—72,032—were small and medium-sized businesses. Increased trade could grant these firms with new opportunities to grow, and their employees could see higher wages as a result. According to an economist at Dartmouth's Tuck School of Business, businesses that export pay wages on average 15 percent more than firms that do not. For a high-cost State like California, higher wages are a top priority. Increasing our exports is a commonsense means to that end.

I am confident that the Trans-Pacific Partnership will help California's small and medium businesses and our overall economy because that has been my State's experience with our existing free-trade partners.

In 2014, of California's total merchandise exports, $70.4 billion were to nations with which the United States already has free-trade agreements. Over the past 10 years, exports from California to these free-trade partners grew by 50 percent. If the Trans-Pacific Partnership substantially reduces tariff barriers—as other agreements have—California's exports will benefit substantially.

Today, my State's exports of computers and electronic products face tariffs as high as 35 percent; transportation equipment face tariffs as high as 70 percent; machinery face tariffs as high as 70 percent; and health products face tariffs as high as 30 percent. Reducing tariffs on these manufactured goods has proven to be a boon to California's economy, and I hope we can keep moving in that direction.

Finally, California agriculture relies on export markets. The State's agricultural exports were valued $21.2 billion in 2013. That is far more than any other State. This trade has helped the state's agricultural industry become the largest by value in the United States. In fact, the California Department of Food and Agriculture reports that California's 77,900 farms produced $44.7 billion in output in 2013. This is a massive sum, and it will only grow with trade.

According to a U.S. Department of Agriculture study, under TPP nationwide agriculture exports are expected to increase 54 percent by 2025.

For California's products, reduced tariffs and scientific-based sanitary and phytosanitary standards will be key. For example, California dairy products face a tariff of up to 35 percent in Japan, while California walnuts face a tariff of 30 percent in Vietnam. In Australia, California beef has been blocked due in part to unfounded fears of mad cow disease. Reducing these trade barriers is expected to benefit dozens of agricultural commodities in my State—especially fruits, tree nuts, vegetables, dairy, beef, wine, confections, rice and citrus exports. In fact, TPP can sustain the growth of California's agricultural exports to those countries, which from 2009 to 2013 increased in value from $4.8 billion to $7.5 billion. Overall, it is apparent that the Trans-Pacific Partnership will continue to support the immense success of California's farmers, ranchers, and producers.

Mr. President, the fact is that California relies on trade. It has been critical for our economic recovery and will be vital for sustaining our growth. Therefore, I am pleased to support passage of trade promotion authority and trade adjustment assistance. With trade promotion authority in place, I hope the President can send to Congress strong and fair trade agreements.

While the Trans-Pacific Partnership holds tremendous promise, it is my hope that the Obama administration concludes a final agreement that I can support.

I look forward to reviewing the Trans-Pacific Partnership in the coming months.

Mr. REED. Mr. President, International trade is a vital part of our Nation's economy. Nearly one-third of the country's gross domestic product is supported by trade in goods and services and, indeed, my State of Rhode Island exported goods totaling $2.4 billion in 2014. It is also a key component of our international partnerships and global security efforts.

However, the question today is not whether we should engage in trade. It is about the bill before us, and whether trade promotion authority, TPA, so-called ''fast-track,'' is in our best interest. It remains my view that Congress has a critical role to play in thoroughly vetting trade agreements. Passing this legislation takes away this role, reducing Congressional approval to an up-or-down vote. The bill before us today would also prohibit amendments and limit debate to just 20 hours. I believe that the scope and complexity of modern trade agreements demand more time for debate and a greater ability to contribute than this framework provides.

Further, this bill allows for a 6-year grant of TPA, meaning that any trade agreement under any administration over the next several years could receive this expedited approval. A number of trade agreements are currently being negotiated and it is impossible to know what additional trade deals may be pursued and what other factors, both here and abroad, may change over the course of the next several years. Given this, I do not think that Congress should vote to limit its own oversight, particularly for such a long period of time.

