But this outbreak began long before the average American even knew it existed, and it was no accident that Chinese officials kept the rest of the world in the dark.

One of first people to sound the alarm about the novel virus—that is what they call it, the novel coronavirus—was 34-year-old Chinese doctor Li Wenliang, who, sadly, became a victim of the coronavirus.

On December 30 of last year, after seeing several patients who he believed at the time to have SARS, another type of coronavirus, Dr. Li messaged a group of medical school classmates to let them know that he had seen something new and different and potentially dangerous.

Dr. Li told them that these were confirmed cases of coronavirus infection, but the exact strain was still being subtyped. He also urged them to have their families and friends take protective measures, but these messages were soon shared much wider than the intended audience, and the Chinese Communist Party and the government quickly stepped in to stop this information from being spread. Chinese police reprimanded Dr. Li and several others for ''spreading rumors'' about the virus.

In the Chinese Government's effort to carefully conceal information about the rapid spread of symptoms throughout the city of Wuhan, this amounted to a big threat. They continued to take extreme measures to assure the Chinese people that there was no need for them to be concerned. They even refused to acknowledge the risk of human-to-human transmission, which is responsible for the global spread of this virus.

While this is a novel coronavirus strain, the underlying story is familiar. Chinese officials learn about a deadly outbreak of a new virus; they try to conceal the news; they aren't transparent with their own people, much less other countries; and when the word begins to spread beyond their borders, they try to downplay the seriousness, even going so far as to manipulate data about the number of cases or fatalities.

We saw this story line play out with the bird flu in the late 1990s and again with the SARS epidemic in the early 2000s. This is just the latest example of the Chinese Communist Party's failure in the face of a public health crisis. They continue to deny the facts and put their pride before public safety. It is a symptom of a much larger centralized censorship that we have come to associate with the Chinese Government, one that represents a threat to the rest of the world.

Imagine if the situation were different, if the government had listened to Dr. Li's initial warnings, if they had reached out to international aid organizations and asked for assistance, deployed additional resources to hospitals in Wuhan, and told the Chinese people to exercise normal caution. Now, there is no way to be sure, but I imagine the current situation would look somewhat different.

China's censorship seriously handicapped our global response to this new virus, and they continue to release inconsistent and misleading statistics about the current state of the virus.

They have reported that the number of new cases continues to decrease, but I ask you: How can we possibly trust this data? How can we know that this isn't just the latest attempt to downplay the crisis?

While China's lack of transparency on the coronavirus has, without a doubt, had the greatest global impact, it is not the only country guilty of misrepresenting the nature of the threat in the rest of the world.

We also suspect massive censorship from Iran, which is battling one of the world's largest outbreaks. According to the Coronavirus Resource Center, which is operated at Johns Hopkins University, Iran has more than 9,000 cases. For reference, out of the more than 120,000 cases worldwide, China has far and away the greatest number, with more than 80,000. Italy is a distant second with more than 10,000, but Iran is not far behind.

Just as China sought to keep initial reports of the virus quiet and downplay the impact, so did Iran. The leadership in Iran urged the Iranian people to vote in last month's sham election, saying rumors about the virus were being pedaled by the United States to suppress voter turnout. They mocked the concept of quarantines. They even exported their masks to China, expecting that the coronavirus would have no impact on their country.

As we predicted then and now know, the Iranian leaders were absolutely wrong. They are now in the throes of trying to control the spread of the virus, which has claimed the lives of more than 350 people in Iran, and that is just the ones we know about.

It is widely believed that Iran, like China, is suppressing data to make the situation seem less dire than it really is, and it is not just the civilians who are being impacted. Yesterday reports surfaced that Iran's Senior Vice President and two other Cabinet members have the coronavirus. That comes after previous reports of other current and former officials being admitted to hospitals and at least two deaths.

The actions taken by the leaders of these countries—Iran and China—have, without a doubt, contributed to the rapid rise and spread of the coronavirus. They have concealed information; they have misrepresented the facts; and they have lied to their own citizens and the global community, all in their own self-interest.

The reflexive censorship from China and Iran put the rest of the world at greater risk, and it handicapped our preparation for ways to address it.

As our leaders, health officials, doctors, nurses, and scientists continue to work around the clock to contain this virus, we have to have transparency, and we have to know the facts.

If we are going to have any success on a global scale dealing with the coronavirus, we need honesty and transparency from all countries.

I yield the floor.

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

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

UNANIMOUS CONSENT REQUEST—H.R. 6172

Mr. LEE. Mr. President, they spied on the President of the United States. They used the apparatus of the U.S. Government's superb intelligence gathering agencies to spy on then-Candidate Donald Trump, now President of the United States. They did so in a way that was entirely predictable, entirely foreseeable, and in some ways avoidable, if, in fact, we had the right laws on the books. We don't. That needs to change. That is why this moment is a pivotal moment when three provisions in the Foreign Intelligence Surveillance Act are about to expire this coming Sunday, March 15.

We have known that this day was coming for many years. In fact, it was in 2015 when Congress last reauthorized the three expiring provisions on any long-term basis. The three expiring provisions are, of course, known as Lone Wolf, Roving Wiretaps, and 215. It is to the last of these three sections, 215, that I am directing most of my remarks today.

Now, 215 is only the beginning and not the end of the portion of the Foreign Intelligence Surveillance Act, also known as FISA, that needs reform. We need reform across the board, but the expiration of 215 gives us a unique opportunity to do that. We reauthorized it in 2015, knowing that it would come back again for reauthorization in December of 2019.

In December of 2019, we were in the middle of doing other things, so an agreement was made within this body that we would extend 215 and the other two provisions until this coming Sunday, March 15. So absent action by this body between now and Sunday, March 15, those three provisions of law will expire.

Those three provisions of law should not have to expire because we ought to be able to reform FISA. A number of us have been working on this not just for days or weeks or months but, literally, years. I am now in my 10th year in the U.S. Senate. Basically, the entire time, I have been working on reforms to FISA, figuring out where its weak spots are, and warning my colleagues years in advance that at some point this would be abused.

We have to remember what happened with the Church Committee. The Frank Church Committee, a few decades ago in the U.S. Senate, looked at the use of intelligence gathering and concluded that in every administration—basically from Wilson through Nixon, who was the President immediately before the Church Committee did its investigation and issued its report—U.S. intelligence gathering agencies had abused their authority for partisan political purposes basically to engage in political espionage. We know that this is dangerous. We know that this is bad. We also know that this is just the beginning and not the end of the opportunities for abuse.

Consider this: Given the breadth and the wide scope on the authority provided under FISA and given the fact that the Foreign Intelligence Surveillance Court is able to operate in secrecy and, for the most part, without any type of appellate review and any type of judicial review, these are provisions that are, in fact, vulnerable and susceptible to abuse.

So it is not just the President of the United States who has reason to be concerned about this. If the President of the United States has reason to be concerned about it, as he does—he reminded us just in the last few hours, issuing a statement this morning indicating that he still has concerns with FISA and that many Senators are pointing out the flaws in the reform package passed by the Democratic-controlled House of Representatives earlier this week and that many have encouraged him to veto that legislation on that basis. But if the President of the United States himself has reason to be concerned about FISA, what about the rest of America? This is just the episode that people know about in connection with the abuse that took place in the Carter Page investigation. Had Donald Trump not become President of the United States, we might well still not know about this particular instance of abuse. Because of the secret manner in which this law operates and the failure to provide special protections for known U.S. citizens, we all stand vulnerable—every American citizen, whether they hold office or not, whether they are famous or not, whether they are rich or poor, regardless of their culture, their background, or what part of the country they hail from.

