THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day’s proceedings and announces to the House his approval thereof. Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from California (Mr. Lewis) come forward and lead the House in the Pledge of Allegiance.

Mr. Lewis of California 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.

REPORT ON H.R. 5385, MILITARY QUALITY OF LIFE AND VETERANS AFFAIRS APPROPRIATIONS ACT, 2007

Mr. Lewis of California, from the Committee on Appropriations, submitted a privileged report (Rept. No. 109–464) on the bill (H.R. 5385) making appropriations for the military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2007, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO FILE PRIVILEGED REPORT ON DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2007

Mr. Lewis of California, Mr. Speaker, I ask unanimous consent that the Committee on Appropriations have until 3 p.m., May 15, 2006, to file a privileged report, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2007, and for other purposes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection. The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

APPOINTMENT AS MEMBER TO BOARD OF TRUSTEES OF OPEN WORLD LEADERSHIP CENTER

The SPEAKER pro tempore. Pursuant to section 313 of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 1151), amended by section 1401 of Public Law 108–7, the order of the House of December 18, 2005, and upon the recommendation of the majority leader, the Chair announces the Speaker’s appointment of the following member on the part of the House to the Board of Trustees of the Open World Leadership Center for a term of 3 years:

Mr. Roger F. Wicker, Tupelo, Mississippi

REAPPOINTMENT AS MEMBER TO COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

The SPEAKER pro tempore. Pursuant to section 291(b) of the International Religious Freedom Act of 1998 (22 U.S.C. 6431 note), amended by section 681(b) of the Foreign Relations Authorization Act, Fiscal Year 2003 (22 U.S.C. 2651 note), the order of the House of December 18, 2005, and upon the recommendation of the minority leader, the Chair announces the Speaker’s reappointment of the following member on the part of the House to the Commission on International Religious Freedom for a 2-year term ending May 14, 2008:

Ms. Elizabeth H. Prodrumou of Boston, Massachusetts, to succeed herself
Mr. LEWIS of California. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 7 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, May 16, 2006, at 12:30 p.m., for morning hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

7497. A letter from the Executive Director, Commodity Futures Trading Commission, transmitting the Commission's final rule — Alternative Market Risk and Credit Risk Capital Charges for Futures Commission Merchants and Specified Foreign Currency Forward and Inventory Capital Charges (RIN: 3038-AC05) received March 9, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7498. A letter from the Director, Regulatory Review Group, Department of Agriculture, transmitting the Department's final rule — Milk Income Loss Contract Program (RIN: 0265-AD37) received April 26, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7499. A letter from the Congressional Research Service, Department of Agriculture, transmitting the Department's final rule — Emerald Ash Borer; Quarantined Areas (Docket No. 02-125-4) received March 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7500. A letter from the Legislative Affairs Branch, Chief, NRCS, Department of Agriculture, transmitting the Department's final rule — Grassland Reserve Program (RIN: 0578-AA38) received April 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7501. A letter from the Administrator, AMS, Department of Agriculture, transmitting the Department's final rule — Milk in the Northeast (RIN: 0265-AD35) received April 26, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7502. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting the Administration’s final rule — Listing of Color Additives Exempt From Certification; Tomato Lycopene Extract and Tomato Lyco- pene Concentrate (Docket No. 2001C-0486) (formerly Docket No. 01C-0486) received March 10, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7503. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting the Administration’s final rule — Food and Drug Administration Regulations Permitted for Direct Addition to Food for Human Consumption; Glycerides and Polylcycloses [Docket No. 1997F-0457] (formerly Docket No. 1997F-0457) received March 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7504. A letter from the Under Secretary for Acquisition, Technology, and Logistics, Department of Defense, transmitting the 2005 Report on National Defense Stockpile Requirements, pursuant to 50 U.S.C. 98h-5; to the Committee on Services.

7505. A letter from the Assistant to the Board, Board of Governors of the Federal Re-serve System, transmitting the Board’s final rule — Capital Adequacy Guidelines for Bank Holding Companies; Small Bank Holding Company Policy Statement; Definition of a Qualifying Small Bank Holding Company [Regulation Y; Docket No. 1235] received March 7, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7506. A letter from the Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department’s final rule — Conversion of Developments from Public Housing Stock; Methodology for Comparing Costs of Public Housing and Tenant-Based Assistance (Docket No. 97-25/98-23) received April 4, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7507. A letter from the Director, Financial Crimes Enforcement Network, Department of the Treasury, transmitting the Department’s final rule — Financial Crimes En-forcement Network; Anti-Money Laundering Programs; Special Due Diligence Programs for Certain Foreign Accounts (RIN: 1506-AZ29) received pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7508. A letter from the Director, Financial Crimes Enforcement Network, Department of the Treasury, transmitting the Department’s final rule — Financial Crimes Enforcement Network; Amendment to the Bank Secrecy Act Imposition of Special Measure Against Commercial Bank of Syria, Including Its Subsidiary, Syrian Lebanese Commercial Bank, as a Financial Institution Engaged in Money Laundering Concern (RIN: 1506-AA64) received March 13, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7509. A letter from the Deputy Legal Advisor for Treaty Affairs, Department of State, transmitting Copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112(a); to the Committee on International Relations.

7510. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Sixth Annual Report to Congress on the Inter-American Convention Against Corruption; to the Committee on International Relations.


7513. A letter from the Director, Federal Judicial Center, transmitting the Federal Judicial Center’s Annual Report for the 2006 calendar year, pursuant to 28 U.S.C. 622(b); to the Committee on the Judiciary.

7514. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitt- ing notification that the Department inten- des to use unobligated 2001 funds out of the ‘‘X-year’’ account to fund International Mili- tary Education and Training students in the English Language Instructors Course during FY 2006; jointly to the Committees on Appropriations and International Relations.

7515. A letter from the Legislative Affairs Coordinator, Department of the Interior, transmitting the Department’s report on the impacts of the

COMPACTS OF FREE ASSOCIATION WITH THE PEOPLES OF MICROSA, FREEPORT, AND THE MARSHALL ISLANDS FOR FISCAL YEAR 2005

Under clause 2 of rule XII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SENSENIBRENNER: Committee on the Judiciary. H.R. 4681. A bill to promote the development of development of telecommunications in areas under the administrative control of the Palestinian Authority, and for other purposes; with an amendment (Rept. 109-462 Pt. 2).

Mr. WALSH: Committee on Appropriations. H.R. 5886. A bill making appropriations for the military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2007, and for other purposes (Rept. 109-19 pt. 2). The report was referred to the Committee of the Whole House on the State of the Union.

Mr. TAYLOR of North Carolina: Committee on Appropriations. H.R. 4681 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

DISCHARGE OF COMMITTEE

Under clause 2 of rule XII the Committee on Financial Services was discharged from further consideration. H.R. 4681 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

314. The SPEAKER presented a memorial of the Senate of the State of Michigan, relating to Senate Resolution No. 123 memorializing the Congress of the United States to add Social Studies to the testing require- ments of the No Child Left Behind Act of 2001; to the Committee on Education and the Workforce.

315. Also, a memorial of the House of Rep- resentatives of the State of Michigan, relating to House Resolution No. 226 memorial- izing the Congress of the United States to enact legislation restricting protests at funerals; jointly to the Committees on Vets- erans’ Affairs and the Workforce.

316. Also, a memorial of the Senate of the State of Michigan, relative to Senate Reso- lution No. 123 memorializing the Congress of the United States to take prompt action to provide relief from high gas prices and to call on the Governor of the State of Michigan to in- troduce legislation restricting protests at funerals; jointly to the Committees on the Judiciary, Energy and Com- merce, and Ways and Means.

317. Also, a memorial of the Senate of the State of Michigan, relative to Senate Reso- lution No. 61 memorializing the Congress of the United States to provide relief, from high gas prices in Michigan; jointly to the Committees on the Judiciary, Energy and Commerce, and Ways and Means.
ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 3883: Mrs. MUSGRAVE and Mr. BARTON of Texas.

H.R. 4239: Mr. STUPAK.

H.R. 4347: Ms. CORRINE BROWN of Florida.

H.R. 4547: Mr. SOUDER.

H.R. 5005: Mr. SALAZAR.

H.R. 5336: Mr. GINGREY.

H.R. 5372: Mr. CLYBURN, Mr. OBERSTAR, Mr. BOSWELL, Mr. ROSS, and Mr. BERRY.

H. Res. 740: Mr. HIGGINS.

H. Res. 794: Ms. WATSON, Mr. FITZPATRICK of Pennsylvania, Mr. MCCOTTER, and Mr. BURTON of Indiana.

H. Res. 795: Mr. MILLER of Florida.

H. Res. 801: Mr. BLUMENAUER, Mr. ENGLISH of Pennsylvania, Mr. PETRI, Mr. FRANK of Massachusetts, Mr. McGOVERN, and Mr. UDALL of Colorado.

PETITIONS, ETC.

Under clause 3 of rule XII,

116. The SPEAKER presented a petition of the City Council and County of Honolulu, Hawaii, relative to Resolution No. 06-084 supporting proposed federal legislation to address the problem of chemical munitions dumped in water off Hawaii; which was referred to the Committee on Armed Services.
The Senate met at 2:05 p.m. and was called to order by the Honorable JOHN CORNYN, a Senator from the State of Texas.

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

Let us pray.

O, maker of the seas and the Earth, speak to our hearts. Teach us to cling to the things that endure beyond time. When we are tempted to doubt, remind us of Your unfailing precepts. Sustain our lawmakers today in their important work. Help them to sacrifice and not to count the cost; to toil and not to seek for rest; to strive and not to ask for any reward except that of knowing they are doing Your will.

Use them today to do all the good they can for as many as they can for the honor of Your Name.

Amen.

PLEDGE OF ALLEGIANCE
The Honorable John Cornyn 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.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE
The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. STEVENS).

The assistant legislative clerk read the following letter:

U.S. SENATE.
PRESIDENT PRO TEMPORE.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable John Cornyn, a Senator from the State of Texas, to perform the duties of the Chair.

Ted Stevens,
President pro tempore.

Mr. CORNYN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER
The ACTING PRESIDENT pro tempore. The distinguished majority leader is recognized.

SCHEDULE
Mr. FRIST. Mr. President, this afternoon we begin consideration of S. 2611, a comprehensive immigration measure. Chairman SPECTER is here today to manage amendments to the bill. We have several Senators on this side of the aisle who have indicated they are prepared to pose their amendments during today’s session. I encourage Members to come forward and bring their amendments to the managers just as soon as possible so that we will be able to consider them. Exactly how we handle amendments over the course of the afternoon, the Democratic leader and I and the chairman and managers will be discussing in a few minutes. We do expect a full session on the immigration bill today.

On Tuesday we have an order to have a rollover vote at shortly after 10 o’clock on the confirmation of a circuit court nomination. I expect after that we would have some other votes that could be stacked and voted upon before our policy luncheons.

I do want to say, once again, that we need Senators to offer their amendments, to give us language on their amendments just as soon as possible. The debate itself will be fair, will be dignified. We have all agreed we want to be able to dispose of these amendments in a way that allows time for effective debate, whatever time is necessary for a debate, but that we would expect to be voting about every 2 hours—and that could go to 3 hours on some and could go to 10 minutes on others. But in order to consider the range and number of amendments that have been proposed, we do need people to come forward and we will deal with those accordingly.

This is an important bill. It is a bill that we have talked a lot about on the floor for a couple of weeks already. There has been much good discussion, both on and off the Senate floor. I think everybody has spent a lot more time with the bill and with the proposed amendments. Thus, I think we should be able to address the issue in a careful, deliberate way, a complete way, and finish this bill before Memorial Day.

It is an important bill. It is an important bill to our national security. It is an important bill to our values, to our economy, and to our safety.

I have a brief statement to make on another topic, but I turn to the Democratic leader, if there is any comment on scheduling, of course.

RECOGNITION OF THE MINORITY LEADER
The ACTING PRESIDENT pro tempore. The distinguished Democratic leader is recognized.

IMMIGRATION
Mr. REID. Mr. President, very briefly, we have in this most important debate two veterans of the Senate, to say the least, Senators SPECTER and LEAHY, who will be managing this bill. I agree with the distinguished majority leader. This debate should be dignified. People have very strong feelings about issues. I look forward to some very pronounced debate and voting.

We have had a lot of talk about the need to do immigration. Now is the opportunity to see what we can do. I met with my staff today, and I asked them to prioritize our amendments. We worked through some of those, which ones we want to offer first, second, third. I am sure that has been done on
Today, we echo those words as we pay tribute to our fallen heroes. I would like to take just a moment to recognize Tennessee’s own who gave the ultimate sacrifice in the line of duty last year: Officer Michael Keith Bucher, who served the Decherd Police Department and was killed in an automobile accident while returning from an investigation in a severe snowstorm. He is survived by his wife and daughter.

Trooper Todd Michael Larkins, who served with the Tennessee Highway Patrol for 5 years, was struck and killed by a tractor trailer while conducting a vehicle stop. He is survived by his wife and daughter.

Correctional Officer Wayne Thomas Morgan, who served with the Tennessee Department of Correction for 28 years, is survived by his wife, son, and daughter.

Officer Kay Frances Rogers, a 15-year veteran who served with the Murfreesboro Police Department for 4 of those years, died of injuries sustained in a motorcycle accident. She is survived by her mother, three brothers, and three sisters.

Our hearts go out to these families, to friends and colleagues. And we bow our heads in recognition of their dedication, their sacrifice, and their courage.

As a Senator and an American citizen, I pledge to keep working on behalf of our Nation’s peace officers.

In 2004, I cosponsored the Law Enforcement Safety Act, which the President signed into law. This legislation was the No. 1 priority for our Nation’s law enforcement community. It is now law of the land. It allows current retired police officers to carry a concealed weapon in any of the 50 States. America now has the added security of 155,000 retired police officers to carry a concealed weapon.

There are more than 800,000 law enforcement officers serving communities all across America, the highest number ever.

Each of these officers is a hero. And each of these officers has a family who deserves our appreciation and gratitude for their service.

May God bless the brave women and men who swear to protect and serve us.

Mrs. ROBINSON. Mr. President, this is summarizing the conversation with the President on the front lines of our Nation’s law enforcement.

The assistance legislative clerk read as follows:

A bill (S. 2611) to provide for comprehensive immigration reform and for other purposes.

Mr. REID. Mr. President, this is summary. It is the time that we see the rolling out of American border control bill. They also did their best for the summer. This summer’s blockbuster is “The Da Vinci Code,” starring Tom Hanks. It starts this Friday all across America. But the third week in May on the Senate floor we have our own blockbuster. It is the sequel though, not the original, part 2 of immigration. The first installment didn’t go well for a number of reasons. One of the reasons I felt it didn’t go well was the fact that the President wasn’t involved personally in it. He wasn’t involved in the debate.

For the first installment, I think the Judiciary Committee did very well. They were working on a very tight timeframe. There probably should have been more hearings. It is one reason there were probably amendments than we would normally have on a bill. But I think Senators Leahy and Specter did an outstanding job to work out the bipartisan compromise—what we call the McCain-Kennedy legislation. It is the best product we tried on the floor. It didn’t move forward for a number of reasons, one of which is the fact we couldn’t work out a procedural mechanism to go forward. We tried. We had two cloture votes. All the Democrats voted to go forward with this; all the Republicans voted not to go forward with the legislation.

What did that legislation have in it? Both the McCain-Kennedy and the so-called Hagel-Martinez substitute. They have in them provisions that I think are so important to this country.

First, our border security.

I was in the Congress 20 years ago and served in the House of Representatives when we passed an immigration bill. Obviously, we didn’t do a very good job. Twenty years later, we have at least 12 million people who are here that are undocumented.

With this legislation, which is so important, we do good, sound, long-term border security.

We also have to have a temporary worker program. There could be a number of amendments offered on this legislation. But we have to have a temporary worker program. I have said on a number of occasions that Las Vegas is a perfect example of why we need a temporary worker program. In the next 4 or 5 years, they will have 50,000 new hotel rooms. Management and the union say they cannot find the workers to man those hotels. So we need a temporary guest worker program.