I also have concerns about the negotiating objectives set forth in this package. We need negotiating objectives that are enforceable. Without stronger and more concrete language on a number of key issues including currency manipulation, labor, and environmental standards, these negotiating objectives are unlikely to make an impact or be seen as a critical component for reaching a deal by our partners. For this reason, I joined Senators PORTMAN and STABENOW and many of our colleagues in cosponsoring and voting for amendment 1299, which, had it

passed, would have established a negotiating objective that urges the administration to press for rules against currency manipulation that are enforceable and consistent with IMF obligations. Without strengthening this and other objectives within TPA, they become mere suggestions, failing to afford critical protection to American workers and interests.

I commend the work of Chairman HATCH and Ranking Member WYDEN, along with Senator BROWN and other colleagues, to find a path forward for the customs and African Growth and Opportunity Act, AGOA, reauthorization bills that we passed last week, which I was pleased to join a majority of my colleagues in supporting. I am also pleased that a path forward has been found for Trade Adjustment Assistance, TAA, which I have consistently supported. Most recently, I cosponsored Senator BROWN's amendment to raise TAA funding levels to better support workers who have been displaced by trade. We all know that trade is not a tide that equally lifts all boats, and, so while I am pleased that TAA appears to be moving forward at this time, I am disappointed that the Brown amendment to enhance support for TAA did not pass.

We need to set the highest bar for our trade policy. It needs to advance our strategic and national interests while ensuring that American workers are in the best position to compete in this global economy. They deserve nothing less, and, in my view, TPA simply does not do enough to protect workers in my State of Rhode Island and across the country. For these reasons, I must oppose this legislation.

Ms. HEITKAMP. Mr. President, today I will vote to approve the Bipartisan Congressional Trade Priorities and Accountability Act, which will grant the President trade promotion authority, TPA, through 2021.

This was not an easy decision, but one I am confident is right for North Dakota. Exports are critical to the bottom line of our State's agricultural producers as well as our manufacturers.

Agricultural exports means jobs. In 2013, North Dakota exported over $4 billion in agricultural products ranging from beef to wheat to fresh vegetables. USDA estimates that in 2013, every $1 billion in U.S. agricultural exports, 7,580 American jobs are required. For North Dakota that translated into more than 30,000 jobs supported by agricultural exports. We must do everything we can to expand agricultural exports to support existing jobs and create new ones.

In 2013, total North Dakota grain exports totaled over $3.5 billion. North Dakota-grown hard red spring and durum wheat exports made us the No. 2 wheat exporting State in the Nation, with exports valued at over $1.2 billion in 2013. North Dakota was also the No. 2 exporting State for soybeans in 2014/15, exporting 182 million bushels. These commodities are exported around the world, but especially to the Pacific Rim and Europe, where the United States is currently negotiating free trade agreements which will remove barriers which make us less competitive.

North Dakota is also an important exporter of manufactured goods like farm machinery. CNH Industrial's plant in Fargo exported nearly 35 percent of the Case IH and New Holland Agriculture 4wd tractors it manufactured in 2014. The plant is supported by 23 North Dakota suppliers from across the State, among others.

I continue to have concerns with several provisions of this bill and our overall trade policy, particularly as it relates to currency manipulation and investor-state dispute settlement. As we have heard time and again, currency manipulation is one of the biggest threats to U.S. competitiveness, costing us millions of jobs. I supported amendments which would strengthen our negotiating position relating to currency, and I will continue to fight for policies which put U.S. exporters and workers on an even playing field.

Any trade package must also include strong enforcement provisions and assistance for workers whose jobs are impacted by trade. That is why I insisted the Senate vote on a Customs and enforcement bill as a condition for my support for moving TPA forward. This TPA bill also includes an important extension of trade adjustment assistance to make sure those negatively affected by new trade agreements receive the education and training they need to get new jobs and support their families.

Additionally, I received a commitment from the U.S. Trade Representative that he will continue working to improve the integrity of the investor-state dispute settlement system. I will continue to work to ensure this process does not put foreign companies at an advantage over our American industries or threaten the sovereignty of our States.