So what we are seeking here are a few modest reforms to make sure that it is a little bit harder to abuse this law. We know human beings are flawed and fallible, and we have to rely on human beings to run governments. It would be nice, as James Madison said, if men were angels because, as Madison wrote in Federalist 51, if men were angels, they wouldn't need a government. And if we had access to angels to run our government, we wouldn't need all these rules surrounding the extent of the power of government to protect us from the inherent risk associated with the unjust, excessive accumulation of power in the hands of a few.

But, alas, we are not angels, nor do we have access to angels to run our government, so we have to rely on rules. The rules we are proposing are not excessive. They are not extreme. They are actually very mild. Among other things, we would like to see more robust amicus provisions, meaning provisions allowing for a third-party advocate in the FISA Court to be called in, under certain circumstances, especially involving a sensitive investigation—involving, for example, a political campaign or a candidate, an office holder, a church, a media establishment, something like that that operates with express constitutional protection. An amicus ought to be appointed to represent an absent contrasting viewpoint, to represent American citizens where American citizens' rights might be in jeopardy.

Understanding, as we have since 2015, that these provisions would be expiring first in December of 2019 and then we reauthorized them for a short period of time to give us more time to address these amendments, I have, for years, been working on proposals and revisions to FISA with this specific expiration deadline in mind.

I have not been, nor have any of my colleagues who have concerns about this, unreasonable or extreme in our demands. In fact, for me, personally—and I will not purport to speak for anyone else in this—for me, personally, I would be fine with two of the three provisions being reauthorized without any further modification. Lone Wolf and Roving Wiretaps—let them get reauthorized; that is fine. Let's deal with 215 separately.

Incidentally, section 215—if Sunday comes and passes, 215 doesn't go away. It just reverts back to a previous version of 215—a previous version that still gives the government the ability to gain access to some business records associated with FISA-ordered targets. It is just a narrower category.

Now, we can argue about whether that earlier provision would be adequate. Incidentally, inspectors general have looked at this and concluded that the 9/11 attacks were not the fault of the inadequacy of 215. They were the result of mishandling of information that they did, in fact, gather and were able to gather.

In any event, I would love to be able to have that conversation separately with regard to 215 without all three of these provisions being held hostage simultaneously. I have made that offer. That offer has been rejected.

I also think another appropriate approach in this circumstance might well be to give ourselves a 45-day extension. A 45-day extension would give us a little bit more time to deal with the coronavirus-related crises that we face right now and then consider and debate and vote on some additional amendments—some amendments that have never had the opportunity to see the light of day.

Keep in mind, this provision—getting back to the expiring provision that I have concerns with, section 215—existed prior to the moment when it reached its current formulation. When it existed in that formulation, it really did what the government needed it to. No one really argued that it had been inadequate. There were some people, I am told—I wasn't in the Senate or in Congress at the time that it came to be. I am told that its advocates included Robert Mueller, Jim Comey, and others, who just thought it would be a good idea to give the government more power.

We have seen since then what happens when you give Jim Comey and Robert Mueller and other people in the government more power, and we have seen that there are some risks associated with this, not just if you are a President of the United States or a candidate for the Presidency of the United States, but we know that all Americans are potentially vulnerable.

So we fast forward to earlier this week, less than 48 hours ago. We received legislation, the legislation that was passed by the House of Representatives yesterday. That legislation was negotiated without involvement or without direct input from anybody in this body. The majority leader himself has stated publicly that he was not involved in the negotiation of that measure. That measure was passed within about 24 hours after it was introduced. It is now coming over here.

Now, I am not saying that it shouldn't be considered. In fact, I am kind of saying the opposite of that. I am saying, I am happy to consider it, but we need the opportunity to actually consider it. The world's greatest deliberative legislative body or so it calls itself—the Senate—is supposed to be the cooling saucer, the cooling saucer where the hot tea spills out and is allowed to cool before it is consumed.

In these circumstances in particular, where rights are at stake, rights are at stake that are potentially threatened by provisions under this bill—this bill introduced by Representative NADLER, and supported by Representatives SCHIFF, PELOSI, and others—which hasn't had the opportunity to be independently reviewed in the Senate or to be debated or discussed or amended in the Senate. That is all I am asking for here.

All I ask is to give us a few weeks. Let's take 45 days. Give the Senate a chance to deal with the immediate crises associated with the coronavirus and then a chance for us, in a timely fashion, to review the Pelosi-Nadler-Schiff bill and consider our own amendments to it—bipartisan amendments from people who have reached across the aisle in an effort to make this bill better.

So it is for those reasons that I ask unanimous consent that the Senate proceed to the immediate consideration of the Senate bill at the desk providing for a 45-day extension of FISA. I

ask unanimous consent that the bill be considered read a third time and passed, and that the motion to reconsider be considered made and laid upon the table; further, that at a time to be determined by the majority leader in consultation with the Democratic leader, the Senate proceed to the consideration of H.R. 6172 and that the only amendments in order be six amendments offered by the following Senators: Senator LEE, Senator LEAHY, Senator DAINES, Senator WYDEN, and Senator PAUL. I further ask that upon disposition of the amendments, the bill, as amended, if amended, be read a third time and the Senate vote on the bill, as amended, if amended, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from North Carolina.

Mr. BURR. Mr. President, reserving the right to object, I want to thank my colleague. He has shown more interest in this bill today than he has ever in the history of tools that keep us safe.

I remember Paul Harvey on the radio. He always came on and said: ''Now, for the rest of the story.''

Senator LEE has never supported this bill, never supported giving any of these authorities to law enforcement. And let me explain what they are—roving wiretap and lone wolf. Lone wolf is that individual out there who pops up, whom we can find, who is not tied to an international terrorist group but is homegrown. On wiretapping, we are going to take roving wiretaps away from the Federal Bureau of Investigation, and we are going to take it away for terrorism. But since 1960, they have had roving wiretaps for organized crime—think about that—and then business records and their access to business records to find those clues that we need to keep America safe.

Senator LEE talked about us holding hostage. No, we are not holding anybody hostage. He is holding the bill hostage to get amendments, some of which shouldn't even be considered under the reauthorization of section 215. They are FISA reforms being taken up by the Senate Judiciary Committee.

That bill that came over from the House—the one supported by PELOSI, SCHIFF, and NADLER—is actually a bipartisan bill that 63 percent of the Republicans in the U.S. House of Representatives have supported. It is Leader MCCARTHY. I will not go down the list of them. But it is easy to make this out as the boogeyman.

But to my colleagues, we don't play national security risk, boogeyman games against the American people. We err on the side of providing as many tools as we possibly can to make sure that our oath to keep America safe is as robust as it possibly can be.

Now, why do we need to do this? It is because we need to provide law enforcement the certainty of knowing that they can continue to use these tools. If not, we are going to have cases that they are working on today where they have to stop at midstream and start over at some point later on. The question is, Will they be able to, or will they have lost the coverage they need on a certain individual?

Now, what happens if they are gone? Well, we have been there. This is the result of trying to create guardrails that these agencies operated in. The President, under 12333 authority, can do all of this without Congress's permission, with no guardrails, with no ability to go in and say: Stay within this.

That authority exists.

The thing that I hear the most is that we want the ability for an amicus to go in and represent somebody in front of this foreign intelligence court. Well, let me tell you something that you are never going to be told. The court itself has the authority, today, to assign an amicus to any case that comes before the court. And what better judge is there to make a determination as to whether an individual on whom there is an application on for FISA coverage than the court itself to determine: Is this a person, an individual, who needs to be represented by a third party? No, it is not good enough to let the courts do it; they want to make sure that everybody does it. And when everybody does it, we slow down a process because that is what they are there for. We slow down a process that is there trying to be ahead of the security risk that might have been prevented.