I have mentioned we have 12 million people who are now living in the shadows. We have to have a way of bringing them out of the shadows. The McCain-Kennedy legislation forms a framework for doing that. How? By putting them on path of legalization—a path that would require their having jobs, paying taxes, staying out of trouble, no
crimes, learning English, paying some penalty. Then they move to the back of the line. It will take a long time for them to get to the front of the line, but at least they can come out of the shadows and not be worried about being picked up and thrown in detention facilities. That is why I support the legislation now before the Senate.

Of course, I am going to vote for some amendments. I think some improvements can be made.

We are now on the sequel of what took place before the Easter vacation. Yes, the sequel.

I hope the President will take a leading role in this sequel, a role on this issue his role is up to be filled. His role starts tonight in a speech that he is going to give to the Nation. We have had preliminary statements as to what this speech is going to be. We understand that one of the things he is going to talk about is bringing out the National Guard.

I believe in strong border security. If there is a way we can work out the National Guard situation, fine. I am willing to go along with that. But my colleague, Senator HAGEL, has said he believes that the National Guard is stretched too thin. My colleague, Senator BIDEN, said the same thing. He said it both yesterday and on Sunday talk shows. Some National Guardsmen have had four tours of duty in Iraq.

I hope we can come up with something that is meaningful.

Governor Napolitano and Governor Richardson of Arizona and New Mexico have said their number of crossings over the last many months they believe the National Guard should be called out. The problem is they need some way of financing this. This is a Federal obligation. The States shouldn’t have to bear it.

I hope the President will address that.

The President must be specific. We must have permanent solutions—not stopgap measures for our border security.

The President’s role in this sequel, “Immigration No. 2.” is up to him. I would be the first to give him a leading role. We need him. We didn’t have him involved in the first immigration debate. He came in and started saying things after the votes had already taken place.

I hope the President is willing to stand up and be counted on this issue.

I have some questions for the President. The first question is very basic. We need to know what kind of immigration reform he supports.

Does he believe, as his Republicans in the House do, that we should make all undocumented immigrants felons?

Does the President believe, as his Republicans in the House believe, that we should make all those who feed, clothe, and otherwise assist undocumented immigrants—priests, ministers, missionaries, social workers, and welfare personnel—must speak out on these very unfavorable provisions in the House bill.

Two weeks ago, I had the opportunity to spend some time in my office with Cardinal McCarrick and Cardinal Mahony, two wonderful, caring, spiritual men. Under the House legislation, Cardinal Mahony would be a felon.

Here is what Cardinal Mahony said about the bill:

The whole concept of punishing people who serve immigrants is un-American. If you take this to its logical, ludicrous extreme, every single person who comes up to receive Holy Communion, you have to ask them to show papers. It becomes absurd and the church is not about to get into that. The church is about to become immigration agents. It just throws more gasoline on the discussion and inflames people.

I believe the Senate will move forward with bold, strong immigration reform. But I also believe our work could be hijacked by House Republicans who want to turn immigrants into felons.

I have fought to prevent this from happening by guaranteeing fair representation in the conference committee. The President can do even more tonight.

Chairman SENSENBRENNER, the chairman of the House Judiciary Committee, the man who among others pushed this felony provision, stated publicly that the measure was included at the “administration’s request.” If that is the case, President Bush needs to tell Chairman SENSENBRENNER to remove the provision and that it is dead. The House legislation is not clear on all that he will only support immigration reform that is tough and smart. He must publicly denounce the House bill.

The second question for President Bush concerns security. It is fine to hear him say that he wants to send the National Guard, but what else will he do to address 4½ years of neglect? We all remember. We were celebrating the fact that one of the first things President Bush did after becoming President was going to Mexico and saying he was going to work out the immigration problems with President Fox. It hasn’t worked. This issue has been ignored for 5½ years.

Tonight, it is not enough for the President to tell us he wants to increase security at our borders. After all, I, repeat, he has had 5½ years to do this. If he wants to be credible on border security, he must acknowledge the mistakes in the past and commit to fixing them.

The lack of security at our borders is frightening. Apprehensions of undocumented immigrants have dropped under President Bush by 30 percent. We have gone from apprehending 1.7 million individuals illegally crossing between 1996 and 2000 to just over 1 million now.

It is not less that less people are coming. It is that we don’t have the resources needed to catch them.

A month ago, I was on the border. I saw some of the problems which the overworked Border Patrol agents face. At San Ysidro, it is hard to comprehend, but there are 24 lanes of traffic coming into the United States 24 hours a day, 7 days a week—24 lanes of traffic one way.

They are understaffed and underresourced. They simply can’t handle it. It can be handled, but they need the resources to do it.

But it is more than people whom we can’t catch coming across our borders. We can’t forget that a few weeks ago the Government Accountability Office reported that in March they detailed how two Federal agents were able to smuggle into our country nuclear material. This shocking report is an indictment of what has happened on our borders. For too long this administration has neglected its responsibility for protecting our homeland, including our border.

The 9/11 Commission told the President that he should work with other countries to develop a terrorist watch list which Border Patrol agents could use to check people crossing the border. Did he do it? No.

The 9/11 Commission gave him a failing grade when they issued their report card last year—a “D.”

In the 9/11 legislation which we passed to help secure our country, Congress authorized 2,000 new Border Patrol agents.

What did the President of the United States do to put these 2,000 agents in place? Well, he did 75 percent of it. We authorized 2,000 agents. Short. The President watched as the Republicans in Congress have refused to fund these positions even though we have tried.

The same legislation, the September 11 act, authorized facilities to hold up to 8,000 individuals detained while illegally crossing our border. Currently, we do not have the capacity to hold all those we detain, so they are most often released with a court date. They then disappear into our country. Over the years, there were about tens of thousands coming into our country illegally. They are detained. Then we say: See you later, check in for court. Of course, they never come to court. Rarely do they come to court.

Why do the authorities let them go? They have no place to put them. Did the President make sure the new 8,000 detention bed facilities became a reality? No. He has allowed the Congress to fund only 1,800 of these new detention beds. No wonder the border agents have to leave people but to let them go.

All this adds up to a credibility gap. It is no wonder the President got a failing grade, a D. He is coming late to
It is remarkable that in January, this White House submitted a budget to Congress calling to cut 17,000 guardsmen. Yet now he is asking them to do more with less. Tonight, in clear and consistent terms, we need to hear how they will be used, how they will be equipped, and how they will be ready for the unexpected missions.

Remembe, all the preliminaries coming out from the White House say that it is going to be a temporary fix. I am for doing anything we can to protect our border within reason, but we must do it on a permanent basis, not a temporary basis. We have been told this Guard thing is a stop-gap measure. These are just four questions. There are a lot of other questions we could ask, but these are questions on which I will judge the President tonight, as I believe the American people will. His answers will tell if he is committed to comprehensive reform and if he is finally serious about securing our border. And this is just the beginning of immigration part II. Scene I closes tonight with the President's speech, leaving many more scenes to play in the Senate, but the President must be a player, an actor, not a spectator, in this epic of this debate, not just the first act.

The bill before the Senate is not perfect. I like McCain-Kennedy better than I like the substitute, the Hagel-Martinez bill. There will be amendments to consider and to work their way through the Senate. For example, it is important we pass a bill and go on record supporting the concept of immigration reform, our enforcement-plus-reform approach, and opposing the House punitive enforcement-only bill. I have made it clear that I will support the Hagel-Martinez compromise but with some amendments. We will be well advised to take a look at some of the provisions in that bill to see if they should be amended.

There are Members from both sides of the aisle who wish to highlight my concern, as the bill stands, this will simply deport all of these people. So we want to make some fixes to these sections so it works.

Moreover, this bill includes some mean-spirited provisions for this group that strike me as unwise as a matter of public policy. They have to waive their right to administrative or judicial review, which means they have no right to contest the decision of some bureaucrat for whatever reason decides they do not meet the requirement to participate in this legalization program. This sounds like a big problem to me.

In addition, many tens of thousands of people in this group will be ineligible for the program because they had a prior deportation order and failed to leave the country under a voluntary departure agreement—this is particularly disturbing—they failed to comply with any request for information by the Department of Homeland Security.

The whole point of what we are doing is to deal with this population which is here under the table, for lack of a better description. They are here. They came here illegally, and there has been a decision made—and some people disagree with this, but we cannot simply deport all of these people. So we want to put them on a path to legalization. I repeat, jobs, taxes, no crimes, learn English, pay penalties. Most people believe that is the right thing to do. And in the future, have a better hold on our border, make sure we do not have problems in the future. This is what we need to do.

I don't see why we should make a distinction between those who have been unlucky enough to get caught and put through deportation proceedings and those who have not.

As far as those who have been here less than 2 years, we have to draw a cutoff line somewhere, but I am concerned, as the bill stands, this will simply lead to a situation where a couple more years and people will not leave the country and will simply remain here undocumented. That is unfortunate. I hope we can make improvements in the bill to address this group of people as well.

We have so much to do. I hope we can make some fixes to these sections so we can get as many people as possible out of the shadows, registered with the Government, paying taxes, learning English, staying out of trouble, and complying with the law generally.
May 15, 2006

CONGRESSIONAL RECORD — SENATE

S4533

at its best. This is a debate which needs to take place. People have the ability to offer their amendments, debate those amendments, and move this legislation along. Democrats and Republicans are working together to construct a law that will protect our borders. It is so important we do this. I look forward to this debate. As I have indicated, we can do this. We must have this bipartisan measure move forward. The American people recognize the importance of it. It is important for our country.

In the Senate now, we have the distinguished chairman of the Judiciary Committee. He and I have not always agreed on matters. More often we have agreed than disagreed, but I must say the record spread with my view on the remarkably good job under a very difficult situation that this experienced legislator has done during his tenure as chairman of the Judiciary Committee. We have to work our way through the most difficult issues.

I don’t serve on the Judiciary Committee. Never have, I did in the State legislature. All difficult measures that are taken through the Senate Committee. They are done through the Judiciary Committee. That is the way it was in the State legislature, and we find the same here. Contentious issues find their way into the Judiciary Committee. Senator SPECTER has done a tremendously good job.

As I indicated in my opening remarks, what he and Senator LEAHY were able to do to get this bill to this point was a miracle. It was nothing short of a miracle to get the bill out of the committee in the first place and then to get it in the Senate. I hope, in the not-too-distant future, we can all look back and say this is one of the times the Senate has shown what the Senate can do. It is breaking its way through very difficult issues and having debates the country will long remember.

The ACTING PRESIDENT pro tempore, the distinguished Senator from Pennsylvania is recognized.

Mr. SPECTER. I thank the distinguished Democratic leader for his comments, and I thank him for his statements today suggesting a bipartisan approach to this very important piece of legislation.

The leader of the Democrats is accurate when he has characterized the work which Senator LEAHY, the ranking minority on committee, and I have done on this bill. It has been 16 months of cooperation on some of the tough issues, including moving ahead with bankruptcy reform, class action reform. Through very strenuous efforts, we were able to get the bill out of the committee away from a confrontation and a filibuster in the so-called constitutional option. We moved through the confirmation of two Supreme Court Justices, Chief Justice Roberts and Justice Alito, which could have been very problematic.

We were able to work through the PATRIOT Act. We were able to work through the asbestos reform bill where there are still issues of controversy that I hope we will be able to address in the not too distant future. And then, as the distinguished leader of the Democrats commented, moving this immigration bill out of committee was very strenuous effort on the final Monday, with a marathon session.

Now the bill is back in the Senate, and with the spirit of cooperation which the distinguished majority leader, Senator Frist, and the distinguished minority leader, Senator RIEDEL, have articulated, we are in a position to go forward. But we have a great deal of hard work to do.

As manager of the bill, along with Senator LEAHY, it appears we will have some 30 amendments. That is a lot of amendments but a manageable number if we address them with time limits so the arguments can be made on both sides and we can proceed to votes.

There will be other business which will have to take the same time this bill is on the floor. We have pending the nomination of Brett M. Kavanaugh for the Court of Appeals for the District of Columbia Circuit. The prospects are there will be debate and an up-or-down vote that will have to be worked into our schedule.

The nomination of General Hayden is pending for Director of CIA. What the timetable will be there remains to be seen. But that is an important position, and it is possible it will be possible on that nomination up or down before we adjourn for the Memorial Day recess.

But the core work which we have to do will be the amendments on this immigration bill. I have discussed the timing of votes with the majority leader, who is prepared to back the managers of this bill on time limits on the votes. We have a 15-minute time limit on votes and a 5-minute grace period. It is our expectation we will be enforcing those limits rigorously. When we have stacked votes, as is our custom, we have 10-minute votes and 5-minute extensions. We will be enforcing those limits rigorously.

There have been some occasions when the votes have languished for very protracted periods of time. In the past, when we have rigorously enforced the time limits, it is something which I think meets with virtually unanimous approval among the Members. Even those who occasionally miss a vote appreciate the fact that they do not have to wait for 10, 15, or even more minutes after the vote is supposed to have ended until the next vote starts and the next debate starts. So everyone should be on notice that we intend to proceed in that manner.

We return to the debate on the immigration bill, after a period where we could not come to terms on the structuring of debate before the last recess. But now we are in a position to go forward.

This bill is an outgrowth of the core provisions of the McCain-Kennedy legislation, then reported out by the Judiciary Committee with substantial modifications, putting the so-called 11 million undocumented immigrants at the end of the line, making provisions for border enforcement, making provisions for employer enforcement, and making provisions for judicial reform.

Then we have had additional modifications made by the amendments offered by Senator HAGEL and Senator MARTINEZ, so that now we have an amalgamation of legislation, trying to work through the ideas of many Senators on very hotly contested items, and items which are very emotional.

There have been questions raised about what will happen beyond a Senate-passed bill, which will be a comprehensive bill, which will include a guest worker provision, which has been advocated by President Bush, also advocated by the Speaker of the House of Representatives, DENNIS HASTERT.

With that guest worker provision, and with other provisions, the Senate bill will be significantly different from the House bill.

We have worked cooperatively with Chairman SENSENBRENNER in the past on complex legislation. With the good faith which I know will be present by both bodies, I believe we can craft, under our bicameral system, a legislative package in conference which will be acceptable to both the House and the Senate.

There have been those who have said they will reject any major changes in the Senate bill. I believe the core provisions in the Senate bill are an answer to the 11 million undocumented immigrants, an answer to their status, is indispensable on immigration reform.

We cannot create a fugitive class in America. We do need immigrants, guest workers to handle very important jobs in our economy. I believe within a broad ambit we can reach agreement with the House of Representatives.

We are looking at this large group of undocumented immigrants, estimated by the Pew Hispanic Center to be between 11 and 12 million individuals. We know these undocumented immigrants constitute almost 5 percent of our labor workforce. We know, according to the Center for American Progress, the total cost to, so-called, round up every illegal immigrant within the United States would be $300 billion to $500 billion over 5 years, with total cost to, so-called, round up $230 billion over 5 years, without the total cost to, so-called, round up $200 billion to the Center for American Progress, constitute almost 5 percent of our labor workforce. We know these undocumented immigrants constitute almost 5 percent of our labor workforce. We know, according to the Center for American Progress, the total cost to, so-called, round up every illegal immigrant within the United States would be $300 billion to $500 billion over 5 years, with total cost to, so-called, round up $230 billion over 5 years, without the
criminal element subject to staying in the United States and being on the citizenship track. They will have to learn English so they can integrate into our society. They will have to have a job for 6 years. They will then be at the end of the line.

When the comments are made about enforcing our borders, the first amendment which will be offered by the proponents of the bill will be a border security certification, which provides that:

The Secretary may not implement any program authorized by this Act or by any amendments made under this Act which grants legal status to any individual or adjusts the current status of any individual who enters or entered the United States in violation of Federal law unless the Secretary has submitted a written certification to the Congress that the border security measures authorized under title I and the increases in Federal detention space authorized under section 233 have been fully completed.

