



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 114th CONGRESS, FIRST SESSION

Vol. 161

WASHINGTON, TUESDAY, MAY 12, 2015

No. 72

Senate

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

PRAYER

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

Let us pray.

Eternal Lord, preserve us in our pilgrimage through this life, using us as Your light to a dark world. Free us from hindrances that keep us from accomplishing Your purposes on Earth.

Today, abide with our Senators. Give light to guide them, faith to inspire them, courage to motivate them, and compassion to unite them now and evermore. Lord, help them in the making of laws to execute justice and to set the captives free. Protect them in their work and keep them from those things that lead to ruin. Give them faith to see beyond today, to sow the seeds and cultivate the soil that will bring our Nation a bountiful harvest.

We pray in Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

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

TRADE

Mr. MCCONNELL. Mr. President, the Senate will have the opportunity this afternoon to open the legislative process for a broad 21st century American trade agenda.

Let me remind Senators that the vote we are taking today is not a vote

to approve or disapprove of trade promotion authority. In fact, the bill we will be voting to proceed to is simply a placeholder that will allow us to open a broad debate on trade that our country very much needs. Voting yes to open debate on a 21st century American trade agenda offers every Member of this body the chance to stand up for American workers, American farmers, American entrepreneurs, and American manufacturers. It is a chance to stand with Americans for economic growth, opportunity, and good jobs.

Selling products stamped "Made in America" to the many customers who live beyond our borders is key. That is true across our entire country. It is true in my home State of Kentucky. We know that Kentucky already boasts more than half a million jobs related to trade. We know that nearly a quarter of Kentucky's manufacturing workers depend on exports for their jobs. And we know that manufacturing jobs tied to exports pay about 18 percent more than non-export related jobs.

So there is every reason to knock down more unfair international trade barriers and bring more benefits back to Americans, right here at home. According to one estimate, Kentucky alone could see thousands more jobs and millions more in economic investment if we enact smart agreements with countries in Europe and the Pacific.

We also know how important these types of agreements are to our national security—especially in the Pacific region. Just last week, seven former Defense Secretaries from both political parties wrote to express their "strongest possible support" for the bill before us today. "The stakes are clear," they wrote. "There are tremendous strategic benefits. . . . [and] America's prestige, influence, and leadership are on the line."

If we care about preserving and extending American leadership in the 21st century, then we cannot cede the

most dynamic region in the world to China. It is true from a national security perspective, and it is true from an economic perspective.

But first, we need fair and enforceable trade legislation that expands congressional oversight over the administration and sets clear rules and procedures for our trade negotiators. We have all those things in the Bipartisan Congressional Trade Priorities and Accountability Act, a bill that passed out of the Finance Committee 20 to 6 with strong support from both parties.

We should start the process of building on that bipartisan momentum right now. I know the opportunity to consider complex legislation via regular order became too uncommon in recent years, but that is changing now. The Senate may still be a little rusty, though, so I want to be clear about what today's vote is. This is a vote to begin a process. This is a vote to begin a debate on a broad trade agenda. Yes, TPA will be part of that debate. But trade adjustment assistance, or TAA, will be also.

Now, there are many Members on my side of the aisle who have real reservations about TAA. I do as well. But I expect that at the end of this process, after the Senate works its will, TAA—trade adjustment assistance—will be part of the package the Senate sends to the House.

The top Democrat on the Finance Committee made it clear at the mark-up of these trade bills that TAA needed to run alongside TPA. I know that the chairman of the committee, Senator HATCH, has also been working toward that end.

Now, the Finance Committee didn't just mark up TPA and TAA. It also marked up the African Growth and Opportunity Act and passed the generalized system of preferences bill by voice vote. It reported a customs and enforcement bill by voice vote, too.

So while TPA is clearly the centerpiece of the trade agenda before us,

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



Printed on recycled paper.

there is also bipartisan support for other bills reported by the Finance Committee.

Now, I know we have heard some concern that these bills might get left behind. I don't think that was anybody's intent. I expect to have a robust amendment process that will allow trade-related amendments to be offered and considered, including on the subject matters that the committee dealt with. The underlying substitute will be a compromise between the two parties, marrying TAA and TPA.

But let me repeat so there is no misunderstanding: The measure before us will be open for amendment, and I expect that other trade policies considered by the committee—and possibly even more—will be debated on the floor. I also expect that Chairman HATCH and Senator WYDEN will be working hard to get as much done as they can on all of these proposals.

I know that Chairman HATCH wants to find a path forward on all of these bills. I know that Senator WYDEN and Chairman RYAN spent a lot of time working through TAA, and, despite the objections of many on our side, it is likely to be included in any trade bill that passes the Senate.

I am confident that an enduring agreement can be found if the Senate is allowed to work its will and debate openly. That is what we intend to have happen on this bill. So I repeat: All we are voting on today is whether to have that debate at all.