Personally, I am ready for a big debate. We are going to have it next week, and we can have a debate on every one of the amendments of Senator LEE and the list of people he gave, and I think that they will be struck down. But I am not going to have a 45-day extension. I will let us go dark. I will let us go dark, and if there is a need, the President, by Executive order, can do it for whatever period people think they are willing to let it expire.

I will make every attempt to try to get this process of reviewing FISA—not 215—in the Judiciary Committee, where it should come out of, where the folks on the Judiciary Committee, who are experts on the interactions with the court, have an opportunity to have input.

These amendments may never come out of the Judiciary Committee. They may never come out. Yet they want to expedite them and bring them right to the floor on a bill that is not necessarily appropriate to put them on.

Why? It is because they know by themselves they will never become law. They will have a tough time. So they will hold up those tools that we use for national security in an effort to try to get some changes.

Well, I am holding the changes. This is not a straight reauthorization. This is a bill that has very carefully been crafted by the Attorney General, the Speaker of the House, and the minority leader of the House. Sixty-three percent of the Republicans and not as many a percentage of the Democrats supported it. I think it was 270-some votes out of the House of Representatives.

Truthfully, by unanimous consent today the Senate should approve what they passed, but we will not because somebody wants to demand all of these amendments.

So for that reason, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. LEE. Mr. President.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, I appreciate the care, attention, and detail shown by my friend and colleague, the distinguished senior Senator from North Carolina. I do disagree with him for 10 independent reasons.

No. 1, as to the suggestion that the proponents of the unanimous consent request now before this body—that is, the very simple, clean reauthorization of the expiring provisions for 45 days, giving the Senate an opportunity to spend just a few weeks to debate and consider these amendments after dealing with the coronavirus crisis—he suggested that I, as the proponent of this measure, have—I think the words were—never supported any of these tools, never in my entire time in the Senate lifted a finger to support these tools. That is curious because I was the author and lead sponsor of the USA FREEDOM Act, which, in 2015, extended and reauthorized these very same provisions. So his first argument is factually incorrect.

No. 2, he points to the lone wolf and roving wiretap provisions as things that he is concerned about. I understand that they want those. Now, lone wolf isn't used, but it is sort of a security blanket. People like knowing that it is there within the government, and I am willing to let that go. Roving wiretaps are used from time to time. I am willing to let that go. In fact, I have offered repeatedly—and I will offer again right now, if it is helpful—that I am willing to reauthorize those right now without a single modification, without a single limit beyond what has already been put in for the other provisions. I am willing to do that free of charge on anything. So those arguments are frankly disingenuous.

No. 3, as to the suggestion that I am somehow holding this bill hostage, I say to the Senator: You, sir, have it wrong. You have it precisely backward. What I am doing is saying: Let's preserve the status quo. We have a crisis to deal with, with the coronavirus.

It is of great frustration to me that this body, through its majority leadership and through its other leadership has known for years—I put them on notice for years, for basically the entire time I have been at the U.S. Senate—that I am concerned about these provisions. I have made known ever since 2015, when we reauthorized these provisions at issue, that I would continue to

want more reforms. Why we waited until the final days before the expiration of that period is beyond my ability to understand. But it is factually incorrect and manifestly unfair to suggest that I am the one holding this hostage.

I say to the Senator: It is quite the other way around, sir.

As to the suggestion that these are FISA reforms, not PATRIOT Act reforms, well, yes, they are all part of this package that we refer to collectively as the Foreign Intelligence Surveillance Act. The Senator is right as to the provisions, especially the provision that I am most concerned about, section 215, as we call it—section 215 of the USA PATRIOT Act. I give him that one, but that doesn't address the substance of the problem here.

As to Senator BURR's argument that we should err on the side of keeping Americans safe, I absolutely agree with that. There is no dispute about that.

I also agree with the findings of the Privacy and Civil Liberties Oversight Board that concluded a few years ago that our privacy and our security are not at odds with each other. This is not a zero-sum game between those two objectives. Our privacy is, in fact, part of our security. One of the reasons we became a nation, one of the reasons we don't fly the Union Jack or sing ''Hail to the Queen'' or wear wigs and robes in court has everything to do with the excessive abuse of the rights of English subjects, including those on this continent, while we were existing as British Colonies. Our privacy and our security are not at odds with each other. They are in fact part of the same cohesive whole.

No. 6, the argument made by Senator BURR that this provides uncertainty for law enforcement, well, let me tell you why that is the case. The only reason there is uncertainty for law enforcement on this, for our intelligence community and law enforcement agencies that handle this stuff, has everything to do with the fact that he just objected to this unanimous consent request.

We could, right now, eliminate their uncertainty. We could have, likewise, at any point in the months leading up to this, at every point in which I would have been willing to debate and discuss these things. For years I have had reforms on the table that we could have considered. We could have brought those up. We could have done it then.

It is not me who is creating the uncertainty for law enforcement. It is instead the unreasonable objection to receive any of my offers, including passage of the Leahy-Lee bill, including passage of lone wolf and roving wiretap independently, including simply extending and cleanly reauthorizing the three expiring provisions for 45 days, giving us the chance to consider a handful of amendments.

So I say to the Senator: Don't talk to me about being the one who has created uncertainty. That, sir, is you.

No. 7, Senator BURR argues that a President of the United States can do all of this, in any event, without the three expiring provisions on the books. Well, my response to that is that is kind of curious. If that were the case, why is he fighting so hard for these provisions? Why should anyone be concerned about their expiration? He suggests somehow that we would not have guardrails—any guardrails in place—if, in fact, these were allowed to expire. If they were allowed to expire, I am not familiar with any authority that would provide language identical to that found in lone wolf or roving wiretap or 215.

So if that is the case, perhaps you, sir, would rather have them expire. I really don't know, and I don't think that advances your argument.

No. 8, the suggestion was made that these amicus provisions—which are not the limit; they are one of six amendments that I would like to propose and I would like the Senate to consider. But the FISA Court already has the authority to appoint an amicus. Well, this is true. We put that in the USA FREEDOM Act in 2015. The court does have that authority. That doesn't mean it happens as often as it should. In fact, as we saw with the abuse that took place in connection with Operation Crossfire Hurricane targeting the sitting President of the United States when he was a candidate, in many cases, the FISA Court judges are not themselves terribly careful. Perhaps it would be helpful to have somebody else in the room. I don't know why we should be so afraid of that.

No. 9, to the extent that anyone is going to let this program go dark and if that concerns you, then you ought to agree to this unanimous consent request. This unanimous consent request will result in it not going dark.

I have made it entirely foreseeable that I would want to have amendments at least debated, discussed, and considered before we got to this moment. It is not unreasonable for me to ask. I am not asking that you accept these amendments, that you incorporate them into existing law; I am instead simply asking that we be given the opportunity to vote on them.

Finally, No. 10, Mr. BURR argues that this legislation was carefully crafted by the Attorney General, the Speaker of the House, and several other officials and that some 270 or so Members of the House of Representatives voted for this. Well, good for them. That is their prerogative. I have my own election certificate. I serve in a different legislative body. I am aware of no obligation on my election certificate that requires me to defer to the Pelosi-Nadler-Schiff bill. In fact, I refuse to do that. It is insulting to this body.

Had the Founding Fathers wanted to create a unicameral legislature, they could have done so. Had the Founding Fathers wished to create the Senate of the United States as simply a rubberstamp that would review what the House of Representatives did and then have a veto, yes or no, open or closed—a binary reaction to what the House of Representatives did—they could have, they would have, and they should have done so. They did not. We have our own independent obligation to review this legislation. I have done so. I find it inadequate.

