

whether it is for bulk collection of metadata or any other intrusion on civil rights and civil liberties, there would be an advocate on the other side to make the case that it is overreaching, that it is unnecessary, that it is unauthorized. In fact, that is what the Second Circuit said the government was doing by this incredibly overextended overreach in bulk collection of metadata.

Unless and until this essential reform is enacted, along with other critical reforms that are contained in the USA FREEDOM Act, I will oppose reauthorization of section 215, and I urge my colleagues to do so as well.

I thank my colleagues from Utah and Vermont for their leadership and all who have joined in this morning's discussion. The colloquy today, I think, illustrates some important points of why the USA FREEDOM Act is important at this point in our Nation's history.

I yield the floor.

Mr. LEE. Mr. President, I appreciate the patience of Senator HATCH and his willingness to wait while we finished this exercise.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

TRADE

Mr. HATCH. Mr. President, later today, the Senate will vote on whether to begin debate on the future of the U.S. trade policy. It is a debate that has been a long time coming. In fact, we haven't had a real trade debate in this Chamber since at least 2002. That was 13 years ago.

Think about that. Let's keep in mind that 95 percent of the world's consumers live outside of the United States and that if we want our farmers, our ranchers, manufacturers, and entrepreneurs to be able to compete in the world marketplace, we need to be actively working to break down barriers for American exports. This is how we can grow our economy and create good, high-paying jobs for American workers.

While the chatter in the media and behind the scenes surrounding today's vote has been nearly deafening, no one should make today's vote more than it is. It is, once again, quite simply, a vote to begin debate on these important issues.

Now, I know some around here are unwilling to even consider having a debate if they can't dictate the terms in advance, but that is not how the Senate works and, thankfully, that is not the path we are going to take.

I have been in Congress for a long time, so I think I can speak with some authority about how this Chamber is—under normal conditions and regular order—supposed to operate. Of course, before this year, it had been a while before this body had worked the way it was supposed to. Hopefully, today's vote can serve as a reminder, and we

can go to regular order on these bills and do it in a way that brings dignity to this Chamber again.

Once again, today's vote will decide only whether we will begin a debate on trade policy. It will not in any way decide the outcome of that debate. Indeed, the question for today is not how this debate will proceed but whether it will proceed at all.

Right now, everyone's focus seems to be on whether we will renew trade promotion authority—or TPA—and that will, of course, be part of the trade debate. TPA is a vital element of U.S. trade policy. Indeed, it is the best way to ensure that Congress sets the objectives for our trade negotiators and provides assurances to our trading partners that if a trade agreement is signed, the United States can deliver on the deal.

As you know, the Finance Committee reported a strong bipartisan TPA bill on April 22. The committee vote was 20 to 6 in favor of the bill. It was a bipartisan vote. That was a historic day. Before that day, the last time the Finance Committee reported a TPA bill was in 1988, almost three decades ago.

But that is not all we did on that day. In addition to our TPA bill, we reported a bill to reauthorize trade adjustment assistance, or TAA, a bill to reauthorize expired trade preference programs, and a customs and trade enforcement bill.

These are all important bills—each one of them. They all have bipartisan support. I was a principal author of three of these four bills, and I don't intend to see any of them left by the wayside. However, that looks like it is becoming increasingly what might really happen here if we don't get together.

Everyone here knows that I am anxious to get TPA across the finish line. And though it pains me a little to say it, TAA is part of that effort. We know our colleagues on the left have to have that. While I oppose TAA, I have recognized—and I have from the beginning—that the program is important to many of my colleagues, some of whom are on this side of the aisle as well, and it is a necessary component to win their support for TPA.

On a number of occasions, including at the Finance Committee markup, I have committed to helping make sure that TPA and TAA move on parallel tracks, and I intend to honor that commitment. Toward that end, if we get cloture on the motion to proceed later today, I plan to combine TPA and TAA into basically a single package that can be split by the House, and move them as a substitute amendment to the trade vehicle. And, I have to say, Congressman RYAN, the chairman of the Ways and Means Committee, understands that TAA has to pass over there as well.

In other words, no one should be concerned about a path forward for TPA and TAA. That was the big debate throughout the whole procedural proc-

ess. And even though it raises concerns for a number of Republicans, including myself, these two bills will move together.

The question ultimately becomes this: What about the preferences and customs bills? There are two other bills here. I have committed in the past to work on getting all four of these bills across the finish line or at least to a vote on the floor, and I will reaffirm that commitment here on the floor today. I will work in good faith with my colleagues on both sides of the aisle and in both the House and Senate to get this done.

Regarding preferences, the House and Senate have introduced very similar bills, and, in the past, these preference programs—programs such as the African Growth and Opportunity Act and the generalized system of preferences—have enjoyed broad bipartisan support. My guess is that support will continue and that there is a path forward on moving that legislation in short order.