Now, this certification really is directed to those who have said we ought to have border security in place and employment sanctions in place before we consider what we do with the 11 million undocumented aliens, immigrants, or what we do on a guest worker program. Well, that is the cart-before-the-horse argument. This border security certification puts the horse in place before we move ahead to the cart and I think, when implemented, as implemented, will answer that point.

This bill, which we are laying down today, provides very material items on border enforcement. For example, it increases Border Patrol by 400 per year for 5 years; authorizes technologies to facilitate port of entry inspections; and increases Border Patrol by 400 per year and creates crimes for eluding immigration inspectors; and it ends the catch-and-release practice for other Mexicans.

We have also very substantial provi- sions on interior enforcement. It eliminates gang members from admissibility for citizenship and deports those gang members. It clarifies and strengthens illegal smuggling laws with increased penalties. It provides criminal penalties for various immigration-related document fraud. It increases the number of immigration inspectors and creates crimes for eluding immigration inspectors; it ends the catch-and-release practice for other Mexicans.

In title III we have employment enforcement. One of the major failings of the 1986 legislation was the failure to have employment enforcement.

We have provisions for a guest worker program. We have provisions for family-based and employment-based green cards.

Mr. President, I ask unanimous consent that, at the conclusion of my oral remarks, the full outline of S. 2611 be printed in the RECORD.

The ACTING PRESIDENT pro tem. Without objection, it is so ordered.

(See exhibit 1.)

Mr. SPECTER. We have created, under the work authorization and legalization of undocumented individuals, three separate categories: a category for those who have been in the United States for more than 10 years before January 1, 2001, and created category 1, a category for those who have been in the United States for less than 5 years before January 1, 2004, which does have a “leave country and touch base” requirement.

The Senator from Nevada, the leader of the Democrats, raised his concerns about this provision as to whether it ought to stay in the bill and said there will be amendments to remove it. It is a controversial provision. There is a real fear on the part of some of us that this provision accomplishes something which is worthwhile. But in cobbling together and crafting a bill, it has been necessary to put in provisions which are not universally accepted. And that is the nature of legislation: the accommodations, and everyone does not get everything they like. But we will subject this particular provision to very careful analysis and debate, and the will of the Senate will be worked on it.

There is a third category of those who entered the United States after January 7 of the year 2004.

Mr. President, I ask unanimous consent that the full text of my statement be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

IMMIGRATION FLOOR STATEMENT

Mr. SPECTER. Mr. President, today the Senate resumes the debate on immigration reform and the compromise that was crafted by a group of Senators shortly before our last recess. This legislation will affect not only individuals but also society and will alter America’s social and economic landscape. According to the Pew Hispanic Center, between 11 and 12 million individuals reside in the U.S. illegally. As such, out of fear and desperation, many are abused and discriminated against. As such, out of fear and desperation, many are abused and discriminated against. As such, out of fear and desperation, many are abused and discriminated against. As such, out of fear and desperation, many are abused and discriminated against.
Senator LEAHY has done, compliantly the distinguished leader of the member, who I know will shortly be our future.

America to allow immigration to help shape the debate, let us not repeat the mistakes of the economy. As we return to the immigration immigration to meet the future needs of our future.

provide the resources necessary to abate the enforcement. S. 2611 provides employers with the tools that they need to ensure their workforce is authorized, coupled with a commitment to provide the resources necessary to abate the flow of illegal immigrants into this country in the future.

The 1986 bill failed because it did not address our Nation’s economic need for future guest workers. Immigration reform cannot only deal with the current illegal population or just provide tough border enforcement measures, but must also provide avenues for future immigrants to come to this country to labor and to enjoy the fruits of U.S. citizenship. We must require illegal aliens already in the U.S. to come forward, register, and undergo the necessary background checks to ensure our national security, and we must provide a legal avenue for future immigration to meet the future needs of our economy. As we return to the immigration debate, let us not repeat the mistakes of the past but build upon the growing consensus in America to allow immigration to help shape our future.

Mr. SPECTER. Mr. President, I have talked long enough to have noted the arrival of the distinguished ranking member, who I know will shortly be seeking recognition. Before he does, let me repeat for him the comments made by the distinguished leader of the Democrats, complimenting the work Senator LEAHY has done, complimenting the work which we have done jointly generally in the Judiciary Committee, and complimenting the work especially of the Judiciary Committee on this immigration bill.

Senator LEAHY and I appeared together earlier today in a tribute to fallen police officers and commenting about how to improve the bulletproof jackets. He and I have worked together on a great many matters, with our collaboration having originated before either of us got to the Senate at the National District Attorneys convention in Philadelphia in 1969, when he was DA of Burlington and I was DA of Philadelphia. Our efforts on bipartisanship, I think, have been followed by other Senators, and I think it has been in the interest of the Senate and the country to have that kind of cooperation.

We will be handling the amendments one at a time. But we invite Senators who have amendments to be offered tomorrow to come to the floor this afternoon to debate those amendments. The chief of staff, the staff director, and general counsel, Michael O’Neill, has already been in touch with a number of those Senators, urging them to come down to the floor to hear the comments of the distinguished ranking member, to start to talk about amendments so we can have abbreviated debate when we conclude the first amendment.

**EXHIBIT 1**

S. 2611, THE COMPREHENSIVE IMMIGRATION Reform Act of 2006

**TITLE I—BORDER ENFORCEMENT**

Increases border patrol by 400 per year for 5 years (Feinstein-Sessions)

Authorizes funds to create a virtual fence along the Southern border

Authorizes physical barriers for highly trafficked parts of Arizona’s border (Kyl)

Provides for a study of a possible new fence along the Southern border.

Creates crimes for eluding immigration inspectors (Sessions) and constructing border tunnels (Kyl, Feinstein)

Ends the “catch and release” practice for other-than-Mexicans (Sessions)

**TITLE II—INTERIOR ENFORCEMENT**

Makes suspected gang members inadmissible, and deportable from, the U.S.

Clarifies and strengthens alien smuggling laws and increases penalties

Adds criminal penalties for various immigration-related document fraud

Provides 20 more alien detention facilities with a capacity of 10,000 (Sessions)

**TITLE III—EMPLOYMENT ENFORCEMENT**

(subject to a Grassley-Ami Bera substitute amendment to Title III on the Floor)

Establishes a nationwide, mandatory verification program for hiring workers

Limits the number of acceptable hiring documents along with REAL ID standards

Makes the standard for hiring illegal workers “knowingly” or “with reckless disregard”

Authorizes 2,000 worksite enforcement agents and 1,000 anti-fraud agents

**TITLE IV—GUEST WORKER PROGRAM**

Creates a new guest worker program (called H-2C) for future workers

Provides the following in the guest worker program:

- 6-year duration with an annual cap of 250,000
- Travel privileges in and out of the U.S., and portability between jobs
- Allows workers to obtain green cards by self-petitioning
- Allows students with advanced degrees in science/math to stay in the U.S.
- Exempts workers with advanced degrees in science/math from green card caps
- Increases the H-1B professional worker visa annual cap from 65,000 to 115,000 (with a fluctuating cap)

**TITLE V—FAMILY-BASED AND EMPLOYMENT-BASED GREEN CARDS**

**FAMILY-BASED VISAS/GREEN CARDS:**

- Exempts Immediate Relatives (spouses, minor children, parents) of U.S. Citizens from the 480,000 numerical cap
- Recaptures unused green cards from past years to reduce the processing backlog
- Increases the per country limits on visas to add fairness in the overall allocation

**EMPLOYMENT-BASED VISAS/GREEN CARDS:**

- Increases the numerical cap from 140,000 to 450,000. This increase sunset after 10 years reverts to 290,000
- Exempts spouses and children from counting against the numerical cap
- Recaptures unused green cards to help reduce the processing backlog
- Eliminates the need of an employment limit on unskilled workers who seek a green card

**TITLE VI—WORK AUTHORIZATION AND LEGALIZATION OF UNDOCUMENTED INDIVIDUALS**

**Subtitle A—Access to Earned Adjustment and Mandatory Departure and Reentry**

Category I—Access to Earned Adjustment—In the U.S. more than 5 years before April 5, 2001

Security and criminal background checks

Employed for at least 3 out of the 5 years ending on April 5, 2006 and must work at least 6 years after the date of enactment

Pay all applicable back taxes

Demonstrate knowledge of English language and U.S. history and government

Pay $2,000 fine (and all applicable fees)

Must wait until the current green card backlog is cleared (approximately 6 years)

Exempt from current green card numerical limitations

Category II—Mandatory Departure and Reentry—In the U.S. less than 5 years but before January 7, 2004

Security and criminal background checks

Must apply within 3 years of date of enactment

Must be employed before January 7, 2004 and must be continuously employed for at least 60 days

If departure within 1st year, no fine; if departure within the 2nd year, $2,000 fine; and departure within the last years; $5,000 fine

Application fee of $1,000

Grounds of Ineligibility

Ordered to depart voluntarily from the U.S.

Failed to comply with any request for information by the Sec of DHS

Create a “blue card” program for legalization and adjustment of status for agricultural workers (Feinstein)

Reforms the current H-2A (temporary guest worker program for agricultural worker)

**Subtitle C—DREAM ACT**

Provides for students here undocumented in the U.S. to obtain a green card (Durbin)

**TITLE VII—MISCELLANEOUS**

**Subtitle A—Immigration Litigation Reduction**

Increase immigration judges and personnel along the border (Feinstein-Sessions)

Choose immigration judges on the Board of Immigration Appeals

Provides for a GAO study on consolidation of immigration appeals

**Subtitle B—Agricultural Job Opportunities, Benefits, and Security**

Create a “blue card” program for legalization and adjustment of status for agricultural workers (Feinstein)

**Subtitle C—Kohl (State Court Interpreter Grant Program)**

**Subtitle D—Domenici (Border Infrastructure/Technology Modernization)**

**Subtitle E—Lautenberg (Family Humanitarian Relief)**

**Subtitle F—Other Matters:**

Frist (Non-citizen membership in the armed forces)

Collins (P visa for minor league athletes)

Mikulski (H-2B extra Supplemental Labor Certification)

Drawing on the expertise of the National Institute on Homelessness and Criminal Justice

Nelson (Surveillance Technologies Programs)

Isakson (Comprehensive Immigration Efficiency Review)

Cantwell (Northern Border Prosecution Initiative)

Hutchison (Southern Border Prosecution Initiative)

Harkin (Grant Program to Assist Eligible Applicants)

Allard (Terrorist Activities)

Levin (Screening of Municipal Solid Waste)

Stevens (Access to Immigration Services in Areas)
Thomas (Border Security on Certain Federal Land)
Kennedy (Family Unity)

Mr. SPECTER. Mr. President, to start the debate, if I may, as I have referred to earlier, I send an amendment to the desk before we move ahead to the handling of the 11 million undocumented immigrants and the guest worker program.

I yield the floor for my distinguished ranking member.

The PRESIDING OFFICER (Mr. Graham). The Senator from Vermont is recognized.

Mr. LEAHY. Mr. President, today the Senate turns its attention again to comprehensive immigration reform. I hope we can finish the broken immigration system with tough reforms that secure our borders and with reforms that will bring millions of undocumented immigrants out of the shadows.

I commend the majority and minority leaders for continuing to search for a procedural agreement, even though Republicans blocked action on a comprehensive bill for nearly two days prior to the April recess. Democrats supported the bill that was reported by the Judiciary Committee, and we were willing to support the Hagel-Martinez compromise. In fact, Democrats voted twice in two days for comprehensive reform, but the Republican leadership refused to follow the commitments it made when the cameras were on, and folded its tent by declining to support cloture even on the motion of the Republican leader.

If the time comes when the President speaks to the Nation this evening, he will strongly encourage his party to support a comprehensive bill in the Senate. The President offered some helpful comments in April, but these words came too late, as the far right wing of his party had already undermined the potential compromise. Democrats were prepared to pass a bill in April and are prepared to pass a fair and comprehensive bill now.

The Bush-Cheney administration has gone to great lengths to create the impression that it is now committed to strengthening our border security. The reality is that very little progress has been made. A recent report concluded that the number of people apprehended at our borders for illegal entry fell 31 percent under President Bush’s watch, from a yearly average of 1.52 million between 1996 and 2000 to 1.05 million between 2001 and 2004. The number of illegal immigrants apprehended while in the U.S. dropped by 35 percent, from a yearly average of roughly 40,000 between 1996 and 2000 to 25,901 between 2001 and 2004. Audits and fines against employers of illegal immigrants have also fallen significantly since President Bush took office. Given the vast increases in the number of Border Patrol Agents, the decline in enforcement can only be explained by a failure to collect data.

The recent aggressive and well-publicized enforcement efforts to detain illegal immigrants are little more than political posturing that do little to improve the situation. We need comprehensive reform, backed up by leadership committed to using the tools Congress provides, not piecemeal political stunts.

Tonight we expect to hear that the National Guard will be deployed to the Mexican border. Once again the administration turns to the fine men and women of the National Guard in a crisis. After our intervention turned sour in Iraq, the Pentagon turned to the Guard. After the governmental-wide failure in responding to Katrina, we turned to the Guard. The administration’s continual unwillingness to focus on our porous border and develop a comprehensive immigration policy, the administration turns once again to the Guard. Yet I am continually puzzled by the administration’s decision, which seems so ready to take advantage of the Guard, fights so vigorously against providing this essential force with adequate equipment, a seat at the table in policy debates—even adequate health insurance for the men and women of the Guard.

As long as these Guard units operate under the authority of State Governors, I believe this action is inappropriate. In addition, the Federal Government should pick up the full costs of such a deployment and be clear about the length of this service. Those costs should not be foisted onto the States and their already taxed Guard units. Their families have been called upon to sacrifice more than any other group of Americans. My heart goes out to the members of the Guard and their families.

Controlling our borders is a national responsibility, and it is regrettable that so much of this duty has been dumped on the States and now to the Guard. The Guard is picking in above and beyond, balancing its already depleted forces with new demands from the Federal Government. The Guard served admirably in response to Hurricane Katrina when the Federal Government utterly failed to respond in a timely or sufficient manner. The Vermont Guard and others have been contributing to our national security since the immediate aftermath of 9/11. Later tonight, we expect the President will announce that after more than 5 years of failing to use the authority and funding Congress has provided to strengthen the Border Patrol and our border security, it has come to this, militarizing our southern border.

Instead of proposing a budget with robust and complete funding for our Border Patrol, the President has focused on providing tax cuts for the wealthiest among us. Congress has had to step in and again create new Border Agent positions and direct that they be filled. Instead of urging his bipartisan friends to take early action to pass comprehensive immigration reform as he signaled he would in February 2001, the President began his second term campaign to undercut the protections of our Social Security system for the American worker program.

The President has proposed a budget with nearly $2 billion for border security. These are important programs and we all support them, although a number of us believe the Democratic-controlled Congress has right to question whether the Bush-Cheney administration is asking for too much, especially in the context of Iraq.

Five years of the Bush-Cheney administration’s inaction and misplaced priorities have done nothing to improve our immigration situation. It is time for action, not more talk. The Senate just passed supplemental appropriations bill that includes $2 billion for border security. These are important programs and we all support them, although a number of us believe the Democratic-controlled Congress has right to question whether the Bush-Cheney administration is asking for too much, especially in the context of Iraq.

Border security alone is not enough to solve our immigration problems. We must pass a bill—and enact a law—that will ensure national security along our borders, but which will also encourage millions of people to come out of the shadows. When this is accomplished we will be more secure because we will know who is living and working in the United States. We must encourage the undocumented to come forward, undergo background checks, and pay taxes to earn a place on the path to citizenship.

Just a few weeks ago I went to the White House with a bipartisan delegation of Senators to speak with the President. The need for a fair and comprehensive immigration bill was the consensus at that meeting and I believe the President was sincere when he told us that he had his support. I hope he will include that commitment in his statement to the nation tonight. If not, I trust that he will not wait to urge comprehensive immigration reform on those Republican Senators and the Republican House that have yet to endorse our bipartisan comprehensive approach. Without Republican support and the intervention of the President with the recalcitrant factions within his party, this effort is unlikely to be successful and the hopes of millions will be destroyed. Those who have peacefully demonstrated their dedication to justice and comprehensive immigration reform should not be relegated back into the shadows.