I am not demanding that all my amendments be accepted as a condition precedent for my willingness to keep these from going dark. All I am saying is that I want the opportunity to have amendments considered—bipartisan amendments—introduced by several Members.

So I am going to make another request. I will tone this one down. I will modify this one.

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of the Senate bill at the desk providing for a 45-day extension of FISA. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table; further, that at a time to be determined by the majority leader, in consultation with the Democratic leader, the Senate proceed to the consideration of H.R. 6172; and that the only amendments in order be five amendments offered by the following Senators: Senators LEE, LEAHY, DAINES, WYDEN, and PAUL. I further ask that upon disposition of the amendments, the bill, as amended, if amended, be read a third time and that the Senate vote on the bill, as amended, if amended, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. BURR. I object.

The PRESIDING OFFICER. The objection is heard.

Mr. LEE. Mr. President, you might notice a pattern here. This pattern is going to continue. This pattern is going to continue because this is unjust. This is unrealistic. This is unsustainable.

This used to be a body that prided itself on being the world's greatest deliberative legislative body. It is a body that has its own unique protections attached to it.

Article I of the Constitution sets out the parameters of the Senate, and it makes clear that it will consist of exactly two Members representing each State. The one and only kind of constitutional amendment that is preemptively unconstitutional, that cannot be adopted, is that type of amendment that would undo this fundamental, sacred principle of equal representation among and between the States in the Senate. You cannot do that.

They did this with a distinct purpose in mind: that we would have the ability to represent the States as States; that we would not be just a roving commission on what was satisfactory or whether the House of Representatives had done its homework but that we

would be our own independent legislative body. We would be betraying our oath to the Constitution and those whom we represent if we didn't do this.

This used to be a place, for that very reason—in fact, until quite recently, it was a place where any Senator could have any amendment considered on any legislation. Basic standards of collegiality, of decency and respect for each other and for the rule of law itself convinced Members over centuries—literally centuries—to defer to each other in at least their opportunity to propose and vote on amendments. In recent years, we have seen this deteriorate. We have seen it deteriorate, sadly, under the leadership of Republicans and Democrats alike. We have seen it deteriorate at the expense of the representation of each individual State.

This simply isn't acceptable, that we would get to this point in legislation and we would be unable to vote on or consider basic amendments to so important a law. They are asking us to reauthorize these expiring provisions—provisions with profound implications not only for national security but also for privacy, which are part of the same cohesive whole—and they are asking us to reauthorize those until December of 2023 with only minimal reforms—reforms that, I would add, are modest at best, that are perhaps well-intentioned in some ways, but the Pelosi-Nadler-Schiff bill doesn't cut the mustard. It doesn't do the job.

I have just asked for six amendments. That was too many. And I have asked for five amendments, and that was too many. Surely they are not suggesting that we can't ask for any amendments, because if they did, that would be patently ridiculous. That would be uncollegial. That would be uncivil. It would be unsenatorial. So we will try this again. We will see what we can do with four.

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of the Senate bill at the desk providing for a 45-day extension of FISA. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table. Further, I ask that at a time to be determined by the majority leader, in consultation with the Democratic leader, the Senate proceed to the consideration of H.R. 6172 and that the only amendments in order be four amendments offered by the following Senators: Senators LEE, LEAHY, DAINES, WYDEN, and PAUL. I further ask that upon disposition of the amendments, the bill, as amended, if amended, be read a third time and that the Senate vote on the bill, as amended, if amended, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. BURR. I object.

The PRESIDING OFFICER. The objection is heard.

Mr. LEE. Mr. President, this is the natural product of the American people being asked again and again to simply accept that this is how things will operate. The American people are told to just settle—to settle for budgets that don't balance or come anywhere close to it; to settle for a government that spies on you, that lies to you, that overreaches, and a legislative branch that is somehow all too content and seemingly eager and willing to allow and perpetuate and even expand those authorities.

This is unacceptable. We shouldn't settle. We shouldn't settle for an overreaching government. We should expect a government that respects the letter and spirit of the Fourth Amendment. We shouldn't settle for a Senate in which the rights of individual Senators—a bipartisan group of Senators that has been trying for years to just have a vote on a few reasonable amendments—would be shut out. We should expect an open, robust debate, discussion, and amendment process.

Don't settle for any of this. You should expect more. We should all expect freedom. We should all expect debate and liberty and the protection of your fundamental rights as American citizens.

So we will try this again, rolling the number down to an absolute bare minimum number of three amendments.

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of the Senate bill at the desk providing for a 45-day extension of FISA. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table; further, that at a time to be determined by the majority leader, in consultation with the Democratic leader, the Senate proceed to the consideration of H.R. 6172 and that the only amendments in order be three amendments offered by the following Senators: Senators LEE, LEAHY, DAINES, WYDEN, and PAUL. I further ask that upon disposition of the amendments, the bill, as amended, if amended, be read a third time and that the Senate vote on the bill, as amended, if amended, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. BURR. I object.

The PRESIDING OFFICER. The objection is heard.

Mr. LEE. Mr. President, earlier today, when the President of the United States issued a statement about the Pelosi-Nadler-Schiff bill purporting to but utterly failing to meaningfully reform the three expiring foreign intelligence surveillance provisions at issue, the President expressed grave concern over the process. He expressed grave concern over the content of the Pelosi-Nadler-Schiff bill, which the Senate reviewed, voted on, passed without amendment, without adequate debate, violating the House of Representatives' own 72-hour rule in order to get there. Perhaps he was talking about that, or perhaps he was talking about the fact that the Pelosi-Nadler-Schiff bill really doesn't fix the problem. In fact, look at the fact that there was overt, politically motivated targeting that took place against the President of the United States.

Now, look, I know—I know—those were different provisions under title I of the Foreign Intelligence Surveillance Act. I get that. But it is still part of the same legislative package. It is still part of the same set of laws we are concerned about here. The only time where we have the meaningful opportunity to take a deep breath and debate, discuss, and possibly amend these provisions is when they are set to expire.

I referred earlier to the USA FREEDOM Act, which I authored and sponsored, along with my distinguished friend and colleague Senator LEAHY, the senior Senator from Vermont, back in 2015. That was brought about as a result of and during the moment when we were approaching the expiration of these very same provisions.

That is how we bring about reforms. In fact, we brought about some reforms in that very legislation that were outside the narrow context of the three expiring provisions in question. There is no rule, no law etched in stone, written into the rules of the Senate, the Constitution, or anything else that tells us that we cannot, that we may not, that we should not edit or amend or reconsider any provision outside the narrow expiring provisions that we are facing with FISA. Quite to the contrary, we have a pattern and practice in the past that has established that this is the way we do things.

Look, in fairness, I wish we debated and discussed and amended these things a whole lot more because these laws are really messed up. We ought to be reviewing them and updating them a lot more often—not because the people implementing them are bad. Maybe some of them are. I don't know them. They have done some bad things, some of them. I am sure there are a lot of people who have access to these tools who are hard-working, well-intentioned, well educated, and highly specialized. I am even willing to assume most of them fit that description and wouldn't ever knowingly, intentionally violate that law. But the fact is, the law has been violated. There are very few instances that we actually know about. Why? Well, because this whole thing operates under the veil of secrecy.

Sunlight illuminates and it also disinfects, and the opposite happens when a court—a court charged with the sacred responsibility of determining and in some cases limiting the rights of the American people, U.S. citizens—operates in secret.

I devoted my career, prior to coming to the Senate, to litigation, specialized primarily in appellate litigation and dispositive motions in Federal court. One of the great things about the U.S.

court system is the fact that, despite its flaws, I would put it up against any system of its kind anywhere in the world. The reason is, it is done, with very, very few, narrow, careful exceptions, under the light of day. Rulings, decisions, and judgments are made public and are subject to appeal, usually on multiple levels. That is not how the Foreign Intelligence Surveillance Court operates. It operates in secret.