Admittedly, the customs bill is a bit more complicated. However, I am a principal author of most of the provisions in the customs bill. Indeed, many of my own enforcement positions and priorities are in that bill. Put simply, I have a vested interest in seeing the customs bill become law, and I will do all I can to make sure that happens. I will work with Senator WYDEN and the rest of my colleagues to find a path forward on these bills. I don't want any of them to be left behind.

But we all know that the customs bill has language in there that cannot be passed in the House. I don't know what to do about that. All I can say is that we can provide a vote here in this body, and who knows what that vote will be. I am quite certain that if we are allowed to proceed today, these bills—not to mention any others—will be offered as amendments. But in the end, we can't do any of that—we can't pass a single one of these bills—if we don't even begin the trade debate.

If Senators are concerned about the substance of the legislation we are debating, the best way to address these problems is to come to the floor, offer some amendments, and take some votes. That is how the Senate is supposed to operate, and we are prepared to operate it that way.

I might add, though, we have to get the bill up. And if there is a cloture vote and cloture fails, Katy bar the door.

I know there are some deeply held convictions on all sides of these issues and that not everyone in the Senate agrees with me. That is all the more reason to let this debate move forward and let's see where it goes. Let's talk about our positions. Let's make all of our voices heard. I am ready and willing to defend my support for free trade and TPA here on the Senate floor. I will happily stand here and make the case for open markets and expanded access for U.S. exporters and refute any arguments made to the contrary. And I

am quite certain there are a number of my colleagues who would relish the opportunity to tell me why they think I am wrong. They should have that right. None of that happens if people vote today to prevent the debate from even taking place.

We need to keep in mind that we are talking about bipartisan legislation here. All of these bills are supported by Senators on both sides of the aisle. This isn't some partisan gambit to force a Republican bill through the Senate. And, of course, let's not forget that, with TPA, we are talking about President Obama's top legislative priority and one of the most important bills in this President's service as President of the United States of America.

This is a debate we need to have. I am prepared to have it. The American people deserve to see us talk about these issues on the floor instead of hiding behind procedural excuses.

I urge all of my colleagues, regardless of where they stand substantively on these issues, to vote to begin this important and, hopefully, historic debate on U.S. trade policy.

Let me say, I am basically shocked that after all we have done—the large vote in the committee, the importance of these two bills in particular but all four of them, and the importance of trade promotion authority and trade adjustment assistance to the President—that we now have a bunch of procedural mechanisms that could make this all impossible. It is hard for me to believe that this could take place. We had an agreement—the two sides—and I am concerned about that agreement being broken at this late date, when we were so happy to get these bills out of the committee and get them the opportunity of being on the floor.

I have to say, as a Republican and as a conservative, I have been willing to carry the water for the President on this because he is absolutely right that TPA and TAA should pass, especially TPA. On TAA, I have questions on it and I wish we didn't have to pass it, but I have agreed to see that it is on the Senate floor as part of passing TPA.

The bill deserves to pass. However, we know that the President does not like the language that was put into the customs bill and neither do I, at this point, because I think it could foul up the whole process, the way I am hearing from the other side. We understood we were going to have votes on TPA and TAA, without getting into the currency problem that will still be alive on the customs bill. I am very concerned about this because we have come this far, and we should follow through and get this done. The President will be better off, the country will be better off, and all of us will be better off. And we can walk away from this, I believe, in the end feeling that we have done the right thing. This is the best thing that could be done for our country. We have to be part of the

free-trade movement in this country and in this world. There are 400 trade agreements out there. We have only agreed to 20 of them.

These trade agreements generally bring jobs that are much better paid than other jobs in our society, between 13 and 18 percent more. For the life of me, I will never understand why the unions are so opposed to it and, thus, so many Democrats are opposed to it. I can't understand it, because this will create jobs, and generally the better jobs—the jobs that unions can then fight to unionize if they want to, which they have a right to do under our laws. Yet every time these matters come up, they are a principal impediment to getting free-trade agreements passed.

Look, I think Ambassador Froman has done a very good job up to now, but his hands are tied. If we don't pass TPA, he is going to have a very difficult time, ever, bringing about the TPP, the Trans-Pacific Partnership, or TTIP, which is 28 European countries plus ours. TPP is 11 countries plus ours, mainly in Asia—not the least of which is Japan, which our Trade Representative believes he can get to sign a trade agreement with us. I believe he can. But I don't believe he can do it without TPA. We have already been told by the Ambassador from New Zealand that they are not going to sign without TPA.

So to hamper the passage of TPA because of some desire to do otherwise is not only a mistake, but it flies in the face of the support this President needs and should have on this particular bill.

