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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.

O God, You are from everlasting to everlasting. Keep us under Your watchful eyes, that we may dwell in Your eternal presence.

Lord, into Your care we entrust our lawmakers. Help them to feel the companionship of Your presence, as they labor for liberty. Give them safety from all danger and the wisdom to remember that You will never leave or forsake them.

Be with the members of their staffs. Control their thoughts as You fill them with peace. Surround them with the shield of Your Divine favor, sustaining them in all they do and say. Be present in their hearts as a Spirit of power, joy, and contentment.

We pray in Your merciful 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.

MEASURE PLACED ON THE CALENDAR—H.R. 160

Mr. MCCONNELL. Mr. President, I understand there is a bill at the desk that is due for a second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The bill clerk read as follows:

A bill (H.R. 160) to amend the Internal Revenue Code of 1986 to repeal the excise tax on medical devices.

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

The PRESIDING OFFICER. Objection is heard.

The bill will be placed on the calendar.

TRADE FACILITATION AND TRADE ENFORCEMENT ACT OF 2015

Mr. MCCONNELL. Mr. President, I ask that the Chair lay before the Senate the House message accompanying H.R. 644.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

Resolved, That the House agree to the amendment of the Senate to the title of the bill (H.R. 644) entitled "An Act to amend the Internal Revenue Code of 1986 to permanently extend and expand the charitable deduction for contributions of food inventory," and further

Resolved, That the House agree to the amendment of the Senate, with an amendment.

Mr. MCCONNELL. Mr. President, I move to insist upon the Senate amendment, agree to the request by the House for a conference, and authorize the Presiding Officer to appoint conferees.

The PRESIDING OFFICER. The motion is pending.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to insist upon the Senate amendment, agree to the request by the House for a conference, and authorize the Presiding Officer to appoint conferees with respect to H.R. 644.

Mitch McConnell, Johnny Isakson, David Perdue, Chuck Grassley, Thom Tillis, Marco Rubio, Daniel Coats, John Cornyn, Mike Crapo, Michael B. Enzi, Kelly Ayotte, Orrin G. Hatch, Roger F. Wicker, Deb Fischer, Rob Portman, Cory Gardner, Richard Burr.

ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that following leader remarks, the time until 11 a.m. this morning be equally divided between the leaders or their designees, and that the second-degree filing deadline for H.R. 2146 and H.R. 1295 be 10:30 a.m. this morning.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

TRADE

Mr. MCCONNELL. Mr. President, yesterday, the Senate's top Democrat on trade announced his support for the bipartisan trade legislation we will vote on today.

It adds to the renewed momentum we are seeing for America's workers. It is showing that Democrats can join Republicans to knock down unfair international barriers that discriminate against America's middle class—barriers that for too long have prevented American workers from selling more of what they make and American farmers from selling more of what they grow. It is demonstrating that both parties can work together to strengthen America's national security at home and America's leadership abroad, instead of simply ceding the future and one of the world's fastest growing regions to Chinese aggression.

It is proving that our friends can rally with us and support 1.4 million

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



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additional jobs in our country—including over 18,000 in Kentucky alone—as one study estimates new trade agreements with Europe and the Pacific could well support. These are the reasons a bill is gaining steam that would help advance all of these objectives—a bill that would enhance Congress's role in the trade process while ensuring Presidents of either party have the tools to secure strong and enforceable trade agreements.

That is the bipartisan trade bill before us today. It passed the Finance Committee with strong bipartisan support in April. It passed the full Senate with strong bipartisan support in May. It just passed the House with backing from across the political spectrum as well, gaining the support of everyone from Chairman RYAN and Representative HENSARLING on one side to Representative KIND on the other.

Now it is time for the next step.

I urge all of our colleagues to vote for cloture on this bipartisan trade bill today. That will open the way for final passage of TPA tomorrow. It will open the way for final passage of TAA and the AGOA and preferences measure the following day, too.

Earlier this morning, Speaker BOEHNER reaffirmed his commitment to taking up TAA once it passes the Senate. He stated his desire to see both TAA and TPA on the President's desk by the end of this week, and he underlined the House's readiness to go to conference on the Customs bill. Speaker BOEHNER is clearly committed to building trust across the aisle on this issue, and I am as well. That is why I just moved to go to conference on the Customs bill.

So this is where we are. Let's vote today. Let's vote today to move ahead on TPA, an important accomplishment for the country. Then we can vote to move ahead on TAA, AGOA, and preferences, and then we can vote to move ahead on Customs.

If we all keep working together and trusting each other, then by the end of the week the President will have TPA, TAA, and AGOA and preferences on his desk, with Customs in the process of heading his way as well.

Today is a very big vote. It is an important moment for the country. It sets in motion the completion of a project we set out on literally months ago, completing work on all four of the bills reported by the Finance Committee. That is what my friends on the other side have said they wanted, and that is what can be achieved by continuing to work together.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

RACISM IN AMERICA

Mr. REID. Mr. President, our Nation's heart remains broken over the senseless tragedy last week in Charleston, SC. A young man full of hate took the lives of nine worshippers after they welcomed him into their Bible study.