So that is one of the reasons why we really ought to be reviewing and updating this stuff more often, especially when we know there have been abuses. We know from the sheer breadth of these statutes—some of which were written, by the way, in the immediate wake of the 9/11 terrorist attacks. As I mentioned earlier, I was not then a Member of this body. I was not a Member of the Senate or of the House of Representatives. In fact, I have never served over there. The Senate is the first place and only place I have ever held elected office. I was an adult by then, and I was licensed—a practicing attorney by then. I remember watching as Congress was passing the PATRIOT Act and wondering why they were acting so quickly—so hastily—to put so many words and so many pages into a single bill.

I remember wondering whether they might, in the process of doing that, trample over the fundamental rights guaranteed by the U.S. Constitution without the American people knowing it. This has come to fruition over time, and we have seen that it has been abused. We know the certainty is—sure as we know the sun will come up tomorrow in the East—that this will continue to happen. To what extent it continues to happen or how long it is allowed to is, in many respects, up to us.

As I said earlier, governments are run by human beings. Human beings, while redeemable, while generally good, are flawed, and they make mistakes. But they are much more prone to make mistakes when they can do so under cover of darkness, when they don't have to answer to anybody. That is what is going on here. That is why I am so concerned about this one. That is why I consider it—I guess I would say disappointed.

It is disappointing that this body, some of the most talented people I have ever had the pleasure of working with—100 Members, from 50 different States, each with his or her own story or his or her own unique perspective—should be asked to succumb to a process that doesn't allow us to have any input into a bill like this.

In this case, it arose in connection with the Pelosi-Nadler-Schiff bill—a bill that I consider inadequate. It draws near to the Constitution with its lips, metaphorically speaking, but its heart is far from it. It pays loose homage to the notion that American citizens have rights worth protecting. Yet its provisions are malleable and easy to circumvent. It functions in much the same way as carbon monoxide might operate in the human bloodstream, where the human body might recognize something, mistaking it for oxygen. That, by the way, is—I am told—why carbon monoxide is so deadly. Your body will tend to recognize it mistakenly for O2 and in some ways prefer it to O2, thus, starving the body of actual oxygen.

When we accept something that looks like it does the job—and it, in fact, doesn't—it can do a lot of harm in the process. Why? Because the American people and their elected Representatives in the Senate and the House and in the White House then have the opportunity to say: Well, it looks like that was fixed; we can go on to look at something else.

It is easy to do here because, after all, we have no end to problems that we can be worrying about. Even if this problem disappeared—and any of five others that are at the top of the list—we would still have thousands of others we could worry about. That is exactly why it is such a problem.

To have a bill like the Pelosi-Nadler-Schiff bill rammed down our throats and to be told that we have to accept this, told that the President of the United States, who himself has had his rights violated, who himself was politically targeted under the FISA framework—it is insulting to every American that after something like that happens—we know it has happened; we know it continues to happen; we know it will continue to happen—to tell us that we have to accept the Pelosi-Nadler-Schiff response to that is simply insulting.

We shouldn't put up with it. President Trump shouldn't put up with it, and the American people shouldn't. It is not just Republicans, and it is not just Democrats. This is no respecter of persons or of political parties. In fact, many of my best allies on this issue are, and have been, Democrats. Democrats were pretty early to acknowledge the flaws in the PATRIOT Act and in provisions of FISA.

Ever since I got here in 2011, I have been working across the aisle with Senator LEAHY, with Senator DURBIN, and with others to try to find solutions to these problems.

One of the things that has happened in the intervening years—this is my 10th year in the Senate—is that this really has become a bipartisan issue. It used to be me and a handful of Democrats and Senator PAUL who worried about this. We now have a broad coalition of Republicans and Democrats who are concerned about this. They are worried about it because if it can happen to the President, it can happen to anyone.

The American people have been influenced in so many ways by our own history, and our own history extends back many centuries, not just on this continent but in the United Kingdom. After all, it hasn't been that many years since we became our own country. We existed as colonies for almost the same period of time that we have existed as a free, independent constitutional Republic.

In both sets of experiences and in experiences even predating the American experiment in its entirety, we have seen there are good reasons to require things like search warrants. When the government wants to get information from you, when it wants to search through your papers, your possessions, your personal effects, or when it wants to seize you or your possessions, the government really needs to get a warrant; it needs to establish probable cause supporting that warrant; and it needs to outline with particularity the things that it wants to search or seize. It needs to do so from an independent magistrate.

All of these things matter. They matter not just because they are in the Fourth Amendment, not just because they were a good idea when they were put in there in 1791, but because long before we became a country, these were part of the rights of English subjects, part of the rights that American colonists had as English subjects and that English subjects had even back in England.

They, too, had a government that was run by mere mortals. The divine right of Kings notwithstanding, the mark was also mortal, as were the persons occupying positions in Parliament and officers elsewhere in the government. That is why, from time to time, these rights would be abused. We saw instances of English patriots—like John Wilkes—whose rights were violated and who sought legal recourse after he was subjected to unreasonable, warrantless, open-ended searches and seizures.

John Wilkes became respected on both sides of the Atlantic because he didn't put up with it, even though it cost him dearly in financial terms, socially, even politically. Even though it caused him great pain, he fought; he aggressively litigated what had happened to him. That is one of the reasons he became a hero on both sides of the Atlantic.

We look to heroes on both sides of the Atlantic—people like John Wilkes who, notwithstanding the fact he was an English subject, not an American, he understood the English Bill of Rights; he understood core rights that were incorporated as if by reference by the Fourth Amendment but that were preexisting long before then. In fact, things like the warrant requirement of the Fourth Amendment are rights that everyone should be entitled to in every country.

It violates logic and reason and principles of decency and kindness to suggest that a person can be arrested or have his or her house or effects searched or seized without due process of law and without a validly issued warrant bearing particularity backed up by probable cause.

What, then, does this have to do with FISA? It has everything to do with FISA. It has a lot to do with it.

The Foreign Intelligence Surveillance Act, as the name suggests, was created not to go after U.S. citizens but to go after foreign spies and terrorists—not Americans. Sadly, over time, as a result of the advocacy of people who weren't all that afraid of Big Government—the advocacy and defense of people like Jim Comey and Robert Mueller—we got a sort of morphing of FISA into something that wasn't focused entirely, necessarily, anymore on foreign intelligence gathering, on agents of a foreign power, on terrorists, but could be used even with respect to U.S. citizens. This isn't right. In our hearts, we know it is not right.

In our hearts, we should certainly know that it is not right when we have the opportunity to consider some amendments—one of the amendments that I have proposed—and a key part of the Lee-Leahy reform. We provide something that I don't think would be shocking to any American citizen. In fact, I think any American citizen would be shocked not by the fact of its being introduced but by the fact that it is not already law. It would say that if they want to go after an American—if they know that the subject in question, the target of their investigation is, in fact, an American—there ought to be added procedural protections attached to their investigation of that person; that if they get a court order under section 215 allowing them to search for and gain access to any ''tangible things''—any of a whole category of business records—they really ought to have to satisfy a different, slightly higher standard than they would if the person were a spy from a foreign country or a foreign terrorist or something like that. There are certain rights that do inhere in the fact that you are an American. That is not unreasonable. In fact, I am not sure I know any American citizen outside of Washington, DC, who would even have a moment's pause with that, other than to say: Why on Earth is that not already law?

