

to be the best trained, the most disciplined. They have that can-do spirit. They are familiar with the equipment and they make great employees, as many of us know who hire veterans. We also know our veterans know how to complete a mission.

So with that, Mr. President, I wish to yield the floor to Senator JOHANNES.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. JOHANNES. Mr. President, very briefly, I thank Senator PRYOR for bringing this amendment forward. I very proudly support it and concur that it can be voice voted.

Thank you, Mr. President.

The PRESIDING OFFICER. Is there anyone who expresses opposition?

The Senator from Arkansas.

Mr. PRYOR. Mr. President, I understand we are able to dispose of this amendment with a voice vote, so I ask unanimous consent that the 60-affirmative-vote threshold be waived on the Pryor amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is on adoption of amendment No. 1298.

The amendment (No. 1298) was agreed to.

Mr. PRYOR. Mr. President, I move to reconsider the vote.

Mrs. BOXER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### AMENDMENT NO. 1227

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 1227, offered by the Senator from Nevada, Mr. HELLER.

The Senator from Nevada.

Mr. HELLER. Mr. President, as I said in my remarks this morning, I hope this commission is never required because if it is, it means the border still is not secure 5 years down the road. If that is the case, then the commission will need to be fully representative of the concerns and recommendations of all the States in the southwestern region that are affected by our broken immigration system.

Should DHS fail to gain control of the borders, and should it be necessary to form a commission to ensure we achieve that objective, it makes no sense to exclude Nevada's perspective and recommendations. My State's unique location and growing immigrant population leave it highly vulnerable to our Nation's flawed immigration system.

I urge my colleagues to support this commonsense amendment.

Mr. President, I yield the floor.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

Who yields time in opposition?

Mr. REID. I yield it back.

The PRESIDING OFFICER. All time is yielded back.

The question is on agreeing to amendment No. 1227.

The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from New Jersey (Mr. CHIESA) and the Senator from Idaho (Mr. RISCH).

Further, if present and voting, the Senator from Idaho (Mr. RISCH) would have voted "nay."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 89, nays 9, as follows:

[Rollcall Vote No. 157 Leg.]

#### YEAS—89

Alexander	Gillibrand	Murkowski
Ayotte	Graham	Murphy
Baldwin	Grassley	Murray
Baucus	Hagan	Nelson
Begich	Harkin	Paul
Bennet	Hatch	Portman
Blumenthal	Heinrich	Pryor
Blunt	Heitkamp	Reed
Boozman	Heller	Reid
Boxer	Hirono	Roberts
Brown	Hoeven	Rockefeller
Burr	Inhofe	Rubio
Cantwell	Isakson	Sanders
Cardin	Johanns	Schatz
Carper	Johnson (SD)	Schumer
Casey	Kaine	Shaheen
Chambliss	King	Shelby
Coburn	Kirk	Stabenow
Cochran	Klobuchar	Tester
Coons	Landrieu	Thune
Corker	Leahy	Toomey
Cornyn	Levin	Udall (CO)
Cowan	Manchin	Udall (NM)
Crapo	McCain	Vitter
Donnelly	McCaskill	Warner
Durbin	McConnell	Warren
Feinstein	Menendez	Whitehouse
Fischer	Merkley	Wicker
Flake	Mikulski	Wyden
Franken	Moran	

#### NAYS—9

Barrasso	Cruz	Lee
Coats	Enzi	Scott
Collins	Johnson (WI)	Sessions

#### NOT VOTING—2

Chiesa	Risch
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The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is agreed to.

The majority leader.

Mr. REID. For the information of all Senators, following the disposition of the Merkley amendment, the Senate will consider the Froman nomination.

#### AMENDMENT NO. 1237, AS MODIFIED

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to the amendment No. 1237, as modified, offered by the Senator from Oregon.

The Senator from Oregon.

Mr. MERKLEY. Let me take you back in time to 2009 and 2010. The housing market had collapsed, sawmills had shut down across our Nation, and thousands of loggers and sawmill workers were out of work. You can imagine how outraged those unemployed loggers were when they found out that govern-

ment contracts had been let for logging but the contracts were going to go to employees from Mexico. That is the type of bypass that completely disturbs the fabric of our immigration system. It undercut the success of thousands of rural families across this Nation.

This amendment has a simple fix. It says that jobs have to be appropriately advertised so that our loggers will know how to apply. That is it. It will work for rural America. It will work for the forest industry. It will work for our loggers.