Now, I understand there are folks on the other side who just aren't for free trade and they are not for trade bills. And they have a right to feel that way. I don't have a problem with that. What I have a problem with is making it impossible to pass these bills and get them through the Senate, which is the path we are on right now. If the votes are against cloture, I suspect our path to getting this done—to improving our trade throughout the world, to allowing us to compete worldwide the way we should—is going to be severely hampered, if not completely hurt.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. DAINES). The Senator from Illinois.

Mr. DURBIN. Mr. President, how much time is remaining on the Democratic side?

The PRESIDING OFFICER. The Democrat side has 12½ minutes remaining.

Mr. DURBIN. Mr. President, most people who are following this debate may be a little bit put off by some of the initials that we use around here—TPP, TPA, TAA. What is it all about?

It is about a trade agreement. It involves a dozen countries, including the United States. Most of them are in Asia. We are preparing to discuss and debate it, and that trade agreement is known as the Trans-Pacific Partnership, or TPP. I think that is what that stands for. I will correct the record if I am wrong on that.

But before we get to the trade agreement, we have to decide how we are going to consider it, and that is known as TPA, trade promotion authority, or fast track. The question is whether the Senate will agree that we cannot amend the trade agreement—no amendments—and that it is a simple majority vote. That is what is known as fast track. Virtually every President in modern time has had that authority. It has expired, and now it has to be re-created by a vote on the floor.

What we are anticipating this afternoon is whether we go to the arguments about these various issues, and the uncertainty is what leads my friend from Utah, Senator HATCH, to come to the floor.

The uncertainty from our side is this: How are we going to consider this? Four bills came out of the Finance Committee related to trade. How are they going to be brought to the floor? Are they going to be part of one package? Are they separate votes? Which one will come out of the Senate? Will more than one come out of the Senate? These are unanswered questions, and because these questions are unanswered, the vote at 2:30 or so is in doubt.

Senator HATCH is upset. He believed that there was an agreement. I wasn't a party to it. I don't know. But this much I do know: Trade is a controversial issue. It is important to America's economy. But when you take it home and meet with the people you represent, there are strong mixed feelings about trade.

Some who work for the Caterpillar tractor company in Illinois want to promote trade, sell more of those big yellow tractors, and put more Americans to work to build them.

But many look at trade and say: I could be a casualty. I could be a victim. They could ship my job overseas, Senator. So what are you going to do to make sure I am protected in this?

That is why trade isn't an easy issue. It is a controversial issue.

TAAs, which Senator HATCH referred to, is trade adjustment assistance. What it says is that if you lost your job because of a trade agreement, we will help pay for your training for a new job. Senator HATCH said he opposed that. I fully support it.

I just visited a high school in downstate Illinois. There was a man there teaching high school students—good, gifted high school students—how to repair computers. I said: How did you get into this business? He said: It is a funny thing. I lost my job in a factory years ago because of a trade agreement. But because of trade adjustment assistance, I was able to go back to college, got a degree, and now I am a teacher.

Do I support trade adjustment assistance? You bet I do—for that teacher and for many others who want to transition into a new job if they lose their job because of trade. So including trade adjustment assistance in any part of a

trade agreement is important to many of us. We want to make sure it is included on the floor of the Senate.

Equally so, we want to make sure that trade agreements are enforceable. It wasn't that long ago that we had thriving steel production companies in America that were victimized by many foreign countries that started dumping steel in the United States.

What does it mean to dump steel? These countries—Brazil, Japan, and Russia—were selling steel in the United States at prices lower than the cost of production. Why? They knew they could run the Americans out of business—and they did. By the time we filed an unfair trade grievance, went through the hearings and won our case, the American companies disappeared. Enforcement is an important part of any conversation about trade. We want to know from Senator HATCH and the Republicans who bring this to the floor, if we are going to enforce the trade agreements so Americans are treated fairly.

I think that is a pretty legitimate question. Until it is answered, there is uncertainty. Maybe the vote at 2:30 will reflect it. I hope we can get an answer before 2:30, but if not, then soon after, on how Senator MCCONNELL wants to bring this issue to the floor.

HIGHWAY TRUST FUND

Mr. DURBIN. Mr. President, May 31—today is May 12. On May 31, the Federal highway trust fund authorization expires. What it means is at that point in time, the Federal Government will stop sending Federal dollars back to our States to build highways and bridges and support buses and mass transit—May 31.

What are we going to do about it? We have 19 days to do something about it. Sadly, we know what we are going to do about it. The Republicans who control the House and the Senate have failed to come up with any means of extending the highway trust fund. What they are going to do probably is ask us for a short-term extension—1 month, 2 months.

The reason we think this will happen is that in the past 6 years, there have been 32 extensions of the highway trust fund. We used to pass highway trust fund bills to last 6 years, for obvious reasons. You cannot build highways a month at a time. You have to know you have money that is going to be there for years to build a highway, to repair a bridge, to make certain you have new mass transit modernization. But the Republicans have been unable to reauthorize the highway trust fund for any period of time. They want to extend it 30 days at a time, 60 days at a time.