The bill that won bipartisan support of a majority of the Judiciary Committee was a compromise that contained the essential components that are required for comprehensive immigration reform. It includes $2 billion for border security through the Department of Homeland Security, funds to upgrade ports of entry, provides the authority to expand legal worker programs, illegal immigrants will be debarred from the guest worker program.

Tonight we expect to hear that the National Guard will be deployed to the Mexican border. Once again the administration turns to the fine men and women of the National Guard in a crisis. After our intervention turned sour in Iraq, the Pentagon turned to the Guard. After the governmental-wide failure in responding to Katrina, we turned to the Guard. The administration’s continual unwillingness to focus on our porous border and develop a comprehensive immigration policy, the administration turns once again to the Guard. Yet I am continually puzzled by the administration’s decision, which seems so ready to take advantage of the Guard, fights so vigorously against providing this essential force with adequate equipment, a seat at the table in policy debates—even adequate health insurance for the men and women of the Guard.

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The President has proposed a budget with nearly $2 billion for border security. These are important programs and we all support them, although a number of us believe the Democratic-controlled Congress has right to question whether the Bush-Cheney administration is asking for too much, especially in the context of Iraq.

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The bill that won bipartisan support of a majority of the Judiciary Committee was a compromise that contained the essential components that are required for comprehensive immigration reform.
immigration reform. Before the last recess, I was willing to support a further compromise that incorporated the principles of the Hagel-Martinez bill because it was proposed by the majority leader as a “breakthrough” that would allow us to pass immigration reform.

Immigration reform must be comprehensive if it is to lead to real security and real reform. Enforcement-only measures may sound tough, but they are insufficient. In these next 2 weeks, the Senate opportunity and a responsibility, to pass a bill that addresses our broken system with comprehensive reform and puts the pieces in place to secure the Nation.

The PRESIDING OFFICER. The Senator from Texas.

AMENDMENT NO. 3961

Mr. CORNYN. Mr. President, on behalf of Senator ISAKSON, I call up amendment No. 3961, which was earlier sent to the desk by Senator SPECTER.

The PRESIDING OFFICER. The clerk will read the bill clerk read as follows:

The Senator from Texas [Mr. CORNYN], for Mr. ISAKSON, proposes an amendment numbered 3961.

Mr. CORNYN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows: (Purpose: To prohibit the granting of legal status, or adjustment of current status, to any individual who entered or entered the United States in violation of Federal law unless the border security measures authorized under Title I and section 233 are fully completed and fully operational).

On page 53, between lines 14 and 15, insert the following:

SEC. 133. BORDER SECURITY CERTIFICATION.

The Secretary may not implement any program under this Act, or any amendments made under this Act, which grants legal status to any individual, or adjusts the current status of any individual, who either enters or entered the United States in violation of Federal law unless the Secretary has submitted a written certification to the President and Congress that the border security measures authorized under Title I and the increases in Federal detention space authorized under section 233 have been fully completed and fully operational.

Mr. CORNYN. Mr. President, I ask unanimous consent to set aside the pending amendment and send another amendment to the desk on behalf of Senator KYL.

Mr. LEAHY. Reserving the right to object, what was the request?

The PRESIDING OFFICER. Will the Senator restate his request?

Mr. CORNYN. I ask unanimous consent to set aside the pending amendment and send another amendment to the desk on behalf of Senator KYL and myself, and I ask for its immediate consideration.

Mr. LEAHY. Mr. President, I don’t think this is in keeping with what I understand the distinguished Republican leader and the distinguished Democratic leader had discussed as a procedure, nor discussed by the chairman of the Senate Judiciary Committee. So I will, for the moment, object until such time as we can figure out what is it they want. I came in late on the earlier proceedings, I make sure the Senator from Texas is following what the two leaders had proposed. So I will object.

The PRESIDING OFFICER. Objection is heard.

Mr. CORNYN. Mr. President, about a month ago when we were debating immigration reform and, unfortunately, because of the inability to get amendments heard and debated and voted on, that process that here we are again. I was under the distinct impression that we were actually going to have a chance to offer amendments and then have debates and votes. We will work out whatever the misunderstanding is between the sides. But my hope is that we will have that opportunity because I think the American people are yearning for an honest and complete and comprehensive debate about this issue. It affects all of us. It affects all of the States that each of us as Senator represent, and it represents a clash of our values. We are proudly a nation of immigrants, but we are also a nation of laws. Unfortunately, it is hard to reconcile the second ideal as a nation of laws with the current situation in this country with our porous border which last year allowed 1.1 million people to come across the border, and because we only had about 2,000 detention beds, most of those individuals were simply subject to what has now become known as the notorious catch-and-release program.

And those who were sent back to Mexico came back again in short order, and we saw roughly 250,000 of those individuals who were detained at the border came from countries other than Mexico involving countries such as Syria, Iran, and other countries of special interest, which cause a lot of people, including me, an awful lot of concern because it is indicative of the fact that our southern border has become a magnet that is and has become a sieve for illegal immigration, not just from Mexico and Central and South America but literally from countries all around the world.

I support comprehensive immigration reform, as a Senator from Texas. With about a 1,600-mile border, we understand what the border is about. A number of Senators have had the opportunity since this debate began to go to the border. I think that has been very instructive for all of them. But I can tell you that my constituents live and work along the border and have come to know both the tremendous benefits of that region of our country and the culture that transcends international boundaries, the fact that families have ties of the border, the fact that for the last 11 years, since NAFTA, the North American Free Trade Agreement, was signed by the United States, Canada, and Mexico, we have seen a tremendous growth in legal commerce and traffic across the border that has been enormously beneficial to all of those countries and created an awful lot of new jobs in my State.

None of us want to jeopardize all of the benefits that attend to the fact that we do have a neighbor to our immediate south, Mexico, and the benefits that come from the cultural heritage and interaction, but the fact is that illegal immigration across the southern border of the United States has changed dramatically over the last few years because Mexico has been unable to control its southern border and, in fact, has become a sort of a land bridge into the United States and created a tremendous amount of concern, as it should, in a post-9/11 world. We simply have to know who is coming into our country and why they are here. We can no longer assume their motives are simply benign.

I have no doubt that in most instances—perhaps nearly all instances—people come to this country for the same reason people have always come to America, and that is for a better life. It is all under a fundamentally human level. But we also understand that if we don’t control our immigration system, if we don’t control our borders, not only are we less secure, but literally our way of life may be subjected to a huge tsunami of humanity, people from all over the world who want to come to the United States, but if they don’t do so in a controlled way, in a way that complies with our laws and allows us to regulate the flow in the pursuit of our national interest, that we will have lost something very important, and part of that will be the opportunity to provide the sort of prosperity we enjoy today to our children and our grandchildren.

My hope is we will create a legal system of immigration that we will be able to regard with pride and that people who, as they always have, come here from all around the world through a legal system of immigration will become Americans. After all, becoming an American is an idea and an ideal. In other words, it doesn’t matter where your country of origin is, where you were born. It doesn’t matter how you pronounce your last name. It doesn’t matter what race you are or what ethnicity you are. When people come to America and become Americans, they become part of this vast melting pot which we thank God for every day and which has become the envy of the world.

We have benefited enormously from the fact that we are a nation of immigrants, but we are in danger because we are no longer a nation of laws when it comes to our immigration system.

During the course of this debate, I will be offering several additional amendments. I want to talk about one of them in a moment. Because of the objection, we won’t be offering any additional...
amendments today until we can work out the differences between the major- and minority side.

As the chairman of the Immigration and Border Security and Citizenship Subcommittee of the Senate Judiciary Committee, it has been my great honor to preside over numerous hearings on our broken immigration system. That has both caused me a great deal of concern but also a sense that there is a lot we can do if we focus on answering the practical questions that need to be answered before we can actually fix our broken immigration system.

The Judiciary Committee voted out a bill that I think is fair to say bears the authorship of Senator MCCAIN and Senator KENNEDY. That then came to the floor and now has been amended by Senator HAGEL and Senator MARTINEZ and is supported by a bipartisan group of Senators.

I am sorry to say at this point that I am not able to support that bill as amended, but it is my hope that after this debate and during the course of the amendment process that we have votes, and hopefully I will be able to win a few of those votes on amendments that will improve the bill to the point where I feel comfortable supporting the Senate bill. That is my hope.

Regardless, I look forward to working with my Senate colleagues and our colleagues from the House once the Senate passes a bill, and I too have been successful in doing so, in trying to reconcile the differences in the approach the Senate intends to take in comprehensive reform and the House approach, which is primarily a border security bill.

I am proud to say that this bill, when I talk about comprehensive reform, has a number of components. I mentioned the first is border security. I am proud to say that the bill Senator Kyl of Arizona and I filed about a year ago now has been largely incorporated into the bill before us. When it comes to the work we need to perform for security along our border, we need to vastly increase the number of Border Patrol agents.

I understand the President tonight may make some announcement with regard to the use of National Guard on a temporary basis to fill in the gaps and provide additional boots on the ground, but to that level of security faster, and I believe we should use all of our national assets to provide border security. But I also had the honor this morning of going out to Fort Belvoir, where the Army Materiel Command provided a demonstration to me with some of the unmanned aerial vehicles and ground sensors, the radars, the thermal imagery, and so forth, that the military has developed for force protection. It has obvious applications in providing the Department of Homeland Security additional technology which will allow us to secure our border. Here again, the problem is not a shortage of ideas; the problem is the shortage of assets, including human assets and technological assets that will actually allow the Department of Homeland Security to accomplish the goal of border security. We have a long way to go between ideas and concepts and actually building the infrastructure, actually purchasing the technology and training people to operate it.

That is one reason I look forward to further debate on Senator ISAKSON’s amendment that provides a trigger. In essence it is saying the rest of the provisions of the bill will not be implemented until such time as the Secretary of the Department of Homeland Security certifies that the border security provisions have, in fact, been implemented. I think that is a significant proposal.

I commend to my colleagues an article that I read this morning called “Can Immigration Reform Work?” This is an article written by Lawrence B. Lindsey, former chief economic adviser for President Bush. Mr. Lindsey writes as an advocate of comprehensive immigration reform, as am I, but he asks some very practical questions which I think have to be answered during the course of this debate.

First of all, advocates of the current bill pending on the floor acknowledge that beneficiaries of the provisions of the bill, the 12 million or so who will benefit from this green card legalization— or some might call it amnesty based on its similarity with the amnesty of 1986—but the argument is that the beneficiaries of this provision of the bill will have to go to the back of the line. Again, I commend the Lindsey article to my colleagues.

The question is: The back of which line? Basically what this bill does is it allows people who are currently here in an unauthorized status; that is, they are here without the benefit of any immigration laws or they have come here legally and have overstayed in violation of the immigration laws, it allows them 6 years before they can then receive a green card. A green card confers legal permanent residency. After 5 more years, in other words, a total of 11 years, they can then apply for and receive American citizenship.

The problem with the current bill on the floor is that it essentially guarantees to those who break the law and all they have to do is stay where they are. In other words, the line does not start in America; the line starts at the consulate in Hong Kong or in Mexico City or in Bogota, Colombia, or in some other place around the world where people would apply for a green card, not here in the United States. What they are essentially saying is people under this current bill can break in line in front of those who have been waiting patiently outside the country, but break in line in front of those who are waiting for citizenship who otherwise would have to wait outside the country. There is something, it seems to me, fundamentally unfair about line-jumping, about breaking in line, and many have expressed concerns, and I am one of those who have the concerns, about rewarding people for line-jumping.

Another aspect of Mr. Lindsey’s article is that I agree with colleagues because, again, these are practical questions: How are you going to solve this problem? And I stand here as someone who is interested in solving the problem and as a supporter of comprehensive immigration reform. I have said that we have to do better than the bill that is currently on the floor. That is why I strongly urge my colleagues to study it and also to listen to the amendments, and hopefully we can improve it.

The other question that Mr. Lindsey raises is the sheer immensity of the program proposed in the Hagel-Martinez compromise. In 2004, the Immigration and Naturalization Service issued almost 1 million green cards and naturalized 537,000 people. Contrast this to 4 million people who would give green cards to about 12 million people in one fell swoop and make them eligible for citizenship 6 years later, which is roughly a twelfold increase in the workload of the agencies involved of people who are actually supposed to make this work.

I hope all of us will pay close attention to whether this thing that we are creating, this comprehensive immigration reform, can actually work. Part of the question is: What do we mean by making sure there are the people and the processes, the databases, the computers, the cards, all of the things that are going to be necessary to actually make it function as intended. If not, we are going to be swamped by a tsunami of newly legalized people seeking documentation without any real ability to actually respond to that.

The third issue he raises is the need for what he calls a certificate of legal presence. We are going to have to— and the bill does provide, and there will be some additional debate about this—a work site verification program, which is absolutely critical to the functioning of comprehensive immigration reform. I think it needs to be beefed up and improved because what we need to provide employers is a way to swipe a card through a card reader and then almost immediately the light turns green and that means that person can make it work is going to be making sure they can’t. Right now, employers can be presented some combination of up to 19 different documents to prove eligibility to work in the United States, and what happens is the human smugglers and those who benefit from this phenomenon provide the whole host of counterfeit documents.

In other words, there are millions who generate fake documents such as driver’s licenses, Social Security cards, and birth certificates. So, if we make a system of identification cards that can help us as part of this enforcement regime because if we don’t, then we will find ourselves 5 years or 10 years from now
in the same fix we are in today, except probably worse.

I say that because in 1986 the Congress thought it was fixing this problem once and for all when it granted what everyone acknowledged was an amnesty. A lot of resemblance to the proposal that is on the floor today. Yet some say: Well, it is not really amnesty, it is earned legalization. Well, whatever it is, it looks very similar, if not its identical twin. But every day I think will agree that this amnesty in 1986 was a complete and total failure, probably for one of two reasons.

Some say: Well, it is because we didn't really have any provision for a legal work force, a temporary worker program as part of that. But I think most people would agree that it was mainly a failure of work site verification and employer sanctions. There have been virtually no employer sanctions prosecuted by the Federal official for that, and part of the reason has been because it is very hard for employers to know whether the person they are in fact hiring is legally eligible to work in the United States.

We can figure this one out. It is not rocket science. If we can go into a convenience store and buy a bag of chips and a Coca Cola and hand the clerk our card and they swipe it and in a matter of seconds it is authorized, we can figure this one out for that, and part of the reason has been because it is very hard for employers to know whether the person they are in fact hiring is in fact the same person whose name is on the card. So we can figure that out. I will talk more about that later.

I think the proponents of this bill as written need to convince the American people that this time we are serious, that we are not going to pull the rug out from under the American people if they put their confidence in the solution proffered by this bill. I remember what my dad always said: Fool me once, shame on you; fool me twice, shame on me. The American people can be enormously forgiving and tolerant. But if they feel as if the Federal Government is simply not serious about this and is going to pull this bill off as strict on enforcement and not fund it and not implement it, and not be serious about it, I think there is a better example of Congress sending mixed signals on immigration reform. If we are going to send the message, in the world's greatest deliberative body we will actually have debates and we will actually have votes and majorities will prevail and people who don't get the majority or who overstay their legal authorization; they are here in violation of our immigration laws. It would exclude from amnesty or earned legalization or whatever you want to call it the beneficiaries of this bill. And if the beneficiaries, convicted felons would not get amnesty under this bill if this amendment passes. People who have committed at least three misdemeanors would not get amnesty under this bill if this amendment passes. Finally, it would exclude the benefits of the bill to those it applies to, those who have actually had their day in court and lost and simply melted into this huge American landscape. What I mean by that is they are absconders. In other words, they are people who have been caught in violation of the law, people who have had their day in court, who have exhausted their remedies, and then refused to show up when it came time to go back home. These are known as absconders.

What this amendment would do is say, if you are an absconder, then you don't get the benefit of the amnesty because you have already had your one bite at the apple. We are not going to give you two bites at the apple. I don't think any Americans really believe that it is just OK to ignore a lawful court order. How many Americans, for example, after receiving a subpoena to show up in court or maybe a jury summons, simply ignore it and skip the date?