Mr. President, I understand that we are able to dispose of this amendment with a voice vote. I ask unanimous consent that the 60-vote affirmative threshold be waived under the Merkley amendment, as modified.

The PRESIDING OFFICER. Is there objection?

Without objection, so ordered.

Is there further debate?

If not, the question is on agreeing to the amendment.

The amendment (No. 1237), as modified was agreed to.

Mr. LEAHY. Mr. President, I move to reconsider the vote.

Mr. MENENDEZ. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The majority leader.

Mr. REID. I apologize to everyone for not mentioning this before. We are very close to coming up with an agreement that the managers have developed, along with our able staff, to have a series of amendments in order. As things are now contemplated, we would debate those tonight and in the morning and have some votes starting at 2:15. Hopefully tonight and in the morning we will add to what we are going to agree to later so that we would have even more amendments. It is my understanding that there is already contemplation of some important work in the morning.

In short, I don't think we will have any more votes tonight after this one we are going to take on the Froman nomination. We are going to have a consent agreement to put a number of amendments in order and start those. There are four or five—I don't remember the exact number. We will start those votes at 2:15 and continue working on this important legislation.

#### EXECUTIVE SESSION

#### NOMINATION OF MICHAEL FROMAN TO BE UNITED STATES TRADE REPRESENTATIVE

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The assistant legislative clerk read the nomination of Michael Froman, of New York, to be United States Trade Representative.

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided in the usual form.

The Senator from Montana.

Mr. BAUCUS. Mr. President, the Finance Committee reported out the nomination of Michael Froman to be USTR unanimously. It is rare that I speak so highly of somebody. I can think of many top administration officials who are very good. Michael Froman will be another. He is very smart, and he is very tough. He is the right person for the job as the United States begins to negotiate trade agreements with Asia, the so-called TPP, as well as the trade agreement with the Europeans. Our economic future is tied to economic growth tied to trade.

I strongly urge my colleagues to vote for Michael Froman. Give him a big vote so that when he goes to Geneva and when he goes to other parts of the world to negotiate trade agreements, the world will know he has our strong support. Michael Froman is a great man, and I hope very much that he gets that vote where everybody votes for him. He is a good man.

The PRESIDING OFFICER. Who yields time?

The Senator from Massachusetts.

Ms. WARREN. I agree with Senator BAUCUS that trade issues are powerfully important to our economy. They involve public policy issues that range from jobs to the Internet.

Many people are interested in following our trade policies, and they need to have enough information to be able to offer real input into the process. I think the Trade Representative needs to be committed to transparency and democracy.

Last week I asked Mr. Froman if he would commit to making public the bracketed text for the Trans-Pacific Partnership. I asked him to provide more information about what trade advisers were receiving what information. Each request that I made about a commitment to public revealing information, he answered with a no.

So I urge to repeat my opposition to Mr. Froman's nomination as the next U.S. Trade Representative. We need a new direction from the Trade Representative—a direction that prioritizes transparency and public debate.

I urge a "no" vote.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I rise in support of the nomination of Michael Froman to be the next U.S. Trade Representative.

Right now, there is a leadership vacuum in this country when it comes to international trade. That is especially true at the Office of the U.S. Trade Representative.

A recent study by the Office of Personnel Management, which survey's employee satisfaction at executive branch agencies, found that USTR ranks near the bottom among small

agencies in almost every category, including effective leadership.

Unfortunately, this is not a new trend—the agency has been in steady decline since 2009.

This is due both to a lack of real leadership and the fact that, with Trade Promotion Authority expired, our trade negotiators don't have the tools needed to do their job. To date, there has been no real effort by President Obama to secure TPA renewal.

While I was pleased that President Obama announced this week that the United States and the European Union will soon begin formal negotiations on a trade agreement, I was surprised and dismayed that the President did not even mention TPA once in his remarks.

This is incredible to me.

It is easy to stand up and make speeches about trade. But real progress won't come by launching initiatives and talking about them. Getting our trade agenda right requires real leadership and the ability to get the agreements negotiated and approved by Congress.

That simply won't happen without TPA.

Members of Congress have fought to fix this problem.

We pushed for a vote on TPA renewal on the Senate floor 21 months ago. Unfortunately, that effort failed, largely due to lack of support from our Senate Democratic colleagues.

To me, this shows that Presidential engagement on TPA renewal is vital. Without the President's active leadership and public support for TPA, it is hard to see how our current efforts to renew TPA can succeed.

And we must succeed.