I am also convinced that most Americans would respond to the beefed-up amicus curiae provisions. Remember, ''amicus curiae'' is a Latin term that means friend of the court. It refers to the fact that within the Foreign Intelligence Surveillance Court, you have no jury, you have no opposing counsel, you don't have a court reporter who is going to report anything in public. You, instead, have total secrecy. Our FISA provisions would expand our amicus curiae provisions, would expand the circumstances in which the FISA Court must appoint a friend of the court—or amicus curiae—just to argue the other side. This doesn't even really limit their power. It just says: Let's bring somebody else into the room—somebody else who can be trusted, who has security clearance, but who can provide a different perspective.

Most Americans—in fact, I would say probably every American I know outside of Washington, DC—would say there is nothing unreasonable about that. In fact, what is unreasonable is the fact that that would require an amendment—a change—to existing law.

Another one of the provisions that we want to amend deals with what we call exculpatory evidence. When applying for a court order from the FISA Court under section 215, the government should have a responsibility to disclose evidence that would be exculpatory or would show that the person being investigated might not have actually done the thing they did or that they might have flawed information on their hands.

We know that some of this has occurred or government agents have gone before the Foreign Intelligence Surveillance Court and failed to disclose meaningful material facts that, if known, would have at least been material to the court and probably been determinative and resulted in the court's unwillingness to issue the order in question. I don't think I know anyone outside of this town who would say that is unreasonable to request.

Senators PAUL and WYDEN have a few other amendments. One deals with limiting the government's ability, through section 215, to gain access to your browser history and another addressing the power of the Attorney General to make some of these approvals. Those are amendments that have been proposed by Senators WYDEN and DAINES.

Then we have an amendment from Senator PAUL that would propose that across the board in all of the different provisions of the Foreign Intelligence Surveillance Act—whether it is 215 or 702 or title I or some other provision—that if you are investigating a known American citizen, you have a higher standard, and you probably need to go to a regular court rather than a secret Foreign Intelligence Surveillance Court which, in most respects, doesn't even meet the definition of court.

In response to some of these, opponents—defenders of the deep state—might well glibly conclude: Well, there is no reason for you to impose a higher standard or for you to impose anything remotely resembling probable cause because, after all, in other contexts, the government can gain access to business records without showing probable cause.

While this is true in many circumstances, first of all, it ignores the fact that recent jurisprudence from the Supreme Court of the United States—including from the Carpenter case—makes clear that just because something has a business record maintained in the ordinary course of business, that doesn't mean the person to whom it pertains has no reasonable expectation of privacy in it. In some cases, it doesn't.

We are no longer dealing with the old jurisprudence of Smith v. Maryland, unadorned by more recent developments like Carpenter. Under Smith, they were dealing with the collection from a pen register—the collection of an old-style landline telephone that spat out the numbers that were called and being called to and from the number of the line in question. Modern business records disclose a heck of a lot more personal detail than that. I suspect if Smith v. Maryland—the one dealing with the pen register and the landline telephone business records—if that were decided today, it might well have been decided very differently today than it would have been then, but, certainly, with respect to many categories of business records, there is a reasonable expectation of privacy. There is some expectation of some privacy buried within that, and we can't conclude otherwise.

Secondly, separate and apart from developments in the law that ought to cause us to view with some suspicion the government's open-ended ability with a mere subpoena to show relevance to and therefore access to certain categories of business records—unlike those circumstances where someone could go into a regular court, whether a civil or a criminal proceeding, and get a subpoena based on a mere relevance standard without probable cause—in those circumstances, at least, there is more of an opportunity for somebody to respond. In many cases, that somebody might be the custodian of the records of the business entity in question, whether it is the mobile telephone services operator, the internet service provider, or the owner of the car rental facility, the storage unit facility—whatever it is, there is some opportunity for that business enterprise to go into court to try to quash the subpoena, to argue that the government doesn't, in fact, have a need for it; that it doesn't need to produce it to defend its own business interests, if not those also of its own customers.

In some circumstances, there is also an opportunity for the person in question to be notified independently to object to or in other ways—one way or another—respond to the government's desire to gain access to those business records. By contrast, under the Foreign Intelligence Surveillance Court, you don't have that ability. That is why we need special protections here.

Look, it is not hard for the government to have to follow basic principles of due process. It is not hard for the government to have to show probable cause. In most circumstances, this can be done in a manner of minutes. No one has ever demonstrated, to my satisfaction, why—especially where, as in the case of my probable cause amendment, with the requirement that they satisfy that standard only when they are in the Foreign Intelligence Surveillance Court and they are going after a record pertaining to a known U.S. person—it would still allow them to go after other records pertaining to other people without that knowledge and, if they didn't know someone was a U.S. person, they wouldn't have to satisfy it.

But even that is apparently unacceptable to the self-proclaimed masters

of the universe who now dominate the Senate and refuse utterly to recognize the article VI-mandated expectation and constitutional mandate of equal representation among the States in the Senate.

This is unacceptable. We have reached a point where we don't have the expectation that we can rely on what comes out of committee because, very often, what comes out of committee isn't even what is considered here.

We had this Pelosi-Nadler-Schiff bill come out Tuesday night. It was passed the next day by the House of Representatives. I understand why a simple majority of the House of Representatives might well decide to defer to Speaker PELOSI and JERRY NADLER and ADAM SCHIFF. After all, PELOSI and NADLER and SCHIFF, themselves, run a very substantial portion of the Democratic Party's operations in the House of Representatives. I understand why a whole lot of Members would like to defer to them.

What I don't understand is, No. 1, why Republicans in the House of Representatives would want to defer to PELOSI and NADLER and SCHIFF, nor do I understand why—even if some Republicans in the House of Representatives would foolishly defer to PELOSI and NADLER and SCHIFF—why that in any way, shape, or form binds me or anyone else in this body to do what PELOSI, NADLER, and SCHIFF decided to do. We are not a rubberstamp. We are not a rubberstamp for the House of Representatives. We are certainly not a rubberstamp for the deep state.

This gives me some hope, I suppose. This gives me some hope that, given the fact that the President of the United States is willing to acknowledge that FISA isn't perfect and that the Pelosi-Nadler-Schiff bill passed by the House of Representatives yesterday—without having gone through any terribly thorough process and without Members of the House of Representatives having had access to it for more than about 24 hours when they passed it—the fact that the President of the United States was willing to openly, publicly, today call into question the wisdom of the Pelosi-Nadler-Schiff bill gives me some encouragement. It gives me some encouragement that some of my colleagues here in the Senate might see fit to claim the privileges attached to their election certificate, to recognize that we are not all just functionaries of our respective party leaders in the House and in the Senate; that we are answerable to our own constituents to defend the Constitution in the manner we deem appropriate and necessary under the circumstances.

I hope—I expect that this body will do the right thing. I think it would be a shame—I think it is a shame to let three of these three provisions expire and just let them hang out there with the uncertainty that Senator BURR so thoughtfully pointed out will be the product of these provisions expiring. We don't need to do that.

We have had years and years and years to address this, and we have refused—we have deliberately declined; we have been recklessly indifferent with respect to the need to reform these provisions. If not us, who? If not now, when?

I have no interest in continuing to punt this thing over and over again. This is like Charlie Brown going after that same football with the same Lucy, who moves the darn football every time he gets close to it. This isn't acceptable. I have great confidence in my colleagues that a few of us—Republicans and Democrats alike—will come forward and say: No, not on my watch, not anymore. This is not how the Senate is going to operate.

This is just within a few days when we have seen a few unfortunate things happen—things that are themselves symptoms of the same underlying problem. I don't mean FISA, specifically. I am talking about something much broader than FISA. I am talking about the deviation from the norms of courtesy that have come to define this body over the centuries.