I also fought for and secured a path forward for voting for the Export-Import Bank in June, before the bank's charter expires, as part of my negotiations on TPA. When we talk about the United States' trade policy, we cannot leave out important tools which help our small businesses export and thrive. That includes reauthorizing the Export-Import Bank.

Today's vote is just the beginning of our work to open markets for our farmers, ranchers and workers. We live in a global economy. We can compete on a global playing field while also making sure we focus on building and supporting American jobs and businesses. I will continue to fight for North Dakota as we negotiate the Trans-Pacific Partnership Agreement and Transatlantic Trade and Investment Partnership to ensure that we not only have free trade, but fair trade.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

ACCESS TO COMMUNITY CARE FOR VETERANS ACT OF 2015

Mr. MORAN. Mr. President, I wish to bring S. 1463 to the attention of my colleagues.

The topic of the bill is one my colleagues have heard me speak about numerous times before in the Veterans' Affairs Committee, where I am a member. Just yesterday, I addressed this topic in the appropriations subcommittee markup of veterans and military construction, where I am a member and have many times on the Senate floor. The issue is the Department of Veterans Affairs and its interpretation of the CHOICE Act.

My colleagues will remember we passed the CHOICE Act back in August of last year. The important provision for today's conversation is what that law says, which is, if a veteran lives more than 40 miles from a VA facility, the Department of Veterans Affairs must provide services, if the veteran chooses, at a location in his or her home community.

Unfortunately, the Department of Veterans Affairs has interpreted it in a way that eliminates the opportunity for a veteran who happens to live within 40 miles of a facility from accessing that care, even though that facility doesn't provide the service the veteran needs.

S. 1463 corrects that problem. It indicates that the 40-mile rule applies only in the circumstance where a veterans facility provides the service the veteran needs. The Senate has previously voted on this provision. In fact, in our budget, it was adopted 100 to 0 on a rollcall vote.

I think what I am presenting is something that is very noncontroversial. There is no fiscal consequence to the current spending. This is money that was appropriated in the CHOICE Act and should be something that can pass on a unanimous consent request, which I will make momentarily.

The question may be why are you doing this? It is because it is important and needs to be corrected quickly. This bill, if adopted today by unanimous consent, will go to the House of Representatives where it can be considered.

I also hope what happens here is that the Department of Veterans Affairs, which I believe can correct this problem on its own volition, will do so, and when they see the Senate pass this legislation, hopefully by unanimous consent, they will respond and solve this problem immediately.

There is no reason this can't be done by the Department, and I will outline the explanation of why that is true by reading the CHOICE Act and by the report that confirms our position.

Before I ask unanimous consent, I also wish to thank a number of my colleagues, but in particular I thank the chairman of the Veterans' Affairs Committee, who has worked side by side with me to make certain this legislation ultimately becomes law. In fact, the chairman and the ranking member, the Senator from Connecticut, Mr. BLUMENTHAL, have committed to me that on every occasion, should the House not pass this bill—I will say it this way: Three options can occur. If we pass this by unanimous consent today, the House picks it up, passes it, sends it to the President, the President signs it, and that would be a great outcome. Secondly, we pass this bill, the Department of Veterans Affairs realizes they can do this on their own, and that would be a great outcome. Thirdly, if neither one of those things happens, the chairman has committed to me that he will work side by side with all of us on the Committee on Veterans' Affairs and with other Senators to make sure, at every opportunity, the language included in this bill is included in every bill related to veterans affairs that is on its way to the White House. The chairman will work with me to make sure this language is enacted into law.

I ask, through the Chair, the Senator from Georgia, Mr. ISAKSON, if what I am indicating is accurate and have him explain his thoughts on this topic in the few moments we have.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Mr. President, responding through the Chair to the Senator from Kansas, his language is precisely the language that was introduced by the committee in the Senate, which we were going to send to the House, but it got lost in the negotiations on the extension of the authorization in the House. A technical difficulty is the only reason it wasn't already a part of it.