There are some realities that we need to accept. We cannot patch our way to prosperity in America. You cannot fill enough potholes to build a highway. If we are going to accept our responsibility to be a great nation and a great

leader in the world economy, we need an infrastructure to support it.

The Republican failure to extend the highway trust fund for 5 or 6 years, sadly, is going to cost us jobs in America—not just good-paying construction jobs but jobs in businesses that count on infrastructure. I have them all over Illinois. There are thousands of workers in Illinois who depend on them. But because the Republicans have failed to come up with an extension of the highway trust fund, we are going to limp along here and, sadly, not meet our national obligation to create an infrastructure to support our economy.

I am hoping that cooler heads will prevail and leadership will prevail, and that the Republican leadership in the House and the Senate—they are in the majority in both Chambers—will step forward with a plan to create a highway trust fund for 6 years. The President has; he put it on the table. Republicans rejected it. They have no alternative—none.

Let's get down to business. Let's put America back to work. Let's create the infrastructure we need to build our economy.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Democrats have 5 minutes remaining.

Mr. DURBIN. Mr. President, I want to make a statement on Syria and humanitarian concerns in Syria, but it will take longer than that. I know my colleague from Vermont is here, and I would like to yield the remaining 5 minutes.

Mr. SANDERS. Let me say this, if I might. If I can get unanimous consent to speak after Senator THUNE, that would be fine, and I would yield back to the Senator.

How is that?

Mr. DURBIN. If the Senator wants to make that unanimous consent request—

Mr. SANDERS. Mr. President, I ask unanimous consent that I be allowed to speak for up to 15 minutes after Senator THUNE speaks.

The PRESIDING OFFICER (Mr. CRUZ). Is there objection?

Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I believe the previous Presiding Officer suggested I had 5 minutes remaining of Democratic time at this point.

HUMANITARIAN CRISIS IN SYRIA

Mr. DURBIN. Mr. President, I would like to say, very briefly, a word about the situation in Syria. On May 13, 1994, a Senator from Illinois named Paul Simon was then chairman of the Senate Foreign Relations Subcommittee on Africa. His ranking Republican was Senator Jim Jeffords of Vermont. Senators Jim Jeffords and Paul Simon had been told that there was a looming genocide about to occur in Rwanda. They went on the phone together and spoke to U.N. General Romeo Dallaire in Kigali, Rwanda, in May of 1994. They

asked: What can we do to stop the killing in Rwanda? General Dallaire said: If you would send 5,000 uniformed troops, I could stop this genocide.

Senators Simon and Jeffords wrote to the Clinton White House immediately at that time and asked for the administration to call on the United Nations to act.

Their letter said in part: "Obviously there are risks involved but we cannot continue to sit idly by while this tragedy continues to unfold."

The Senators received no reply from the White House. In less than 8 weeks, 800,000 Rwandans were massacred. Today, President William Clinton acknowledges that he should have done more—we should have done more. What happened in Rwanda was a classic genocide. Today, what is happening in Syria may not meet the classic definition of a genocide, but it certainly meets every standard and every definition as the looming humanitarian crisis of our time. The question before us and the United States is this: What will we do?

I think it has reached the point where we must act. That is why I have joined three of my colleagues—fellow Democrat TIM KAINE of Virginia and Republicans LINDSEY GRAHAM of South Carolina and JOHN MCCAIN of Arizona—and we have written to President Obama, urging him to call together world leaders and to establish a humanitarian zone—a safe zone, a no-fly zone—in Syria, where modern medical treatment can be provided and displaced persons can escape. We think it should be done under the auspices—I do—of the United Nations and that the United States can join other countries in providing a defensive security force.

We need to turn to our NATO allies, such as Turkey. We need to reach out to Saudi Arabia, even Iran, and try to find an international consensus to spare the suffering and death which has been occurring now for years. We do not know the exact number of casualties. We estimate that some 400,000 may have died in Syria. Millions have been displaced.

This is a picture of just one of the refugee camps to which the people of Syria have fled. I have visited camps such as this in Turkey. They are in Lebanon and Jordan. They cannot accommodate all of the people who are evacuating that country.

Once every few months a friend of mine comes to visit in Chicago. He is an extraordinary man. His name is Dr. Sahloul. He heads up a group of Syrian Americans who travel to Syria on a regular basis. They have to sneak into the country—this war-torn country. As doctors, they are providing basic medical care to the victims of the violence that is taking place in Syria.

Dr. Sahloul brings heartbreakingly photographs to show me. The last photographs were of children who had been victims of barrel bombs, which Bashar al-Assad, the leader of Syria, drops on