Today, 95 percent of the world's customers live outside the U.S. They account for 92 percent of global economic growth and 80 percent of the world's purchasing power.

But the U.S. is falling behind as we fight for access to these markets. We simply cannot afford to sit back while other countries write the rules of trade to the detriment of our workers and our economy.

Throughout the process of confirming Mr. Froman, I have made it clear that I expect the next U.S. Trade Representative to share my commitment to strong intellectual property rights protection and my passionate belief in the need for the U.S. to lead in setting the rules of international trade through renewal of Trade Promotion Authority.

Mr. Froman was unequivocal, during both our confirmation hearing and in subsequent questions for the record, that he shares these goals.

As the ranking member of the Finance Committee, I plan to hold him to his word.

I also hope he will use his close relationship with the President to convince him that strong and vocal Presidential leadership on TPA will be critical to getting it done.

I plan to do all I can to help support a positive, pro-growth trade agenda.

I believe a strong vote in favor of Mr. Froman to be our next U.S. Trade Representative will be a good first step.

I have seen a lot of people come and go in this position. I can say this: I have every confidence this man is going to be an excellent leader in the position he has accepted. I hope everybody on this floor will vote for him. He is for the trade promotion authority, which any President would want because it makes it easier to approve these free-trade agreements and other agreements that really are in the best interests our country.

This man is competent, and he is highly qualified. He doesn't share my philosophy particularly, but I think he does with regard to this position. I have every confidence in him, and I hope everybody who can will vote for him.

Mr. BAUCUS. Mr. President, is there any time remaining?

The PRESIDING OFFICER. The Senator from Montana.

There is no time remaining.

Mr. BAUCUS. I would ask for 10 or 15 seconds.

The PRESIDING OFFICER. Without objection, so ordered.

The Senator from Montana.

Mr. BAUCUS. I would say to my good friend from Massachusetts that if she will work with us, we will work with Mr. Froman to make sure he answers all of our questions.

I plan to work with the Senator to get answers to the questions. I was unaware of this problem until the Senator just mentioned it.

Ms. WARREN. May I be heard for 10 seconds?

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

Ms. WARREN. I have no doubt that Mr. Froman will be a highly qualified Trade Representative. There is a point of principle at stake here, and that point of principle is that we should not be moving forward on trade agreements without making more of this information public. This is what this is about. Without that, I urge a "no" vote.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Michael Froman to be United States Trade Representative?

Mr. VITTER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mrs. BOXER (when her name was called). Present.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Idaho (Mr. Risch) and the Senator from New Jersey (Mr. CHIESA).

Further, if present and voting, the Senator from Idaho (Mr. Risch) would have voted "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 93, nays 4, as follows:

[Rollcall Vote No. 158 Ex.]

YEAS—93

Alexander	Fischer	Mikulski
Ayotte	Flake	Moran
Baldwin	Franken	Murkowski
Barrasso	Gillibrand	Murphy
Baucus	Graham	Murray
Begich	Grassley	Nelson
Bennet	Hagan	Paul
Blumenthal	Harkin	Portman
Blunt	Hatch	Pryor
Boozman	Heinrich	Reed
Brown	Heitkamp	Reid
Burr	Heller	Roberts
Cantwell	Hirono	Rockefeller
Cardin	Hoeben	Rubio
Carper	Inhofe	Schatz
Casey	Isakson	Schumer
Chambliss	Johanns	Scott
Coats	Johnson (SD)	Sessions
Coburn	Johnson (WI)	Shaheen
Cochran	Kaine	Shelby
Collins	King	Stabenow
Coons	Kirk	Tester
Corker	Klobuchar	Thune
Cornyn	Landrieu	Toomey
Cowan	Leahy	Udall (CO)
Crapo	Lee	Udall (NM)
Cruz	McCain	Vitter
Donnelly	McCaskill	Warner
Durbin	McConnell	Whitehouse
Enzi	Menendez	Wicker
Feinstein	Merkley	Wyden

NAYS—4

Levin	Sanders
Manchin	Warren

ANSWERED “PRESENT”—1

Boxer

NOT VOTING—2

Chiesa	Risch
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The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table. The President will be immediately notified of the Senate's action.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

#### BORDER SECURITY, ECONOMIC OPPORTUNITY, AND IMMIGRATION MODERNIZATION ACT—Continued

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I am not going to ask unanimous consent to call up any amendments or to have any votes or anything, so everybody can relax. But I do want to speak for a minute about the process we are in.