Today in the United States, there are 544,000—aliens who have been ordered deported but then have gone underground. In other words, this bill simultaneously grants amnesty than we are in receiving the mistakes of 1986 and avoid the mass sanctions prosecuted by the Federal of- the mistakes of 1986 and avoid the mass
The conduct alleged to be in violation of the law: No. 2, the alien’s obligation to provide the Government with a written record of an address; and No. 3, the consequences of failure to provide or update the address on record with the Government.

The Government is also required by statute to provide notice to the alien of any change or postponement of the proceedings. Just as in any other civil or criminal proceeding, the alien has an obligation to provide a current address. If that were not the case, how would the immigration courts administer the 300,000-plus cases they hear each year?

So what happens if the alien fails to appear at the hearing? The court may order the alien removed in absentia only if the Government establishes by clear, unequivocal, and convincing evidence that the written notice was provided to the alien and that the alien is, in fact, deportable. The court may rescind the order within 6 months of the order, the alien establishes that he did not receive notice of the hearing or if exceptional circumstances prevented the alien from appearing. This amendment would offer—will offer when compared to the same year standard, so any alien who establishes that he or she did not receive notice as required or was unable to appear at a hearing because of a medical emergency or other exceptional circumstances is eligible to apply.

The text of the amendment is unambiguous. It would not apply to any alien who entered without inspection, overstayed a visa, or violated their visa status unless the alien has had his or her day in court and been ordered deported. To avoid any confusion, this amendment uses the exact language as in the current Immigration and Nationality Act.

In conclusion, let me say that national security demands that we know who is living within our borders, especially since 9/11. We must reform our immigration laws in order to bring millions of those who are living outside of the law out of the shadows and in compliance with that law. But success of immigration reform cannot be measured solely on how many aliens obtain legal status. The 1986 amnesty bill brought millions of illegal aliens out of the shadows. Yet Congress never lived up to its promise to enforce the law at the border and at the worksite. Today, 20 years since the 1986 amnesty, the continued failure to enforce the law has resulted in a new class of illegal aliens that is estimated to be approximately 12 million. That is four times larger than 20 years ago.

I share the goal of comprehensive reform and of bringing those 12 million illegal aliens out of the shadows and into compliance with the law. In fact, I believe we ought to give them a second chance to reenter the country in a legal status. But I also believe that we should not repeat the failures of 1986 and restore credibility and law and order to the immigration system. The current bill, without any amendment, rewards criminal behavior and will undermine the Government’s ability to enforce the immigration laws. My amendment, which only excludes aliens from obtaining legal status, will reveal whether we are really serious about reforming our immigration laws or if we are strictly interested in granting legal status to as many illegal aliens as possible, irrespective of whether they are criminals or whether rewarding them would repeat the failures of 1986.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. Roberts). The Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, I welcome the start of this week and the prospect of a good and fair debate on the whole issue of our borders and how we at the executive level address immigration reform. There are some exceedingly important public policy issues and questions that have to be decided. But it certainly appears that the Senate itself is prepared to take votes on these issues. I am confident that the Senate understands the gravity of the problem that we face.

I hope as we start the debate we understand there are a lot of misstatements about the different positions which have been outlined in the course of this debate. It is going to be important for the American people to listen to those of us who are putting forward proposals—I will outline briefly the proposal of Senator McCAIN and myself, and then to listen to those who are supportive of those proposals. In this debate, not unlike other debates, we will find those who misrepresent our proposal, distort our proposal, and then differ with it. That is a rather healthy, normal part of this process.

Why should I believe this debate might be different? Maybe that is hoping for too much.

These are tough enough choices and decisions for this body to make. Hopefully we will have a fair debate on the substance of these matters. That is certainly what I look forward to. I know Senator McCAIN looks forward to that. That is certainly in the tradition of this great legislative body.

I will take just a few minutes this afternoon to outline in broad terms the proposal Senator McCAIN and I supported. We go back, Senator McCAIN and I.

Mr. REID. Will the Senator from Massachusetts yield briefly?

Mr. KENNEDY. I am glad to yield for a question.

Mr. REID. Mr. President, through the Chair—the Senator, because of airplane connections today, wasn’t here. I made a statement on this legislation. One of the things I want to make sure the Senator from Massachusetts understands is that I completed my statement, it was recorded, saying that I hope we can have bipartisan, good debate on this legislation; this legislation is so badly needed.

I also want the Senator from Massachusetts to understand that as far as I am concerned, the key to our having been able to move forward on this legislation is the work done by the Democratic Senator from the State of Massachusetts, the senior Senator from Massachusetts, and the Republican Senator from Arizona, the senior Senator from Arizona. The Kennedy-McCAIN legislation is the framework for doing something to solve a problem that needs to be solved. We can move forward on this matter in a bipartisan, constructive way.

I said this morning there are strong feelings on all sides of this issue, as there should be. But I hope the Senator from Massachusetts agrees with me that it is imperative that this legislation be completed and that—the Senator, being the modest person he is, would not agree with me about the imminent—its need to be solved. But I want the Senator to know that I believe the key to our moving forward was the work done on this matter in many private meetings, some public meetings, with you and the Senator from Arizona. I want the Senator and applaud you for the work done, making it possible to be at the point we are in this legislation.

Mr. KENNEDY. Mr. President, I thank our leader, Senator Frist, for both his support and encouragement, working with Senator Frist to bring us to this point. That was a real challenge.

I thank him for his comments. If he will yield to the floor for just a moment? I am very hopeful that, as he outlined in his statement, we will have a bipartisan approach to an issue of enormous importance—the security of our borders. How are we going to treat the current problems in the areas that are here now, the overwhelming majority of whom want to play by the rules, work hard, be part of the American process and dream, like the tradition of so many other immigrant groups? We must find a way to prevent the illegal issues. We have issues of fairness. And I thank the Senator for his comments.

The Senator knows the history of this institution. To find the type of bipartisanship which we have had on this issue, we would have to go back, frankly, to almost the time of the civil rights laws. Maybe the action to end the war in Vietnam. We have not had that kind of bipartisanship in a major policy issue that I know of in any recent time.

As the Senator from Nevada has pointed out, we are facing an issue of enormous importance with regard to our national security. This is a defining moment to a time when the Senate of the United States, Republicans and Democrats, came together to take action on a controversial and difficult
issue but one that was clearly in the national interest.

I think the comments of the Senator remind us of that tradition. That is what this institution has done when it has been at its best. We did it with Medicare, with civil rights. We did it on the issues of ending the war. We did it with the progress we have made on disability issues, knocking down the walls of disability and gender. On all of these issues, we came together. We had strong bipartisan majorities on them. That is not something we have seen very much of. I would say, in very recent times. We have that opportunity now.

As I hear the Senator, he is calling on us to really try to make sure that this institution is going to act in its great traditions and make something worthy of remembering. I think that is what I hear from the Senator, and I thank him for that expression.

As I was saying, I thank our leaders for bringing us to this point. I am grateful for the opportunity of working with Senator McCARTHY to bring forward this reform bill and for the work Senator HAGEL, Senator MARTINEZ, and so many others have brought us to this point. I have talked about at other times, 2% years ago I had legislation, and Senator McCARTHY had legislation maybe 2½ years ago. We began to come together. About that time, Senator HAGEL had legislation, somewhat different than the legislation of Senator McCARTHY and me. They are all working to try to come together in a common spirit to address this issue.

What we now have is something that has come out of our Judiciary Committee with a 12-to-6 bipartisan vote. We have now before the Senate the strong legislation that will deal with our national security concerns and also deal with the issue of earned—and we mean earned—legalization and tough enforcement at the workplace.

I think we have a good combination. I am very grateful to all those who have been a part of this process. So many have added so much to help get us where we are today.

We recall that throughout our history courageous immigrants have provided the hard work, the strong family, and the love of country which defines the American spirit. They dug our canals, built our railroads, they advanced our science, fostered our innovation, and they fought for our war. And 60,000 have served our colors with pride in Iraq and Afghanistan.

Those are the permanent resident aliens that are in the service in Iraq and Afghanistan—and other places around the world. They became part of the American dream.

Immigrants have been the heart and muscle that has moved this country forward for 400 years and helped make America the envy of the world.

Last month, we were reminded, in a personal way, of the contributions of immigrants by the moving stories related by Senator DOMENICI and Senator MARTINEZ. Senator DOMENICI told how his parents came here from Italy with nothing. His father earned his citizenship through his service in the Army in the first World War. His mother was here for many years before gaining her legal status and once faced deportation from the last immigrant age of citizenship. The Domenici’s worked hard, learned English, built a successful grocery business and one of their children went on to become a distinguished and respected Senator.

Senator MARTINEZ of Florida told us about his family’s flight from Cuba to begin a new life in America. A young Martinez was 15 years old when his family escaped from Cuba to seek a new life of freedom. And similar to millions before him, his family worked hard, learned English, and earned their success in Florida. Today, MEL MARTINEZ was not only a Cabinet Secretary but was elected by the people of Florida to serve as their Senator.

They are the stories we are. We are a great people because that story has been repeated millions of times over many generations.

As in the past, today’s immigrants are tomorrow’s Americans, regardless of where they come from or how they got here. They and their children and grandchildren will contribute anew to our national life.

I have mentioned that from my office in the JFK Building in Boston, I can look out the window and see the pier where my great-grandparents landed from Ireland in 1848—and the stairs they walked up to. The immigrants called them the “golden stairs” because it offered the golden hope of opportunity for them. I can look out the window and see those same eight stairs where all of them walked up and entered Boston to begin their lives and begin earning their American citizenship.

It is something that is not in our remote past. Every American knows how our immigration system is currently broken. It falls short of meeting our security needs and strengthening our economy, upholding our values—and what we have tried in the past no longer works today.

We have heard already the issue—Well, we already had amnesty in 1986, and it didn’t help us because we didn’t have enforcement. But this bill is not amnesty. It is it is just the same as when we said we forgive you—and we were also supposed to have effective enforcement by employers. They were to take those not provided with amnesty and to enforce the law. That was never done under Republican or Democratic administrations. And we are not talking about that now.

We are talking about an entirely different situation.

There was a time when oceans and borders protected us and enabled us to better control immigration. That is no longer the case today. In the past decade, we have spent more than $20 billion to triple our border patrols and build fences. But we have learned that border enforcement alone will not work. Building fences and putting more agents on the border is doomed to fail. It is a strategy that will make us weaker, not stronger, in dealing with immigration.

Today, we had 40,000 individuals coming across the border illegally. We have spent $20 billion, and we have tripled the number of border agents. We added $10 billion more in terms of border security, and now we have more than 30,000 border agents crossing illegally. You can estimate. Some will say it is 600,000 or 700,000. Border security enforcement in and of itself will not work.

We need an immigration program for the 21st century that is worthy of our heritage as a nation of immigrants—one that is tough, smart and fair; one that sees to our security and reflects our humanity.

I believe the compromise legislation before us meets that test.

It is four parts.

First, it mandates very tough enforcement. It doubles our Border Patrol; builds fences and barriers along the border; and requires state-of-the-art technology in fighting illegal immigration. It increases enforcement against employers who hire undocumented workers, and requires tamper-proof immigration documents so that employers can determine who can and cannot work in America.

It fully implements a system for keeping track who comes to our country and when they leave. It establishes new penalties against digging tunnels under the border and for evading immigration officials. It sets up a massive new effort to shut down criminal syndicates that smuggle immigrants into the country. It expands the capacity of our immigration detention facilities and grants new authority to detain dangerous immigrants. It provides vast new authorities to identify and move terrorists and criminals.

In the area of border enforcement, those needs are self-evident. We are talking specifically about the border with 12,000 new Border Patrol agents, 2,000 more than were actually requested in the 9/11 Commission. It creates the high-technology “virtual fence.” This is key. Using newer kinds of technology for a “virtual fence.”

It expands the exit-entry security system at land borders and airports so we can know people coming in and when they leave. We can do that more effectively now.

It deals with records and vehicle barriers. It authorizes permanent highway check points near the border. It authorizes the additional ports of entry along the land borders and new criminal penalties for tunnels.

This is a problem in southern California as Senator FEINSTEIN pointed out.
They have a new land and water surveillance plan at present time. It can be expanded and has been effective to secure Mexico’s southern borders.

Ours is the only plan that recognizes that, if you are going to be effective, you have to also deal with the countries in Central America and deal with the challenges that we are facing from individuals in South America coming across.

We have to work with Mexico in an effective way to limit the number of people coming into Mexico, and also more effective in terms of the people coming into Central America—and to do that in ways that work, with the cooperation of those countries. We can do that.

It also deals with the alien smuggling and requires the additional time for detention.

That is one aspect of what we have at the border.

Another one is interior, and we have worksite enforcement.

Those are the three elements of enforcement.

We deal with money laundering.

We provide for fraud-proof immigration documents with biometrics.

Unless you effectively deal with documents, you are never going to get a handle on the constant fraudulent production of documents. We are doing that with biometrics. That is going to be enormously effective. It is the technology.

We have the new border fences and the other elements in terms of interior.

This is the result of a good many hours we spent in the Judiciary Committee.

The third aspect of enforcement is in the workforce. We have added 10,000 worksite inspectors.

The fact is we have not had inspec- tion of worksites, as I mentioned, under either Republican or Democratic administrations. They have been a joke. Therefore, employers have hired undocumented, and illegal workers, with all kinds of implications—drive wages down, work conditions down, exploitation of these individuals, all of that.

That will be ultimately changed because we have effective enforcement.

We have a process by which we are going to insist on valid documentation.

These are the various kinds of provisions. They are all outlined in the legislation. I think they are enormously compelling.

These are some of the new enforcement tools that our bill provides.

These steps alone are not enough.

Therefore, the second step in our bill acknowledges that the 11 million undocumented immigrants who are already here are not going away. But they also have something to offer to our communities and to our country. Common sense says we cannot and should not uproot them. That would disrupt communities and businesses and it would uproot families.

What are you going to do when there are children who are citizens? Are we going to deport their parents because they are undocumented? There is a whole host of families like that. That would disrupt families. And cost money. An estimate is some $240 billion, requiring a caravan of buses stretching from Alaska all the way through California. Instead, we should recognize the desire of these immigrants to contribute to America.

Our bill provides for them to earn the privilege of American citizenship. It is not amnesty. Amnesty means forgiveness. Amnesty means going ahead of the line. No one goes to the head of the line. They go to the back of the line, they do not only go to the back of line for current applicants, but they go to the back of the line for everyone who is in line today. They go to the back of the line in terms of their ability to adjust their status. They have to pay. They have to demonstrate that they have no criminal activities. And they have to demonstrate that they are working.

The fastest way for them to be able to earn their citizenship is 11 years. They have to demonstrate that they are learning English. They are playing by the rules; they are in no trouble with the law; they pay the penalty at the beginning and another penalty at the end.

They have that opportunity of going to the back of the line, and at the end of 11 years, they have the opportunity of becoming citizens.

That is not what we will hear during the debate. It is, so easy for those who are opposed to our program who will say that is amnesty; that is just amnesty. But it isn’t. They pay a penalty and go to the back of the line. And they have to earn citizenship over a long period of time.

They have to demonstrate that they are contributing something to America over 11 years. That is called earning the right to become a citizen.

The alternative is a due process to all of those who are out here talking about deportation. They ought to get it straight.

Which are they for? There is no in between.

Members can say: We don’t like the McCain-Kennedy approach, which is basically supported by the Hagel. We don’t like that. That is the alternative. There isn’t another one that I know of. We should recognize that many of these immigrants want to contribute to America. And our bill provides the means for them to earn the privilege of American citizenship.

They must pay taxes. There is a penalty for coming illegally. They have to learn English and obey our laws over several years.

Third, our bill recognizes that we must provide legal challenges for future immigrants so that employers are not tempted to hire illegal immigrants in the future.