My friend, the distinguished colleague from Louisiana, Senator KENNEDY, had an amendment he wanted considered and voted on last week in connection with the Energy bill. I disagreed with that amendment. I would have voted against it. In fact, I would have voted against it and spoken against it on the floor. I really didn't like it, but he had an amendment he wanted considered. He was shut out unfairly and unreasonably. He was denied the opportunity to have that amendment considered. He wasn't even given adequate notice of his procedural rights that would come into play when the person—the Senator who had introduced an amendment—came down to the floor to amend her previous amendment and to use it as basically a managers' package, keeping Senator KENNEDY's amendment out of that package, thus effectively denying him the opportunity to receive adequate consideration of his own amendment. He wasn't given notice.

Because he wasn't given notice, he missed out on the opportunity to do what he inevitably could have done and would have done, so long as he could have come down here with 10 other Senators—a combined total of 11 Senators—sustaining him for his procedural right to call for the yeas and nays on the original amendment introduced by Senator MURKOWSKI. We could have voted on that amendment, and she wouldn't have been able to insert that managers' package on her own without that intervening call for the yeas and nays on her original amendment.

This is one of many examples that—while probably painfully boring to the average American—should be deeply disturbing to any American who knows about, who cares about, who yearns for the freedom that comes from our representative government; that expects that people elected to make laws will actually be participating in that process and not simply dictated to by two leaders—one Republican and one Democratic—in each House of Congress.

Yet another manifestation of that—one that has sadly become sort of one installment in many series, like a set of sequel movies—is what happens basically every time we have a spending bill.

To cite one example that occurred nearly 2 years ago, for many months we had been waiting to see when we would have the opportunity to debate, discuss, amend, and vote on a spending bill in the early months of 2018. It would be the first real spending bill that we had the opportunity to consider since the 45th President of the United States was sworn in, in January of 2017. We had been told by our respective party leaders in both Houses of Congress to wait for it; you will get the chance to review it; you will get the chance to debate it and amend it.

Then, one evening on a Wednesday in March of 2018, I received an email. It was 8:37 p.m. That email was from Republican leadership addressed to Republican Senators, saying: Attached is a spending bill that we are going to be addressing.

I thought: Good. This is what we have been waiting for, for months. I finally get to see it.

I opened it up. It was 2,232 pages long. It spent, as I recall, $1.2 or $1.3 trillion. I immediately distributed it to members of my staff who worked through the night, splitting it up, figuring out what each provision meant—recognizing that a 2,232 page Senate appropriations bill doesn't read like a fast-paced novel. It doesn't read like a newspaper. It is a very slow and cumbersome process, one that involves countless cross-references to statutory provisions that wouldn't be recognizable to most ordinary Americans, so it takes a lot of time to review it.

My staff, after working on it through the night and through the next day, was as shocked as I was to see that the House of Representatives passed that bill—the same 2,232-page-long bill that most Members saw for the first time at 8:37 p.m. the previous night. The House of Representatives passed that bill before lunch the next day. The Senate—this body—convened in the middle of the night the following evening and passed it with not one amendment, not one change from one Member of this body.

When we outsource things to the so-called four corners—the Republican and Democratic leaders of both Houses of Congress—everybody else gets shut out. This might be really good for you if you are from one of those States represented by one of those four corners, but it is really bad for everybody else. I don't mean that it is bad for the Members; I mean every single person represented by someone else other than those people.

At the end of the day, it is not their fault. It is not the fault of the four corners so much as it is our fault. They are doing what they have to do. They are doing the job the way they know how do it, the way they have learned how to do it, the way we have trained them to do it, sadly enough. We have let them do it that way, so they do. I am sure it is not easy to do it that way, but it is probably less hard than every other way out there. In that respect, I don't blame them for doing it that way. I blame us.

Shame on us for passing that bill without any one of us having had the opportunity to read the whole darned thing except for maybe four Members. Between 435 Representatives and 100 Senators, you maybe had 4 Members total who knew what was in there and had control over it. Shame on us for passing it anyway.

After those in the House of Representatives see for the first time the Pelosi-Nadler-Schiff bill less than 24 hours before they vote on it and pass it—a bill purporting to reform FISA while failing to actually do so in a meaningful way—shame on them. If we pass it over here, shame on us. The shame is especially acute if we don't even try, which is what we are being asked to do here. We are being asked to defer, to let somebody else do the legislating.

By the way, just as we were told when approaching that spending bill, as with most other spending bills in the 9 years I have been here, that we have to leave them to the experts—don't worry about this; this is for the Appropriations Committee's chairman, for the subcommittee chairmen, for the majority and minority leaders from the two Houses of Congress and basically for no one else; leave it to the experts—we are now being told to leave it to the experts here, which begs the question: What meaningful role do we play? Have we really rendered ourselves that insignificant that we are not even willing to defend our own right to raise our own ideas and our own concerns with something as profoundly significant and potentially impactful on the liberties of every single American—old and young, White and Black, male and female and of any station, rich or poor? These provisions—make no mistake—have the potential to affect every single one of us. Shame on us if we don't even try to make it better.

So I am not going to blame this one on PELOSI, NADLER, and SCHIFF. They can choose to pass an unwise bill, if they want to, that doesn't fix the problem, but I don't work for PELOSI or NADLER or SCHIFF. I work for the people of Utah. I was elected by the voters in the sovereign State of Utah, who expected me to come here and represent them.

By the way, this is an issue that is neither liberal nor conservative. It is neither Democratic nor Republican. This is not a partisan issue. In fact, the amendments that I am talking about here are bipartisan. This is simply an American issue. It is a constitutional issue. It is an issue pertaining to and inextricably intertwined with the basic dignity of the eternal human soul.

We can't pass this thing while pretending to be concerned about the rights of the American people, not unless we at least try to pretend like we are doing our job, not unless we at least try to pretend like we are trying to make it better. Even if you don't think FISA has been abused—if you do, by the way, that is absurdly, insanely naive, but I respect your right to be wrong; I respect your right to agree with PELOSI, NADLER, and SCHIFF on that front if that is how you feel—there have to be other ways in which you might acknowledge you can make this bill better.

Maybe you are somebody who trusts the government way too much. Maybe you are somebody who thinks the government ought to be given more power. Maybe you are somebody who trusts the government when it makes allegations that somebody is an agent of a foreign power or is working for an agent of a foreign power or is a terrorist or has had some unkind thoughts toward another person. Even if you trust the government that much, you shouldn't, and what you would be suggesting would be unconstitutional. Yet, even if you were, then shame on you for not wanting to make this bill even more aggressive toward giving the government power.

It is simply too grand a proposition to suggest that it is mere coincidence that the exact, magical combination of factors, of provisions that should have been included in this law—in the minds of every Member of the U.S. Senate—happened to materialize under the umbrella of the Pelosi-Nadler-Schiff bill that was passed by the House of Representatives yesterday. That is just absurd. I mean, come on. Are you telling me that you can't find a single provision that you think couldn't have been written better?

Some in that position of still opposing it might say: Well, yes, but we have other things to do.

That is true. That is exactly why I am trying to provide 45 additional days for us to debate and discuss other issues first and then to fix FISA later. I would be willing to cleanly reauthorize the three expiring provisions so that nobody would have to deal with any uncertainty and so that the American people would not have to be put in jeopardy, neither their security nor their privacy, both of which are part of the same cohesive, continuous whole. Neither one of them has to be undermined. Yet that is what they insist we do. They insist that.

So the argument might go: We have other things to do.

Well, if you have other things to do, then let's punt this for 45 days, and let's just agree that we are going to vote on some things. Yet that is too much for them to suggest.