Once again, someone motivated by ignorance and hatred got his hands on

a gun and inflicted pain on innocent Americans. Once again, we must witness the people of a community as they struggle to reconnect and put the pieces of their lives back together. Once again, we are looking at our newspapers, watching our TV screens, and talking at our dinner tables about why—why did this happen?

As the painful details emerge, we cannot turn away from the hard truth this tragedy lays bare: Racism still exists in our society.

We have to accept that reality. If we ever hope to change it, we have to accept that reality. I watched this weekend as pundits and the Nation's thought leaders attempted to address this issue by sidestepping the truth. This violent attack was racially motivated, plain and simple. It was intended to terrorize the African-American community both in Charleston and around this Nation.

Fifty years after Dr. Martin Luther King led a March in Washington, 50 years after Congress passed the Civil Rights Act, 50 years after the march for voting rights in Selma, 50 years after Congress passed the Voting Rights Act, we must still face the hard truth about race in America. The truth is that we still have much to do. We must overcome. We have no choice. One cannot ignore this underlying issue.

It deeply troubles our Nation that hatred and bigotry exist. The harsh reality of hatred and bigotry in this country, in addition to the consistent lack of opportunities in communities of color, have left far too many men and women of color feel that their lives really don't matter. It is easy to feel that your life doesn't matter when the odds are stacked against you every place you look, on every hand.

Here are some of the facts African Americans face on a daily basis. Nearly half of all African-American families have lived in poor neighborhoods for at least two generations—50 percent compared to 7 percent of White families. An African-American man is far more likely to be stopped and searched by police, charged with crimes, and sentenced to longer prison terms than a White male—10 percent longer for the same crimes in the Federal system. In the State system, the numbers are even more skewed than that.

These facts alone illustrate that countless men and women face unprecedented challenges and are still judged by the color of their skin, not the content of their character.

We have a moral obligation to change these realities. We must do everything within our power to ensure that all Americans know that their lives matter. This means standing for what is right, calling out bigotry and hatred when it is seen and felt, and then taking action to address the bigotry.

It is hard to fathom that even as the community of Charleston grapples with the devastation of this hateful act, African-American men and women have

to walk under a Confederate flag when they step on the grounds of the South Carolina statehouse in Columbia, SC.

The Confederate flag is a symbol of the dark past from which our country has come. It does not and should not represent our values or the way we treat our fellow Americans. It is a symbol of slavery. It is a symbol of White supremacy. There is no other way to explain it. It often flew high as vile organizations such as the Ku Klux Klan torched African-American churches.

This symbol of the past has no place atop buildings that govern Americans. It is just not who we are, and certainly it shouldn't be who we want to be. The flag should be removed and now.

Yesterday, Governor Nikki Haley of South Carolina said that in the Capitol of South Carolina the flag should not be flown. She said: We will do this in spite of what the State legislature feels.

We have tried this in the past, and the State legislatures have said: No, we are keeping the flag flying.

So I applaud her. I appreciate her courageous act so that the Confederate flag has no future in the future of South Carolina. It belongs in the past in every place in America, not just South Carolina. Anyone who desires to fly that flag on private property can do so, of course, but no State in our great Nation should allow this flag to soar above its capitol. It shouldn't soar in public places.

We must always stand for what is right. We must stand for equality and justice and act to defend them. We must preserve and protect the rights of every American, not because it is the safe thing to do, not because it is popular or because it has political benefit. We must stand and defend equality and justice because that is the right thing to do.

We must take meaningful action to ensure the safety of our citizens.

Once again, our hearts are broken as another community struggles to recover from a mass shooting. I am going to mention now just a few of them: Fort Hood, 13 Americans killed, and this was on a military base; Tucson, AZ, 6 Americans killed; Carson City, NV, 4 Americans killed; Newtown, CT, 27 Americans dead, and 22 of them were innocent little children; Aurora, CO, in a movie theater, 12 killed; the Navy Yard, maybe a mile from here at the most, in the District of Columbia, 12 killed; Charleston, SC—of course we know 9 were killed while in a Bible study class. And these are not all of the violent acts; these are but a handful. All of these violent events occurred within the past few years.

Our country, the United States, is the only advanced country where this type of mass violence occurs—the only country. Per capita, in America we kill each other with guns at a rate 297 times higher than Japan, 49 times higher than France, 33 times higher than Israel, and we outdistance every other country by far too much.

We can do something about this sad, violent reality. Let's do something. We can expand, for example, background checks for people who want to buy guns to prevent the mentally ill and criminals from buying guns. Is that asking too much—the mentally ill and criminals? More than 80 percent of the American people support this. Why can't we in Congress support it? The American people support it. It has bipartisan support. I say it over and over again. The American community is overwhelmingly in support of not giving guns to people who are mentally ill or felons. They shouldn't be able to buy guns. We should act to save lives by expanding these background checks. Isn't that the least we can do?

I know people will come and say: Well, he wasn't a felon. Maybe so. But couldn't we do something? Couldn't we at least do this minimal thing to stop people who are sick in the head and people who are criminals from purchasing guns? Couldn't we at least do that?