That is all part of bringing the people out of the shadows. The reality is, immigrants will come and employers will hire them even if we erect miles and miles of new fences. It is far better for future immigrants to be here legally so they are out of the shadows and protected by our laws rather than used illegally to undermine American wages and jobs.

By the same argument, our bill establishes a program to allow workers to come here legally, to work here temporarily with the prospect of earning their way to permanent status in the future. They have to demonstrate that the program will be available to them, and they will then have the document that will give them the assurance of employment. They will be able to avoid that kind of exploitation. That is an important part of this proposal.

That is our program. It has been embraced by employers, workers, Republicans, Democrats, civil rights groups, immigration experts, immigrant groups, and more. We are all waiting to hear what the President has to say about it in his national immigration address this evening.

President Bush is to be commended for his courage and leadership in advancing the immigration debate in our Nation. As a former Governor of a border State, he understands the issue and appreciates what is at stake. He knows the many contributions of immigrants to our Nation. Tonight, we need President Bush to speak in a clear, strong voice in favor of decisive, bipartisan, commonsense immigration plan. Each of its three elements is necessary to fix our broken system. None will work in isolation from the others. That is the key aspect. All three steps must be implemented at the same time if we are to restore the integrity of American immigration. All of them are based upon conforming with the law, both in terms of the border and those who might be guests.

The President must state unequivocally that enforcement-only approaches are a failed strategy and “enforcement-first” may make a tidy bumper sticker slogan, but it is not a strategy for success. However, I urge the President not to distract the Nation from the urgent work of immigration reform. I know we will hear tonight from the President about the possibilities of deployment of the National Guard along the border. All are welcome. Each away from the National Guard is stretched, and stretched thin; that the National Guard has important responsibilities in Western States to manage fires. Even up in my State, as of today, we have dramatic floods in the northeast communities in my State of Massachusetts. We are facing the hurricane season where the National Guard has played an absolutely key and indispensable role.

We understand the way the administration is considering using the National Guard; not putting that on the front line of deployment but having them more in a support role. That would certainly make sense because
Mr. President, for seniors in Medicare, it is judgment day, the day when the right for his parents. Imagine how difficult the choice is for seniors who do not have the HHS Secretary to help them? If seniors have not worked through all of that confusion by today’s arbitrary and punitive deadline, the Republican Medicare law hits them with a fine that grows month after month for as long as they do not sign up for the program. 

Every Member of the Senate and our staffs and the employees of every Federal agency can obtain health insurance through the Federal Employees Health Benefits Plan. It is voluntary. Most people sign up for coverage, but some may decide not to because they are included in a spouse’s policy or have some other coverage.

Are Members of Congress who decide not to sign up for the Federal coverage hit with extra penalties when they enroll later and both of them are implemented within 11 months—when we did not have computers, and it was done without a hitch. The Medicare program was passed 8 or 10 months later and both of them were implemented within 11 months—when we did not have computers, and it was done without a hitch. Now the administration has said 2 to 2½ years to implement this program, with all the computers in the world, and the seniors in my State are confused, troubled, and scared.

The proposal Senator NELSON has offered is to try and relieve that anxiety, that fear, the sense of loss that so many of our seniors have.

If I can get the attention of the President, I ask unanimous consent that the Committee on Finance be discharged from further consideration of H 1841; that the Senate proceed to its immediate consideration, the bill be placed in the RECORD at the appropriate place.

The PRESIDING OFFICER. The distinguished Senator from Massachusetts does have the attention of the Chair, and on behalf of the Republican leadership, I object.

Mr. KENNEDY. Mr. President, this was an attempt to try, on this last day, to give one last opportunity for the Senate to address this issue in the form of the Nelson amendment. I regret very much we have an objection to it.

I yield the floor.

The PRESIDING OFFICER (Mr. WARRER). The distinguished Senator from West Virginia is recognized.

Mr. BYRD. Mr. President, I thank the Chair.
In my continuing series of statements on the idea of a Senate, I refer today to the necessity of the Senate in the Federal Government by James Madison in the Federalist 62, 1787.

Was the Senate really necessary? Was the necessity of a Senate, as the framers of the Constitution, the United States had operated under a single body legislature, but the framers of the Constitution created both a Senate and a House of Representatives.

Wrote James Madison in Federalist Paper 62, a collection of 85 letters, written to newspapers in support of the Constitution’s ratification, James Madison explained the unique nature of the Senate and the cautious deliberative role that it would play in the American Government.

Federalist 62:

The qualifications proposed for senators, as distinguished from those of representatives, consists in a more advanced age and a longer period of citizenship. . . . The pro-

riety of these distinctions is explained by the nature of the senatorial trust, which, re-

quiring of information and stability of character, requires at the same time, that the senator should have reached a period of life most likely to supply these ad-

vantages.

It is equally unnecessary to dilate on the appointment of senators by the State legis-

latures. . . . It is recommended by the double advantage of favoring a select appointment, and of giving to the State governments such an agency in the formation of the federal government.

The necessity of representation in the Sen-

ate is another point, which, being evidently the result of compromise between the oppo-
site pretensions of the large and the small States, does not call for much discussion. . . .

In this spirit it may be remarked, that the equal vote allowed to each State is at once a constitutional recognition of the portion of sovereignty remaining in the individual States, and an instrument for preserving that residuary sovereignty. . . .

Another advantage accruing from this in-

gredient in the constitution of the Senate is, the additional impediment it must prove against the operations of legislation. A law or resolution can now be passed without the concurrence, first, of a majority of the peo-

ple, and then, of a majority of the States. It must be acknowledged that this complicated check on legislation may in some instances be injurious as well as beneficial; and that the peculiar defence which it involves in fa-

vour of the smaller States would be more rational, if any interests common to them, and distinct from those of the other States, would otherwise be exposed to peculiar dan-

ger. But States will not be able, by their power over the supplies, to defeat unreasonable exertions of this preroga-
vative of the lesser States; and as the facility and expedition of law-making seem to be the dis-
eases to which our governments are most lia-
bile, it is not impossible that this part of the Constitution may be more convenient in practice than it appears to many in con-

templation. . . .

The necessity of a senate is not less in-
dicated by the propensity of all single and numeros. It ought moreover to pos-

sess great firmness, and consequently ought to hold its authority by a tenure of consider-
cably different, if any interests common to them, and the peculiar defence which it involves in fa-

This infirmity, ought itself to be free from it, and consequently ought to be less

large States with those of the small States by establishing proportional representation of States in the House of Representatives based on popu-

lation, and equal representation in the Senate. This compromise guaranteed that the Senate would remain a smaller body than the House, but the members could enjoy more freedom in de-

bate and create the necessary compromises to bring about successful legis-

lation.

Of all the qualities established by the Framers, only the system of indirect election has changed significantly over time. Election by State legislatures ul-

timately proved vulnerable to corrup-

tion. Following the Civil War, newspa-

er reporters accused State legisla-

tures of accepting bribes to elect Sen-

ators favorable to special interests or remaining willfully “deadlocked,” depriving some States of their Senate representation for months—yes, for months—even years.

Senators reacted to these allega-

tions by advocating a constitutional amendment that would allow the peo-
lace to vote directly for Senators. This correction to the Framers’ handbook for the Senate went into effect in 1913 and with amendment.

The Senate has remained a smaller body where States have an equal voice. It has served continuously now—con-

tinuously, may I say to the distin-

guished occupant of the Chair, the very able senior Senator from the Old Do-

morn, the State of Virginia since 1789, never requiring the biennial reor-

ganization necessary in the House.

Senators have tended to be somewhat older and more experienced than Rep-

resentatives, and the Senate has re-

mained—yes, remained—a deliberative institution that has brought caution and stability to the legislative process. As James Madison commented at the Constitutional Convention, the “use of the Senate is to consist in its pro-

ceeding with more coolness, with more system, and with more wisdom, than the popular branch” of the Congress.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

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

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

The PRESIDING OFFICER (Mr. BURNS). Without objection, it is so or-
dered.

Mr. DORGAN. Mr. President, my un-

derstanding is we are on the immigra-
tion bill as of this afternoon, and there is an amendment now pending. I wish to say a few words about the general issue of immigration and also talk about a couple of items the Democratic leader, Senator REID, spoke about earlier today.

First of all, I think this needs to be, and I hope will be, a very sensitive de-
bate. The fact is, this is a great coun-

country in which we live. It is a country
that in many ways over many decades of its two-plus centuries has been built by immigrants, has been nourished by immigrants. Virtually every one of us in this Chamber would have come from immigrant parents, grandparents, or great-grandparents. So it is important we understand what immigrants have brought to and have given this country.

It is also important that we understand why as a country we have decided to have immigration laws and to have quotas for immigration. The reason we have had quotas for immigration is the world has progressed in different parts of this globe at a very different rate. In some countries, the economies have lagged far behind. In other countries, the economies have become very advanced, and the circumstances of the countries are very different.

This Earth of ours has somewhere around 6.3 billion people living on it, this one little planet. We circle around the Sun. Of the 6.3 billion people, somewhere near 300 million people live in this little place called the United States of America.

We are fortunate to live on this planet. One-half of all the people who live on this planet make less than $2 a day, one-half of the people who live on this Earth have never made a telephone call, and 1.5 billion people living on this Earth don’t have daily access to clean, potable water. There are people living on this Earth with great challenges.

We, however, are a country that has been blessed with resources, wonderful people, and ingenuity, and we have built something very special. Building it was not easy. Building the kind of economy and the standard of living we have had in this country has required sacrifice. We have had people die on the streets for the right of workers to organize, and we have had very substantial debates about rights—about civil rights, workers’ rights, about women’s rights. We have done a lot of things that are very tough and challenging, and we have built quite a remarkable country.

Because of that, this is a country to which many around the world aspire to come, to live here, to work here, to be here. If tomorrow, for example, we in the United States said, on Tuesday, tomorrow, May 16, there is a new policy, and that new policy is this: Anyone living on this planet is able to come to this country unrestricted, come here, stay here, live here, work here, you are welcome, the welcome mat is out, if we did that, what do we think might happen? I know what would happen. Tens of millions of people—tens and tens and tens of millions of people—would aspire to find their way to the United States of America because it is, in fact, a beacon of hope and opportunity all around the world.

There are jobs in this country, and we have built quite a remarkable economy and the standard of living we have, in order to protect our way of life and our standard of living and to protect jobs that need to go to American workers, quotas that limit the amount of immigrants every year. By the way, if you are here legally, you are not allowed to enter the United States illegally. Mr. President, 750,000, it is estimated, did come to that border and got across the border illegally and were not detected and were not stopped. So 1.1 million people were prevented from entering. Probably three-quarters of a million entered illegally. Another 175,000, it is estimated, came to that border and entered legally; that is, is children, relatives, and others. Under the quota system, they entered legally. This is a circumstance just on our southern border.

The result is we have immigration laws, and those laws are laws that determine how many we can allow into this country. We do that for the protection and for the economic interests of the American people.

The American people include immigrants who have been here, came here legally; some have been here a long time. We also know that jobs are available for them, that the middle class in this country has jobs that pay well with benefits.

We also have another influence in this country, and the other influence is that larger corporations are now made much larger because of mergers and are wanting to export good American jobs to China and import cheap, substandard labor, particularly from the South, and pay even less than minimum wage, and because they are hiring someone who is highly unlikely to be critical of them if they don’t pay the minimum wage. They feel they don’t have the right to criticize.

We have a circumstance where at least some enterprises in this country want to export good American jobs and import cheap labor on the bottom. That is, in my judgment, the circumstance that will pull apart the middle class in our country. That is why we have to be concerned about all that is happening.

The situation which exists in this country is that we put together, recognizing there was an immigration problem, a bill 20 years ago in the Congress—I wasn’t serving in the Senate at the time, I was in the House. It was a bill called Simpson-Mazzoli. It was named after Senator Simpson and Congressman Mazzoli. It was said at the time that the illegal immigration is to shut off the jobs because people aspire to come here illegally to take a job. They see this job as hope and promise for the future.

I have pointed out many times about a helicopter I was on that ran out of gas at one point. We were touring down near Honduras and Nicaragua in the jungle and mountainous area. I was on a helicopter, and we ran out of fuel. We landed under power, but the red lights were on and alarms were ringing, and I told the pilots brought us down right there and there in this jungle, mountainous area. We were there a good many hours until the U.S. Army found out where we were and hauled us out of there.

The campesinos in the area came walking through the underbrush to see who landed in these two helicopters. Three of us had an interpreter with us. I was talking to the campesinos through the interpreter. They had never seen any Americans from the United States. They lived up in the hills, a life of significant difficulty and poverty.

I was talking with them about their lives. I asked one young woman: How many children do you have? She said: Only four, kind of disappointed. She was a very young woman. The interpreter told me later: The reason that woman said “only four” is you should understand there is no social security program down here. The only social security you have is to have as many children as you can possibly have and hope that enough of them survive that perhaps if you are lucky enough to reach old age, you will have children alive to support you in your old age. That is social security.

A number of women and children came looking to see who landed. I was talking with, as I said, this young woman: What is your wish, your desire for your future and your children’s future? What are you hoping for? She said: That is easy. I want to come to the United States of America.

I said: Why do you want to come to the United States of America? Oh, she said, that is an area where there is hope and opportunity for my children, and jobs.

You find that all over. So it is not surprising there are people trying to cross our border, trying to find jobs and opportunities in this country.

The legislation passed a number of years ago called Simpson-Mazzoli. The basic premise of that legislation was very simple. The premise was this: The attraction for people to come to this country illegally is to find a job and to earn money. If you shut off that attraction, it will substantially diminish illegal immigration coming into this country. And so the legislation was passed.
I went back recently and read all the debate about Simpson-Mazzoli. The legislation was passed, and it was going to shuts off the jobs. In fact, how was that going to happen? It was going to happen because there were going to be employer sanctions, saying to America’s workers that you hire illegal aliens, if you hire illegal immigrants to come into this country to take a job, you are going to be in some trouble. You can’t hire people who are here illegally to work in your plants, to work in your businesses.

Those then were the approaches that were going to be used to shut down this illegal immigration. What happened? Let me give an example. I am told that last year, there was only one action taken against an American business—one—in all of America for hiring illegal workers.

I will give an example of hiring illegal workers. A couple of weeks ago—there is an energy plant being built in North Dakota, near the highway where we picked up I believe it was seven people. I believe six were from Guatemala, one was from Mexico. They detained them. They were not here legally. They had come here illegally to take a job in the construction plant.

The law enforcement took them to Minot, ND, to the immigration office. As a result of that, they took them back down to a motel nearly an hour south of Minot and dropped them off at the motel where they were staying with the admonition that they are now required, because they were here illegally, to show up in Minneapolis some weeks hence for a hearing. Of course, they will never show up in Minneapolis. They are gone. That is the way the system works: Come here, find a job; if you get caught, they say show up later; you never show up later. And that is the way the system works. That is the way the system works.

Now, there is an employer who hired these seven people? In 2004, in the entire United States of America, the administration took action against three companies that hired illegal immigrants. Let me say that again. In the entire country, they took action against only three companies that hired illegal immigrants. That is the same as saying to companies: You know what, don’t worry, be happy. Hire illegal workers if you wish. Pay them substandard wages if you wish because they are here illegally, because they are illegal. Don’t worry about it. It is a great way of cutting your costs. Be our guests because we are not going to enforce the law.

That is unbelievable to me.

So the whole promise of the law that was changed 20 years ago to shut off these jobs for people who are not in our country legally was a complete failure because there was an abject lack of enforcement. Now we have a piece of legislation that the floor of the Senate dealing with immigration, and we are going to go through this process again. We are told there are 11 million to 12 million people who have come into our country illegally. Some have come in recent years, some have been here a long while, and some have been here long enough to have children and grandchildren. So the question is: What do you do about that?

The workers come to the floor of the Senate and they say: Well, let’s do a new immigration bill. Yet doing a new immigration bill without effectively finding ways to shut the border to illegal immigrants will have us back in the same Chamber in 10 years or 20 years saying: Now what do we do about the next 10 million or 20 million people who are here illegally?