To the extent their argument is that we are too busy to do this right now, then I would ask this question: Why? What are you doing right now? What better thing does any Member of the U.S. Senate have to do right now, at this moment, at 4:54 p.m., than to stand up and defend and debate the rights and the significance of the rights of the American people?

I mean, I genuinely would like to know what is so compelling that makes it so that we can't even debate these things right now. In fact, in the time I have been speaking today, we could have easily voted on these very same amendments. We could have brought them up. We could have, and I would have agreed to have limited our debate to only a few minutes apiece. As we saw during the impeachment trial a few weeks ago, we are actually capable of casting votes and completing them within 6, 7, 8 minutes if we stand at attention or sit at our seats and listen as our names are called and then vote. What, I would ask, is so compelling? Do people have appointments for haircuts or manicures? Do they have to go to the dog groomers'? I really would like to know what is so compelling that makes it so we can't debate something as fundamental as how to improve the safety and privacy of the American people.

I close by pointing out something that my friend and distinguished colleague, the senior Senator from North Carolina, said a few minutes ago about the fact of his almost ensuring that the program at issue—the program supported by the three expiring provisions—will go dark by his objecting to my series of unanimous consent requests and about the fact that, as a result of his objection, not only is he essentially guaranteeing these programs will now go dark, but he is also guaranteeing, when we come back in just a few days from now—because whatever it is that we have to do in the next few days is apparently so important, and I really would like to know what that is that is so important that we can't do this—we are going to have to turn to this when we could have gotten it done today instead of turning to other pressing issues in front of us, issues dealing with emergencies created by the coronavirus. We could have, should have, would have otherwise been able to have turned to those things immediately. Instead, we will be stuck on this for days. I mean, this can end up taking many days—a week or so—if it is drawn out sufficiently.

The program goes dark, and we lose the opportunity to debate, discuss, and enact other legislation—all because we have colleagues who decide they know better. It is not so much that they know better but that Representatives PELOSI, NADLER, and SCHIFF know better. It is their bill. Everybody else just voted for it.

Now we are all asked to vote for it, and we are told to mind our own business, to butt out, because our Big

Brother—the brooding, omnipresent Federal Government—knows better. It can be trusted. Trust Big Brother. Sure, he is going to spy on you, but his intentions are good. Sure, he is going to spy on you, but he is really just hoping to go after the bad guys so that you don't have to worry about the fact he is spying on your neighbor, on your constituents, on innocent Americans.

Even if I am wrong—let's say, for a minute, that somehow I am mistaken in concluding that any of this will ever be abused—you can't really get around the fact that it has been abused. We know of circumstances in which it has been. We know that the President of the United States has himself been the target of abuse under this.

Yet set that aside for a minute. Even under the absurd proposition that none of this will ever be abused again and that PELOSI and NADLER and SCHIFF have somehow found the magical formula that will forever guarantee these expiring provisions from being abused again, why wouldn't you still want to make the bill better? Why would you be willing to let those provisions go dark? Why would you be willing to postpone the consideration of other pressing business before the U.S. Senate? Is it really that important to shut out of debate your opponents who happen to disagree with you? What does this say about the next thing we will consider or the next thing after that?

This doesn't end well. We know it doesn't end well. It never, ever works to push U.S. Senators to the point that they are told they are not entitled to their own opinions; that to the extent they have them, they may express them but only in a brief period of time; and that they then have to run off and be good little boys and girls and let the adults take over. No. I know that this is the way it has been working for a while, but it is not going to anymore. It is not going to anymore because the American people are demanding more. They are demanding better. Things sometimes have to get a little worse before they get better. Unfortunately, that is the position in which we now find ourselves. They have gotten worse, but they have gotten worse in a way that the American people are now noticing and are going to say: Don't do this anymore. Don't lock us out of the process. Don't tell us we don't matter. Don't tell us that our own elected Senators can't have a voice and that they won't get a vote and that they cannot debate it.

The President of the United States has been targeted unethically, unlawfully, unscrupulously by the deep state. We have the opportunity to fix that, to make sure it doesn't happen to this President or any future President or any U.S. citizen regardless of how rich or poor or powerful or powerless. We must fix it. Shame on all of us if we don't. Our oath to uphold, protect, and defend the Constitution of the United States requires this. The American people deserve more, and they deserve better, and we must provide it.

(Mrs. FISCHER assumed the Chair.)

The PRESIDING OFFICER (Mr. BRAUN). The Democratic leader.

UNANIMOUS CONSENT REQUEST—SCHUMER BILL

Mr. SCHUMER. Mr. President, in a moment, Democrats will ask the Senate's consent to take up and pass several measures that would immediately help American workers and American families cope with the impacts of coronavirus, including paid sick leave for workers, emergency unemployment insurance, and much needed assistance to States overburdened by Medicaid costs, known as FMAP.

These provisions are all included in legislation that will soon be passed by the House. Many of these policies have already been enacted by other countries dealing more successfully with the coronavirus than our country is.

These policies are targeted directly at the workers and families impacted by its spread. They are not going to the big, wealthy corporations or powerful people or wealthy people. They are going right at the workers and families—average working people who need the help.

Now, the Republican leader this morning called these provisions ''an ideological wish list.'' President Trump referred to them as ''goodies.''

If helping a construction worker who is laid off as a result of the virus is part of an ideological wish list, then God help those who believe that. If giving infected workers paid sick leave is a goody, then God help those who think that. If making sure our States, localities, hospitals, and first responders are compensated for their efforts is ideological, is a goody, those who believe those things have lost touch with the needs and aspirations of the American people, and they need to talk to some real people who have been impacted by the coronavirus, instead of sitting in their ideological towers.

With the comments made by the President and the Republican leader, they have revealed their own ideology—that even in a time of public crisis and need, the President and the Republican leader are more willing to entertain corporate tax cuts and bailing out industries than helping American workers and families.

The Senate should pass these bills today. The Republican leader should not be sending the Senate home for the weekend without taking action to help people who are or will soon be really hurting.

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of the Schumer bill that is at the desk, that the bill be considered read three times and passed, and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Nebraska.

Mrs. FISCHER. Mr. President, reserving the right to object, this concept is under discussion, and it is a centerpiece of negotiations between the House Democrats and Secretary Mnuchin, which are ongoing.

This Chamber will be in session next week to ensure that we are taking needed actions to appropriately respond to the coronavirus.

I object.

The PRESIDING OFFICER. Objection is heard.

The Democratic leader.

UNANIMOUS CONSENT REQUEST—S. 3497

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 3497, submitted earlier today; that the bill be considered read three times and passed and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Nebraska.

Mrs. FISCHER. Mr. President, reserving the right to object, this concept is also under discussion and the centerpiece of negotiations between House Democrats and Secretary Mnuchin, which are ongoing.

This Chamber will be in session next week to ensure that we are taking needed actions to appropriately respond to the coronavirus.

Therefore, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Washington.

UNANIMOUS CONSENT REQUEST—S. 3415

Mrs. MURRAY. Mr. President, this is simple. We need people who are sick to stay home if we have any hope of slowing the spread of this virus, but, today, one in four private sector workers in our country cannot stay home from work without losing a day's pay or potentially a job.

We have got to fight this virus with everything we have—every single one of us—and that means we have to have policies in place that help people make the right choices for themselves, their families, and their communities.

Our bill will give all employees 14 paid sick days immediately—today, not next week, not the week after, today—in public health emergencies like this one, in addition to allowing them to accrue 7, meaning it would help workers and communities right now.

I urge Senate Republicans: Treat this like the public health crisis it is. Allow parents, families, businesses, communities to have the peace of mind to know that we are acting today and take this urgent needed step. This is nothing short of a chance to save lives and buy desperately needed time to fight this virus. Please don't waste it.