We have now been considering a major piece of legislation for weeks. The chairman and the ranking member of the committee did a masterful job. Even though there are some people still against the bill, there are people for the bill, we are not exactly sure how it is going to come out, but I want to say Senator LEAHY and Senator SESSIONS—but Senator LEAHY particularly, as the chair—could not have done a better job getting the bill printed, printing all of the amendments, staying here through the night, letting the

members of the committee have a lot of time to debate the bill, to amend the bill. The committee did a very good job.

I am planning to vote for the bill. I have not kept that a secret or said anything to the contrary. Of course the amendment process is important. I cannot make that commitment until we see it. If an amendment gets on this bill that undermines some of the important principles, I might have to change my mind. I don't think that is going to happen.

But there is the problem and this is why I am going to stay on the floor until, hopefully, something can be worked out. I am not on the committee. Most of the people on this floor are not on the committee. The committee is representative of a minority group of Republicans and Democrats. The majority of us do not serve on the Judiciary Committee. While we were interested and worked with our friends who are on the committee to suggest important changes that would improve the bill or correct the bill or fix the bill or save money, we were not on the committee to do it. That is the process. I am not complaining about that.

What I am complaining about is when it gets to the floor, you would think the process would allow amendments to be debated so Members such as myself—I serve as chair of the Homeland Security Appropriations Committee. I am not a distant third party to this debate. My whole budget funds this bill. This is what I spend good bit of my time on. The people in my State and constituencies I represent have a lot of interest in this bill. I am not a Johnny-come-lately to this issue. I have things I want to say about it. I wish to have some amendments talked about and voted on. If people want to vote them down, fine. If they want to vote for them, fine. If they want to have 50 votes, fine. If they want to have 60 votes—I just want a chance to talk about my amendment, so I am going to do so right now.

I also want to say there are some amendments—I have a short list of eight or so. Some of them are quite minor. One or two are fairly significant and might need a debate. But part of my group of amendments is completely, to my knowledge, unopposed by anyone. I have Senator COATS as a cosponsor. I have worked openly. I filed amendments, the text of which have been out there for days now. Senator COATS, who is my ranking member—we try to work together in a bipartisan fashion. He has cosponsored several of these amendments.

What I am strongly suggesting is the staff and the leadership managing this bill try to identify, of the amendments that have been filed, those that are noncontroversial, that everyone would agree to. I think there are probably 20 or 30 such amendments. They do not change the underlying agreement. They do not spend any additional money. They fix or modify or improve

sections of the bill. That is our job. That is what we are supposed to do. That is the legislative process.

You know what. If it were not meant to be that way, we should have a rule that says the bill goes to committee and then it doesn't even come to the Senate floor, then it goes over to the House of Representatives, and their committee works on it and they send it to the President.

But that is not what our laws say. Our laws say we should have some debate on the Senate floor.

I have also been here long enough to realize the leadership is trying its best and there are some amendments that are very controversial. I am not new to the Senate. Fine. But what I am talking about is when we get on a major bill such as this and Members work hard to build support and to get bipartisan support, our amendments that are noncontroversial should go first and then controversial amendments could go last.

But that is not what happens around here. What happens around here is the guys who cause all the trouble all the time on every bill—I don't want to name their names because it is not appropriate—but there is a group on the other side, and a few maybe on our side, who are never happy with anything so they file tons of amendments and we spend all of our time worrying about their amendments. Those of us who spend a lot of our time building bipartisan support, who offer amendments that have no opposition, actually never get to those amendments.

This is sad. I basically have had enough. I have tried to be patient all week. I have come every day and said: Are any of these amendments going to get in the queue? That is not the way we are working right now. We are taking the worst amendments, the most controversial amendments, the guys who cause trouble on every single bill, and give them votes on their amendments. Some of them have been defeated 99 to 1, and then everybody gets tired and aggravated and everybody says we are tired, we are aggravated, we are calling cloture. And do you know what happens when cloture is called. All amendments that are not pending, even ones that no one opposes, that could actually help a human being—imagine that, an amendment that actually could help someone—crumble up on the Senate floor and everybody goes home and says, well, that was a wonderful debate.

I am just venting here, but I am saying this is one Senator who is tired of it. More important, my constituents are tired of it. It is not about me, it is about them. They look at this and they say why can't you get that amendment passed? There is no opposition to it. It is good. We have worked on it. It would help.

That is a good question, and I have to say “I have no idea.”

We have voted on all kinds of amendments that are controversial, that are