Let me tell you why I think this is so important. No. 1. I said when I started that I think it is important that this be dealt with in a very sensitive way. I don’t want people to in any way suggest that this debate diminishes or de-means immigrants. We have some wonderful people who have come to this country and there are ways to get into this country illegally. What we have built in this country is very unusual on the face of the Earth.

I have spoken before about a man named Jim Fyler. Jim Fyler died. He was shot 54 times—54 times he was shot. Do you know why he was shot? Because he felt that coal miners ought to have a right to organize for better pay and better work hours, so he gave his life. Well, Mr. Fyler is one example of dozens of examples of this have been done in this country: The courage of men and women to stand up for the interests of workers for good jobs that pay well, with benefits, including retirement, health care, and more. So we have built something very special.

Now we have a whole series of influences which include, yes, illegal immigration to diminished salaries, diminished wages, diminished benefits, and diminished opportunities for American workers. It is isolationists and protectionists.

So what I feel we should do is work on this immigration system in a serious and thoughtful way and try to evaluate what do we do about several issues. First, what do we do to control our border? I know some of the discussions today and perhaps this week and next week will be about terrorists. Yes, we have to try to keep terrorists from coming across the border. That is something that is very important. Terrorists wish to do harm to the American people by terrorists from coming across this border and trying to kill American citizens. But in addition to the issue of detecting ter-

rorists and preventing them from coming in, we also need to have some control of our border to prevent an uncontrolled inflow of illegal immigrants who will take American jobs at sub-standard wages and then beginning to put downward pressure on American wages. We are in a global economy, and you have to compete with others in other parts of the world willing to work for much less money.

So that is the subtext as well for this kind of discussion, but I want to finally say this: If this debate moves forward
The United States must decide how many people and what skill sets we need in our country to strengthen our country. We simply cannot allow everyone in the world to individually decide they would like to come here and then to grant that request. It simply is not possible. I think what we would see in the months to come and the years to come is that more and more people will decide to come here, and as word got out if this bill were to pass in its present form, that they would decide to come here. The numbers could grow to exceed a level that most people think not possible today.

I had a press conference this morning, and we dealt with the question of the numbers of people that would be allowed into our country if this legislation were to pass. The numbers are staggering. Also at that press conference was Mr. Robert Rector, senior research fellow at the Heritage Foundation, the man who did the basic research on the welfare reform bill, one of the more respected individuals in Washington in terms of numbers and public policy. He stated at that press conference that this legislation is some of the most important legislation ever to come before Congress, and he compared it as rivaling in significance to Social Security and Medicare. That is what we have said to make people think seriously about the legislation that is before us.

Yes, we want to treat fairly and justly those people already in the country—employers, workers who are lawfully here—and figure out a way to do that right, and that is very significant. We also want to work hard on the border and to make sure we have a legal system that works in this country, and we have been doing some work on that. I don’t think we are there yet. This bill does not get us there, but we can talk about it and perhaps make some progress.

I would say there is a deeper issue that is part of S. 2611 that has not been discussed publicly until this morning, and that is how many people might be admitted under this bill. My staff, Cindy Hayden and her Judiciary team, have been working for a week to try to figure out just how many people could be admitted. Right now, under current law, this country would admit 19 million new residents over 20 years. Under the legislation that is proposed today, over a 20 year period, we would admit a minimum of 78 million people—four times the current rate of immigration into our country. I think that is why we have been doing something to bring to light the consequences on Social Security and Medicare. That is what we have tried to do in this legislation to make it possible for every American to individually decide they would like to come here and then to grant that request. It simply is not possible. I think what we would see in the months to come and the years to come is that more and more people will decide to come here, and as word got out if this bill were to pass in its present form, that they would decide to come here. The numbers could grow to exceed a level that most people think not possible today.

Mr. Rector ran his numbers, and they came out very similar to ours. His top number for people admitted over 20 years was 200 million instead of 217 million. So 20 years from now, based on what might actually happen, he thinks that the number will be 103 million people over 20 years, five times the current rate of immigration into our country today. Based on this finding, that would mean that 25 percent of the people in this country will not be native born citizens. That is a huge thing. What does that mean to jobs and employment and wages? We haven’t thought that through. What have we done to make sure that the people who come here are welcomed and can be met, affirmed and raised in the traditions of America which have created the land of opportunity that attracts people here?

What about those people who came in the country legally or those who may be given amnesty under this bill? They are out working at a little above minimum wage and then, boom, every year, larger and larger numbers of people come in, keeping them down at the minimum wage level, and we are trying to help them build up their salaries. Those are all problems that we have not thought through in a significant way, but they are big problems. These are huge problems. But there is momentum to pass something in the Senate is we need to pass something, to send some sort of signal, I guess, politically or otherwise, that we care. We have to do this.

We need to think. This Senate is supposed to carefully and thoughtfully consider legislation before we pass it. I am going to talk a good bit about it as time goes on throughout this debate. There are so many important things contained in the legislation, so much important policy that we could be doing that is not in the legislation. We are not going to deny our Members the right to have an amendment in the Senate on a piece of legislation that may be as important as Medicare and Social Security. For heaven’s sake, that was the scheme of things.

Now we are supposed to move a 600 page piece of legislation through here, with an agreement that only 20 amendments are guaranteed to get a vote, and then we will pass the bill at the end of the week. I don’t think we can really do it by the end of this week, frankly. I don’t think there is enough knowledge in the Senate about what is in the legislation to make it possible
for us to reach an agreement on how to fix this.

When we had this issue blowup recently—I guess that is the word you would call it—and they tried to move this through and Senator Reid said we wouldn’t have any amendments and it was pulled down. I raised the point at that time that we did not fully comprehend the importance of what is in it. We need to study the bill. We need to study the policy behind the bill. Around the country, I called for hearings in the Judiciary Committee, and next, what national discussion on what would be the appropriate way to handle the people who are here illegally.

We are going to handle them in a nice and fair and generous way. What about the people who want to come in the future? What are we going to do about them? We can discuss that. Trust me, that is much larger in this piece of legislation. The people who are allowed under this bill to come here in the future dwarf the 11 million who are here now. We need to have a national dialog, but we have not had it.

We ended up having one hearing, about 2 hours long, maybe a little more. I think three or four Senators came in and out during the hearing. I was there. We had five economists. They made some important points, although not in depth because of the shortage of time. They noted that the bill as written emphasizes low-skilled workers, and all of them agreed that a low-skilled worker—over half of those now coming in do not have a high school education—cost the economy more than they bring in. All the economists agreed on that. A low-skill worker is not a net benefit for America at this point.

They questioned chain migration. They suggested we should question more about the skill sets of people who want to come here. They discussed the fact that, using evidence that workers’ wages, middle-class and low-end, are depressed by larger numbers of immigrants who come in who are willing to work for less.

Why would we think the law of supply and demand worked for every other component of our American economy but doesn’t work for labor? How silly is that? Those are some of the things we discussed in the one hearing we had in the Judiciary Committee.

Friday, I came down to the Senate floor. I made a speech just this past Friday, detailing 15 loopholes in the base bill. Each of those loopholes is very significant and raises important questions we need to address. I will point out briefly what some of those are.

Under the bill on the floor today, illegal aliens with felonies or three misdemeanors can get amnesty. That is not what the American people want or what they should want.

Illegal aliens who have previously filed fraudulent asylum applications, prohibited by law from getting amnesty or citizenship today, can get amnesty and are put on a path to citizenship.

There is no continuous work requirement. They say the people are here to work, but the bill doesn’t require continuous work or the way.

They allow evidence that can be produced to prove you have been in the country or been working that is very dubious and will clearly lead to fraud. The bill says, ‘‘take reasonable inferences as evidence and that you can have documents from day labor centers and that an alien can file his or her “sworn declaration,”’’ and they must be accepted as evidence that the alien satisfies the work requirement.

I pointed out that the bill is fundamentally unfair because it benefits only those who broke the law and not those who followed it and got their green cards, and I pointed out, we should increase the number of people who come legally into our country. But what level is right? Have we discussed this? Have we heard any debate about that?

I asked what categories of immigrants should compose the overall level of annual immigration. What categories? So I said we need to have a national discussion.

We had one hearing. We had a group of professors for about 2 hours to discuss the general economic principles relating to immigration. It just was not satisfactory. We did not examine in any way the specific provisions of this 600-page piece of legislation.

Another letter on April 28 asking our Judiciary Committee to hold five hearings and focus comprehensively on the effects of the proposed legislation. That did not occur. There have never been any hearings on the specifics of this bill. Therefore, if we have gone through it, my staff and I, trying to figure out the numerical impacts of the bill, we came up with some significant numbers. I will not go into the full detail of that tonight. I will talk more about it.

I will point out again that these are the charts which show the 20-year impact of S.2611. These numbers can be calculated based on the provisions of the bill, but it takes a lot of time and effort. We have charts that go down each provision to calculate what the minimum numbers admitted would be and what the maximum numbers admitted would be.

Under this piece of legislation today, if the caps, the upper limits, the immigration numbers that automatically go upward if they are ever met, don’t go up at all and people bring in their families, their spouses and children
Mr. Frist. Mr. President, I ask unanimous consent that the Senate file the bill without an amendment just a few weeks ago. That was the plan around here, to move it on to conference. They say: Let’s just get it out of here. Don’t worry about what is in it. Sessions, Don’t bother to read it, it is 614 pages. You know you will find something you don’t like. That is kind of the talk going on around here.

We decided to read it. My staff actually came away stunned by the breadth and the size and scope of this legislation.

We need to talk about it more. I will have a few amendments. I am not going to try to file too many amendments. But we will talk about it as time goes. I urge you not to say to yourself: Well, we need to pass something or I think I will vote for this bill, and maybe they will fix it in conference.

This is a piece of legislation that is extremely important to the people of this country of the United States. It is extremely important for our future as a Nation.

Mr. Rector said it is a matter of huge importance to our Nation.

We need to think about it.

If it is not the piece of legislation you thought it was, if it provides amnesty when they said it didn’t, if you thought the workers were temporary and guest workers when they are permanent and on the route to citizenship, and you had no idea the number was going to be 100 million new people in the country permanently on the path to citizenship, five times the current number, I ask you to vote no.

Let us back up here. Let us fix this bill or let us not pass this bill.

I thank the Chair.

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.

MORNING BUSINESS

Mr. Frist. Mr. President, I ask unanimous consent that there now be period of morning business with Senators permitted to speak for up to 10 minutes each.

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

EDUCATION

Mr. Reid. Mr. President, as we honor and celebrate the nation’s teachers on National Teacher Appreciation Day, I thought it would be appropriate to say a few words about the state of education in my home State of Nevada.

I had an eye-opening meeting recently with three state superintendents from all corners of Nevada, and they shared the challenges that teachers and students face each day and ideas on what we can do to improve education.

With NCLB, the State, we have a unique situation where our education leaders can come together—in one room and around one table—for a discussion of the issues that concern them.

Even more remarkable is the unique diversity of Nevada’s school districts. Our 17 school districts range from one of the Nation’s largest and most diverse. Clark County, to vast, rural Esmeralda County, which has less than 100 students in its schools. Such diversity makes Nevada a microcosm of the Nation and provides a snapshot of the varied needs of teachers and students across the country.

I met with many of the same superintendents during the early years of No Child Left Behind implementation to discuss the difficulties that their school districts were having in meeting the requirements of the new law.

When NCLB was passed, there were many who were skeptical of Bush’s commitment to education. After all, who among us would allow any child to slip through the cracks in our education system if we could prevent it? None of us would do that. And at the time, many thought that this sweeping legislation would fill those gaps. Unfortunately, this hasn’t been the case.

My own State of Nevada has suffered under the burden of unfunded mandates and punitive measures this law has imposed. Our teachers and superintendents in Nevada credit; from our teachers to our superintendents, they have all tried hard to comply with this law.

They have robbed Peter to pay Paul with their budgets. They have compromised on teaching art and history classes. They have shortened the time allotted for recess. And they have even tacked on extra reading or math classes.

Instead of resisting these requirements, they have tried to work within it, and I commend them for their unified efforts. But there is only so much they can do with a flawed law.

To be sure, Nevada isn’t the only State that has struggled under this law. It is a national problem. School districts across the country are already trying to juggle school construction costs, increasing graduation rates, finding money for textbooks, reducing class sizes, and figuring out what to do about overcrowded high schools.

But, now, in its fourth year of implementation, most of us have heard similar stories about how the law problems with NCLB—most of our public schools will eventually be on the “watch-list” or considered a “failing school.”

One idea to deal with the district’s growing and constantly changing student population was to implement a “growth model” for accountability. Under such a model, student progress would be measured from year to year, rather than by measuring 1 year of student performance to another, as is currently being done. Keith Rheault, the State superintendent of education, said Nevada is pursuing this idea, under a pilot program that opens up this possibility to just a few States. Everyone, it seems, with the exception of the Federal Government, has recognized the need for greater flexibility under CLB.

A neighboring school system, Nye County, is growing at a much slower rate than Clark County. Nye County is the largest school district in the continental United States. The superintendent, Rob Reynolds, is troubled about the morale of many of the students, teachers, and parents, when their school has been labeled as a “failing school.”

In rural Mineral County, Superintendent Steven Cook discussed the difficulty the district has had in retaining and attracting special education teachers. He talked about the
need for greater flexibility for rural counties with teacher qualification requirements in NCLB. The superintendent of White Pine County, Bob Dolezal, concurred and shared the challenges of ensuring that his high school teaching staff of five, who each have particular subjects, managed to be considered “highly qualified” to teach all subjects.

Make no mistake about it: The issue is not whether teachers in rural areas should be qualified to teach multiple subject areas. However, because teaching staff of five, who each have the special education needs of their students, is having difficulty attaining “highly qualified” status in all subjects simultaneously.

In other counties, like Douglas County, they have actually seen enrollment decline, as housing costs drove families to less expensive areas. Yet the district has had increased expenses because of onerous NCLB requirements. The superintendent, John Soderman, said he appreciates the accountability principles of the law, but also talked about the negative implications of the law’s punitive nature.

Mary Pierczynski in Carson City cited NCLB’s effect on thinking and creativity. They have over 200 days of curriculum, but only 180 days of school. Standardized testing is taking up more 10 days of that time.

In Humboldt County, it is difficult to get qualified paraprofessionals, and additional requirements will leave many of the schools without aides. Superintendent Charlotte Peterson said that the only other option would be to bring them in from many miles away.

In Eureka County, where there are just a few hundred students, Ben Zunino talked about a feeling of inevitability for schools to be labeled as failing and how one student’s performance can often make the difference between a school being labeled as high achieving or needs improvement. To improve this, Lincoln County Superintendent Rick Hardy suggested counting the percentage of students who move into proficiency as a way of recognizing improvement and the hard work of teachers and students.

In Storey County, Rob Slaby is fretful about the time for history and arts that has been lost to testing and preparation for these tests and suggested some kind of credit for these important subjects.

Dottie Merrill from Washoe County, the State’s second largest school district, suggested that students who are English-learners not be included in testing until they have been in the United States for a few years, opposed to being labeled as currently in the law. This would give schools the time necessary to help these students transition to school in the United States.

Nearly all superintendents mentioned the struggle to pay for the basics, like school buses and supplies, with the ever-increasing costs of NCLB requirements. If the Federal Government would fully fund NCLB, as it had promised, it would alleviate some of these hardships.

As an example, many of the districts mentioned the cost to provide transportation for their increasingly scattered student population. In many rural counties, where some students travel up to 15 miles a day for school, transportation expenses can be upwards of 70 percent of the budget. Many districts have had to cut some special events because of rising transportation costs, and all were concerned about the amount and high gas prices will cut into their overall budgets.

I have touched on just a few of the problems with the No Child Left Behind Act and some of the ways educators in Nevada have suggested to improve it. It is going to take a lot of hard work to make it what it promised to be: a tool that will help the teachers and students in every public school in America.

Today, as we honor the Nation’s teachers for their work and dedication, we must ensure that we keep our promise to America’s students. We can’t afford to leave them behind.