Einstein's definition of insanity is continuing the same thing over and over while expecting a different result, and that is what we are doing. For the future of our country, we have to change. In the face of racism and bigotry, we must act. We can't do nothing. We must prevent felons and the mentally ill from gunning down even more Americans in broad daylight. If we do not, we will be here again. Our hearts will be broken again. Again we will have to ask ourselves how we allowed another senseless tragedy to take place while we stood by doing nothing to prevent other deaths.

Mr. President, what is the business before the Senate today?

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, the time until 11 a.m. will be equally divided.

The Senator from Utah.

Mr. HATCH. Mr. President, later today the Senate will once again have an opportunity to vote on whether to renew trade promotion authority. The Senate has already considered this issue once and the House has voted on it twice, each time demonstrating strong bipartisan support for TPA. My hope is that we can get to a similar result with today's vote in the Senate.

We need to be clear about what is at stake. The United States is currently negotiating a number of trade agreements with some of our most important trading partners in the world. If the Senate fails to approve this bill, neither Congress nor the American people will have a strong voice during these negotiations. As a result, our Nation will not be able to get the best trade agreements possible, if we are able to advance any trade agreements

at all. Some people, including some of our colleagues, may be fine with that result. They do not think we need trade agreements to promote a healthy economy. But nothing could be further from the truth.

As we all know, most of the world's consumers live outside our borders—95 percent of them. In addition, the vast majority of economic growth in the world is likely to occur outside of the United States over the next decade. If our workers, farmers, ranchers, and service providers are going to be able to compete in these growing markets, we must have open access to these markets and fair trade rules to boot. Without strong trade agreements, neither of these is possible.

When it comes to international trade, we cannot stand still. If we don't lead and set the rules of the game, other nations will and our economy will be left behind.

The United States continues to be a leader in agricultural exports throughout the world. In fact, we still export more agricultural goods than any other country. In addition, the United States continues to boast an enormous manufacturing base that supplies consumers in every corner of the globe.

We also lead the world in technology, digital services, and innovation. Indeed, not only do we lead the world in creation of intellectual property, America essentially created the modern digital landscape.

The United States also continues to lead in trade in services, exporting more than \$700 billion in services in 2014 alone. That is more than twice as much as the United Kingdom, the world's second highest services exporter.

I ask that the Parliamentarian let me know when my 10 minutes has expired.

The PRESIDING OFFICER. The Senator will be so notified.

Mr. HATCH. In other words, we know we can compete on the world stage when the rules are fair and the playing field is level. That is why I am such a strong proponent of this TPA legislation. This bill, which is the product of a great deal of work and a lot of bipartisan cooperation, will have a powerful and positive impact on industries throughout our economy, on consumers, and, of course, on American workers as well.

In an America that embraces international trade, I believe even those individuals who encounter a temporary setback can find new opportunities, can out-work, out-produce, out-think, and out-innovate our global competition so long as the groundwork has been laid to give them those opportunities. That is why we need strong trade agreements, and that is why we need TPA.

As you can surely tell, I feel very passionately about free trade, and I know many of my colleagues are just as passionate in their opposition. But as Congress has considered this legisla-

tion, I think we have had a full and fair debate on these issues. We have been transparent on the substance of the bill and in the way things have moved forward. Both sides have been able to make their case to the American people.

It is at times such as these when working in Congress is the most rewarding. We have the opportunity to hear so many different accounts, sift through mountains of data and research, meet with hundreds of interested parties representing thousands of our constituents, and work through hotly contested differences. Then, after all of that work, when circumstances are right, we are able to come up with bipartisan legislation that addresses the needs of our country, our constituents, and our economy. That is what we have been able to do with this TPA debate, which is a debate that has been going on for many years now.

I still want to work with those who may not share all my views on all these issues. One way we have agreed to do that is to help ensure that trade adjustment assistance, or TAA, will be extended. As you know, TAA has been included in the trade preferences bill the Senate will hopefully vote on later this week after we pass TPA.

I have said many times that I am not a fan of TAA. Personally, I think the program is redundant and ineffective. However, after 38 years here in the Senate, believe me, I am well aware that everything is not about me. I understand TAA is a priority for a number of my colleagues and that it continues to be the price of admission for many who want to support TPA. The Senate majority leader recognizes this as well, which is why he has committed to ensuring that TAA gets a fair vote here in the Senate and a fair opportunity to pass.

Throughout this process, we have done all we can, within reason, to accommodate the concerns of Senators. I am very appreciative of all the support we have received from Members on both sides of the aisle. We couldn't have gotten this far without that support.

Now it is time to finish the work—to pass this bill and get it to the President's desk. We need this bill to ensure that our constituents' voices are heard in the trade negotiating process. We need this bill to give our trade negotiators the tools they need to get a good deal. And we need this bill to expand access to foreign markets so that we can grow our economy and create new and high-paying jobs here at home. That is what this bill is all about and why we have been working on this process for so long. We are very close to the finish line, and we need just one more burst of energy and a few more steps to get us there.

I urge all my colleagues who support free trade, open markets, and the advancement of American values and interests abroad to join me once again in supporting TPA and working with me