If there are Senators with concerns about particular details of the trade agenda before us, that is all the more reason to vote to debate it. Let's have these conversations in an open and transparent way. Let's give the American people a full-throated debate on an important issue.

But we can't debate any of the provisions Senators want to consider if they vote to filibuster even getting on the bill. So I am calling on colleagues to prove they are serious—prove they are serious about wanting to pass this legislation—rather than simply looking for new and creative ways to defeat it. Voting to proceed is the way we have an opportunity to prove we want to pass trade promotion authority.

All the good committee work I mentioned demonstrates a real hunger to process bipartisan trade legislation. So let's vote to build on that today. Let's vote to open debate on a 21st century American trade agenda. Let's not slam the door on even the opportunity of having that debate.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The minority leader is recognized.

WASHINGTON, DC, NFL TEAM NAME CHANGE

Mr. REID. Mr. President, yesterday the National Football League punished

one of its most recognizable players for allegedly having tampered with game balls. I find it stunning that the National Football League is more concerned about how much air is in a football than with a racist franchise name that denigrates Native Americans across the country. The Redskins name is a racist name. So I wish the commissioner would act as swiftly and decisively in changing the name of the Washington, DC, team as he did about not enough air in a football.

TRADE

Mr. REID. Mr. President, we know that later today the Senate will vote on whether to move forward with consideration of trade legislation. What we do not know, other than what the leader just said, is what is going to be in the matter before us. It seems to me he said that there will be TPA and TAA in the bill, and that dealing with Africa and these other provisions dealing with customs won't be in the bill. That is unfortunate.

In April, the Senate Finance Committee reported four bills out of the committee. Each of these four bills addressed different trade issues. Several of these bills contain amendments that the Senate spent months and years working to pass.

As I stand here today, Senate Democrats still don't know for sure the procedure of the Republican leader. And I would say to my friend the Republican leader, and to everyone who hears me say this, that using the logic of the Republican leader, he should move to these four bills. If he wants a robust amendment process, which he talks about all the time, why doesn't he put this legislation before this body and we will have a robust amendment process.

The ranking member of the Finance Committee is here. He is an experienced legislator and he knows—he was here before the Republicans put skids on doing any legislation for 4 years. He knows what the process was before then. He knows what the process is today, and he knows that the reason a few things are being accomplished this work period—and I mean a few—is because we have cooperated with Republicans. We still want to do that.

But if the Republican leader is concerned about a robust amendment process, then, put everything the committee reported out. That is why we have been led by the good senior Senator from Oregon the way we have been.

I have been very clear. I am not a fan of fast track. But it is important to remember that the Senate's ongoing debate about trade is not limited to legislation granting President Obama fast-track trade authority.

One of the bills reported out of the committee provides worker assistance for American workers who lose their jobs because of trade—important. Trade adjustment helps American workers to be trained, to look for new

jobs, and to reenter the workplace. It is a program that has worked well.

The second bill helps developing countries export their products to the United States.

The third bill started out as a customs bill and now includes bipartisan provisions fighting currency manipulation and includes provisions on the importation of goods made with forced labor. It also ensures that American manufacturers can enforce trade laws against foreign companies that refuse to play by the rules.

Simply put, these three other bills include many provisions to make sure that trade is fair for American workers and the American economy.

My views on trade—I repeat—are well known. I don't support these trade provisions. But if the Senate is going to talk about trade, we must consider its impact on the American workers and the middle class, and that is what the customs provision does. That is why I support combining these four bills into one piece of legislation—so no American will be left behind by the Senate Republicans.

It is essential that if we move to fast-track, we consider these other bills as part of the process. In past years, Democrats and Republicans joined together to pass other important trade legislation with fast-track. For example, in 2002, when that passed, Congress adopted in that trade adjustment assistance, customs and trade enforcement and an extension of our preference programs. If we did it in 2002, why can't we do it today?

My friend the majority leader talks about the motion to proceed as a way to move forward. There is also a way to move forward that would be less disruptive, and it would work a lot better; that is, have the majority leader put all these four bills together and then begin—his words—a “robust amendment process.”

The absence of assurance that these four bills are together is a signal that some will be left behind, and the people left behind, of course, are the American middle class. I urge the majority leader to take the necessary steps to merge these four bills reported out of the Finance Committee into one piece of legislation; otherwise, we risk hurting every American whom we talk about protecting so much here; namely, the middle class.

Again, logically, if you use the statements of the Republican leader, we should put all four of them together. We would move forward on this legislation. We could have a process—again, using his words, a “robust amendment process.” Last time those words came out—“robust amendment process”—we had two amendments. That was the Iran bill, two amendments. That is robust? That is not very robust, in my estimation.

I wish my friend the ranking member of the Finance Committee the very best in this legislation. It is a huge responsibility for his caucus. We, at this