I wholeheartedly endorse everything the Senator from Kansas said and pledge to him that if for some reason the House does not adopt the language, we will take it up immediately in the Senate when we have our next markup meeting in the Veterans' Affairs Committee and take care of it.

I personally wish to acknowledge Senator BENNET and Senator GARDNER for all the work they have done. We went to Colorado together to visit the VA hospital, which is the genesis of where this motion comes from. They have been champions for this, and I am glad we are reaching a resolution in the motion that will be made shortly to adopt the House position on the authorization. We will see to it that the hospital in Denver remains open until we can solve the problems we have in the Denver hospital.

I thank the Senator from Kansas for his cooperation, and I commend him on his language. I confirm everything he said as being accurate, true, and correct.

Mr. MORAN. Mr. President, I thank the chairman and very much appreciate his commitment to veterans. This is not about a specific piece of legislation, it is about keeping our commitment to those who served our country, always, every day but especially in advance of Memorial Day.

Therefore, Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 1463, introduced earlier today.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1463) to amend the Veterans Access, Choice, and Accountability Act of 2014 to modify the distance requirement for expanded availability of hospital care and medical services for veterans through the use of agreements with non-Department of Veterans Affairs entities.

There being no objection, the Senate proceeded to consider the bill.

Mr. MORAN. Mr. President, I ask unanimous consent that the bill be read a third time and passed, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The bill (S. 1463) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1463

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Access to Community Care for Veterans Act of 2015''.

SEC. 2. MODIFICATION OF DISTANCE REQUIREMENT FOR EXPANDED AVAILABILITY OF HOSPITAL CARE AND MEDICAL SERVICES FOR VETERANS THROUGH THE USE OF AGREEMENTS WITH NON-DEPARTMENT OF VETERANS AFFAIRS ENTITIES.

(a) IN GENERAL.—Subparagraph (B) of section 101(b)(2) of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) is amended to read as follows:

''(B) resides more than 40 miles (calculated based on distance traveled) from a medical facility of the Department, including a community-based outpatient clinic, that is the closest such medical facility to the residence of the veteran that is able to provide to the veteran the hospital care or medical services that the veteran needs;''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date that is 60 days after the date of the enactment of this Act and shall apply with respect to care and services provided under section 101 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) on and after such effective date.

(c) EMERGENCY DESIGNATIONS.—

(1) IN GENERAL.—The amendment made by subsection (a) is designated as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(g)).

(2) DESIGNATION IN SENATE.—In the Senate, the amendment made by subsection (a) is designated as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

Mr. MORAN. Mr. President, I yield the floor to the Senator from Colorado.

The PRESIDING OFFICER. The Senator from Colorado.

CONSTRUCTION AUTHORIZATION AND CHOICE IMPROVEMENT ACT

Mr. BENNET. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 2496, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 2496) to extend the authorization for the replacement of the existing Department of Veterans Affairs Medical Center in Denver, Colorado, to make certain improvements in the Veterans Access, Choice, and Accountability Act of 2014, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. BENNET. Mr. President, I ask unanimous consent that the bill be read a third time.

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

The bill was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. Is there further debate on the measure?

If not, the bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 2496) was passed.

Mr. BENNET. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table, and any statements relating to the bill be printed in the RECORD.

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

Mr. BENNET. Mr. President, I want to take this opportunity to thank my colleagues for lifting the authorization cap to allow construction to continue on the VA hospital in Aurora, CO. This project has been an absolutely shameful display of mismanagement from the very beginning. And the Colorado delegation has been screaming from the hilltops about a flawed strategy on the part of the VA for years now. But with the right accountability and transparency reforms, we have all concluded that the right thing to do is to move forward and complete this facility. And today, we have acknowledged that the worst possible thing we could do is to stop work on the construction site again. Doing so would add hundreds of millions of dollars in extra costs to the project and would be a grave disservice to veterans throughout Colorado. This is an important step, but we have a long way to go.

The VA and Congress are going to have to work together to get this project back on track. And finding the money to do this will be painful, which is why we need to ensure strong accountability and that we protect critical programs and services for our veterans. Failing to complete this hospital, though, simply is not an option.