Mr. REID. Mr. President, today I rise to honor one of the true heroes for Nevada’s veterans, retired COL Charles “Chuck” Fulkerson. This man is a Reno native, a war hero, and a dedicated public servant.

I have known Chuck for many years, and I have always appreciated his dedication to improving the lives of veterans in our State. When Chuck spoke about veterans issues, he spoke from a position of experience.

In 1955, Chuck enrolled in the Army Reserve while an undergraduate at the University of Nevada-Reno. The Korean War was on, and this young man answered his Nation’s call to service. He went to Vietnam, not once but twice, for tours of combat. After the war, Chuck served his country in Europe before returning home to serve in the Nevada National Guard.

While maintaining his military obligations, Chuck served the citizens of Nevada in a variety of government positions. Gov. Bob List appointed Chuck to be the director of the Nevada Selective Service in 1979. After almost 6 years of service in that role, Gov. Dick Bryan recalled Chuck to active duty when he appointed Chuck to be the director of the property and fiscal officers for the Nevada National Guard.

After almost 40 years of military service, Chuck retired in 1991. He taught military history at the University of Nevada, Reno, and his public service to our State was not yet complete. Gov. Kenny Guinn appointed Chuck to be the executive director of the Nevada Office of Veterans Services in 2000, an office he faithfully served until this March.

Chuck presided over the Nevada Office of Veterans Services at a critical point in our State’s history. Since 1990, Nevada’s veterans population has increased by more than 40 percent. This unprecedented growth put strain on many resources in Nevada, but Chuck was never discouraged.

Instead, he worked tirelessly for more staff and additional resources to help Nevada veterans.

Under Chuck’s watch, Nevada modernized their veterans services including the completion of a new Veterans Nursing Home in Boulder City. Chuck presided over the construction of this facility, which is home to more than 160 of America’s heroes. Another key part of Chuck’s work was his effort to improve veterans cemeteries through Nevada, including cemeteries at Boulder City and Fernley. I was pleased to work with Chuck to secure Federal appropriations to expand these cemeteries.

The Board of Regents of the Nevada System of Higher Education has awarded Chuck their highest award, naming him a Distinguished Nevadan, with his list of accomplishments for Nevada’s veterans, Chuck is most deserving of this high honor, and I am pleased to recognize his accomplishments today before the Senate.

Today is Peace Officers Memorial Day, a day to honor all the law enforcement officers in our communities who have been killed or disabled in the line of duty. I was proud to join Senator PATRICK LEAHY (D-VA) at the Peace Officers Memorial Service at the U.S. Capitol for these brave men and women.

This past Saturday, thousands of people from across the country gathered at the National Law Enforcement Officers Memorial here in Washington, DC, for a candlelight vigil to honor these fallen officers. And today, there was a Peace Officers Memorial Service in front of the U.S. Capitol for these brave men and women. I am proud that we had a dedicated group of Michigan officers in attendance, representing their fellow officers from around the State.

The names of 466 fallen officers were added to the memorial on Saturday, including 5 officers from Michigan: Laverne Steven Brann, Battle Creek, Michigan; William A. Daniels, Cass City, Michigan; Owen David Fisher, Flint, Michigan; Dale Francis Bernock, Dearborn, Michigan; Scott Andrew Beyerstedt, Mattawan, Michigan; Benjamin Lewis Carpenter, Newaygo,
Michigan; Michael Allen Scarbrough, Wayne County, Michigan; and Paul Lee Mckel, Wayne County, Michigan. We honor all of these officers today.

In Michigan, we also remember two officers who recently lost their lives in the line of duty. Chief Scott Sumner was killed in a helicopter accident in Scio Township while providing aerial support for officers who were involved in a foot pursuit.

Chief Sumner was a 19-year veteran of the Chelsea Police Department, and Officer Tuttle was only 28 years old. Our thoughts and prayers go out to their families and the entire Chelsea Police Department.

Mr. DOMENICI. Mr. President, I commend the hard work and sacrifices made daily by law enforcement officers all across our great land. Many have lost their lives in the line of duty so that, tonight and day, our communities may remain safe. We must never forget those who have given their lives to protect us all.

The annual celebration of Peace Officers Memorial Day and National Police Week is held each year to honor those who have died or died in the line of duty. It is a time to remember the service given by the men and women of law enforcement and to express our gratitude to each and every one of them.

Since its founding in 1951, this 8-week festival—Veritas in Latin—has been present throughout the long history of our Nation. All too recently, citizens of New Mexico mourned the loss of Deputy James McGrane, Jr., who was killed on March 22, 2006 during a traffic stop in Tijeras, NM. While we remember those who have lost their lives, we also take solace in the fact that many others have been able to survive the dangers of duty.

Mr. LEAHY. Mr. President, just south of Route 9 in southern Vermont, along a tree-lined road, lies one of the most picturesque school in the summer months and you will hear some of the sweetest melodies imaginable, or you may be enveloped by warm pulses of sound that seem to linger like the wispy clouds above. These sounds you hear are those of another year of the Marlboro Music Festival.

Marlboro Music Festival
Mr. LEAHY. Mr. President, just south of Route 9 in southern Vermont, along a tree-lined road, lies one of the most picturesque schools. This band of musicians—outwardly casual but hard-driven in their pursuit of beauty and truth in their art—has moved thousands of concert-goers.

The touring group has featured such luminaries as Rudolph Serkin, Richard Goode, Benita Velente, and Murray Perahia. Performers who went on to make up such noted ensembles as the Guarneri and Emerson String Quartets have received critical early boosts from the Marlboro experience of innumerable audiences across the country.

There is certainly something about Vermont and the Green Mountains that helps inspire the ensemble. Whatever the inspiration, the Musicians From Marlboro are a superb reflection of the United States. For four decades, the musicians have set a model of artistic excellence that helps inspire the ensemble.

LOCAL LAW ENFORCEMENT ENHANCEMENT ACT OF 2005
Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. Each Congress, Senator Knausyer and I introduce hate crimes legislation that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

Likewise, each Congress I have come to the floor to highlight a separate hate crime that has occurred in our country.

In the summer of 1988 in Orange County, CA, a group of six youths went
Mr. KENNEDY. I am proud to have introduced the Protecting America’s Miners Act.

The need for this legislation is clear. This year began with the terrible tragedies at the Sago and Alma mines in West Virginia. Within days of the new year, 14 coal miners had died. In February, I went to West Virginia to meet with some of the families of the men who died. It was one of the most moving visits I have had in my career in the Senate. I went to West Virginia with renewed commitment to passing legislation this year to improve safety and health conditions in our Nation’s mines. The expert testimony at the HELP Committee hearing on mine safety in March only reinforced my commitment.

I was also deeply moved earlier this month by the West Virginia hearings on the Sago mine disaster and Randal McClary, a fallen coal miner’s family about the conditions in the mine after the explosion. We have lost 26 coal miners so far this year—more than died in all of last year. The victims of these disasters and of prior disasters, like the explosion at Jim Walters No. 5, deserve nothing less than our dedication to making sure that they did not die in vain. The best way we can honor those fallen miners is to act on what we have learned. This bill is an important step in fulfilling that commitment.

There are many things we may still learn from these tragedies. But some lessons are already clear. We have not done enough to provide miners with oxygen and communications needed to survive an emergency. We must strengthen our safety enforcement so companies cannot treat safety violations as simply the cost of doing business. The average fine at the Sago mine was just $156 dollars—less than most parking tickets. And many safety and health standards are woefully outdated.

To address these lessons, this bill requires warning systems to alert miners when the air in the mine is becoming dangerous, before a disaster occurs; the most up-to-date communications and tracking technology in mines as soon as possible so rescuers can locate and rescue workers; better communications; more oxygen stored in mines so miners can survive until they can evacuate or are rescued; rescue chambers so, as a last resort, if miners cannot evacuate, they can safely await rescue in the mine; and increased repeat violators and minimum penalties.

In addition, some very specific problems at the Sago mine came to light during the hearings this month in West Virginia, such as ineffective equipment, lack of communications, and families’ exclusion from the investigation process. To address this, the bill requires companies to check on the reliability of the oxygen stored for use in an emergency; independent investigations and public hearings on serious accidents; and an opportunity for victims’ families to participate in accident investigations.

This bill not only tries to learn from past disasters but also looks to the future. The bill includes a program to help MSHA replace its aging inspector workforce. These new safety standards will do no good if MSHA cannot properly staff its inspection teams to ensure that the new standards are being enforced. It also directs Federal research dollars to search for most urgently needed—to develop better breathing apparatus, communications technology, atmospheric warning systems, and mine rescue technology.

We have a responsibility as Members of Congress to see that our mine safety laws make our mines the safest in the world. I urge my colleagues to support the Protecting America’s Miners Act.

ADDITIONAL STATEMENTS

HONORING THE HONORABLE CHARLES L. YOUNG, SR.

Mr. COCHRAN. Mr. President, it is my pleasure to congratulate the Honorable Charles L. Young, Sr. of Meridian, MS, for his 25 years of service as a member of the Mississippi House of Representatives. As chairman of the House Universities and Colleges Committee, he has worked effectively to improve the quality of education in our State.

Representative Young served his country as a member of the U.S. Army during the Korean war and was honored with the Bronze Star for Valor. He has been recognized by his colleagues as a leader in the field of education, entrepreneurship, and social justice. As a pioneer in the civil rights movement, Representative Young was the first African-American member of the Meridian Chamber of Commerce. He has been a leader in the business community as chief executive officer and President of E.F. Young, Jr., Manufacturing Company, a business that his parents started in 1931.

He was one of the founders of Mississippi Action for Progress, which was the parent organization in our State for Head Start. Mr. Young is also one of the founders of the Meridian Health Clinic, which operates in six locations and has a mobile dental lab.

He is a member of Newell Chapel C.M.E. Church, and he sponsors a tennis camp for over 100 children each year.

Mr. President, I commend Representative Young for his exemplary citizenship and service to the residents of Lauderdale County and the State of Mississippi. I am proud to be his friend.

RECOGNITION OF THE 150TH ANNIVERSARY OF THE OWOSSO MASONIC LODGE

Mr. LEVIN. Mr. President, I would like to take this opportunity to congratulate the Owosso Masonic Lodge on its 150th anniversary. This is a significant milestone, and it is with pleasure that I thank the lodge for its many years of dedicated service to greater Owosso community. Tomorrow, a celebration will be held to commemorate this special occasion.

Service organizations play an important role in American society. These organizations play a key role in building stronger communities, often providing assistance to those most in need. The Owosso Masonic Lodge, which was chartered in January 1856 by the Grand Lodge of Michigan, has served the community well and has much of which to be proud. This lodge has worked to bring groups together over the years and has helped members work to achieve strong ethical standards.

I would also like to join the lodge in showing appreciation for the efforts of the 40-50- and 80-year lodge members, who will be recognized at the celebration tomorrow. Among this group is Mr. George Hodd, who at 100 years of age continues to be active in working to improve Owosso and the State of Michigan. I would like to recognize his long and distinguished membership in the Owosso Masonic Lodge. Mr. Hodd’s businesses have been a cornerstone of the local economy for many decades.

I know my colleagues join me in thanking the Owosso Masonic Lodge for 150 years of dedication and service to the community, and I wish them the best as they embark on another 150 years of distinguished service.

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mr. Williams, one of his secretaries.
EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting a nomination which was referred to the Committee on Armed Services.

The nomination received today is printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 2:25 p.m., a message from the House of Representatives, delivered by Ms. Noland, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 5122. An act to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

The message also announced that pursuant to S. Res. 212(b), and the order of the House of December 18, 2005, the Speaker appoints the following Member of the House of Representatives to the Board of Visitors to the United States Merchant Marine Academy: Mrs. McCARTHY of New York.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 5122. An act to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2007, and for other purposes.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 4904. An act to improve maritime and cargo security through enhanced layered defenses, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-6835. A communication from the Administrator, Environmental Protection Agency, transmitting, the report of draft legislation entitled “Good Samaritan Clean Watershed Act” received on April 11, 2006; to the Committee on Environment and Public Works.

EC-6836. A communication from the Secretary of Energy, transmitting, the report of proposed legislation to provide protection against claims to the independent petroleum engineer retained to assist in the finalization of equity interests in the Naval Petroleum Reserve Elk Hills Unit; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-319. A resolution adopted by the House of Representatives of the General Assembly of the Commonwealth of Kentucky relative to urging the “25 by 25” initiative promoting agricultural-based renewable energy; to the Committee on Agriculture, Nutrition, and Forestry.

RESOLUTION

Whereas, having an affordable, reliable, and plentiful energy supply is crucial to our economy, as well as our national and international food supply; and

Whereas, current energy forecasts risks to U.S. energy security are mounting, while domestic and global energy demands are escalating; and

Whereas, the Commonwealth of Kentucky has tremendous renewable energy resources; and

Whereas, the development of renewable energy sources, including wind power, bio-diesel, biomass, methane digesters, ethanol, and solar, benefits the environment and will have a direct economic benefit to agricultural landowners and communities; and

Whereas, agricultural communities and their partners will experience multiple benefits, including additional inclusion of markets for agricultural commodities; increasing farm income; creating added-value uses for crops, livestock, and their byproducts; and creating new markets; and

Whereas, American agriculture is well positioned to play an expanded role in the development and implementation of new energy solutions; and

Whereas, America’s farms and ranches can become the factories that produce a new generation of fuels to help meet the nation’s energy needs; and

Whereas, “25 by 25” is an agriculturally led initiative that envisions America’s farms and ranches producing a significant portion of America’s energy demand by the year 2025, while continuing to produce abundant, safe, and affordable food and fiber; and

Whereas, agriculture’s role as an energy producer will have a positive effect on national security and trade imbalances, and will serve as a catalyst for rural development in the Commonwealth of Kentucky; now, therefore, be it

Resolved, by the House of Representatives of the General Assembly of the Commonwealth of Kentucky:

Section 1. We, the members of the Kentucky House of Representatives, support and endorse the vision of “25 by 25” whereby agriculture will provide 25 percent of the total energy consumed in the United States by the year 2025, while continuing to produce abundant, safe, and affordable food and fiber.

Section 2. The Clerk of the House of Representatives is directed to send copies of this Resolution to President George W. Bush, each member of the Kentucky delegation to the Congress of the United States, the Clerk of the United States Senate, the Clerk of the United States House of Representatives, the Secretary of the United States Department of Energy, and the Secretary of the United States Department of Agriculture.

POM-320. A concurrent resolution adopted by the Senate of the Legislative State of Louisiana relative to taking such actions as are necessary to continue funding and operation of the Agricultural Conservation Effectiveness Assessment Project and by the Lower Mississippi River Sub-basin Committee on Hypoxia; and

Whereas, this work is also significant on a national level, since this ARS unit has played a leadership role in the formation of the Agricultural Drainage Management Task Force that involves key states and industries in the Midwestern United States; and

Whereas, the work of the Agricultural Drainage Management Task Force is making a critical contribution to reducing nutrient loadings into the Mississippi River and its tributaries that fuels the growth of hypoxia in the Gulf of Mexico, the spread of which is endangering Louisiana’s coastal fisheries; and

Whereas, at the national level, since this ARS unit continues to collaborate with the university’s students, faculty, and researchers, as well as agricultural producers and other stakeholder groups on projects of mutual benefit; now, therefore, be it

Resolved, that the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to continue funding and operation of the United States Department of Agriculture’s Agricultural Research Service located in Baton Rouge, Louisiana; and be it further

Resolved, that a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives; to each member of the Louisiana congressional delegation; and to the secretary of the United States Department of Agriculture.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. LEVIN (for himself and Mr. STARK):

S. 2799. A bill to suspend temporarily the duty on 4-Methoxy-2-methylphenaline; to the Committee on Finance.

By Mr. INHOFE (for himself and Mr. COBURN):

S. 2800. A bill to designate the Department of Veterans Affairs Outpatient Clinic in Tulsa, Oklahoma, as the “L. W. Childers Department of Veterans Affairs Outpatient Clinic”; to the Committee on Veterans Affairs.

By Mr. ALLARD (for himself and Mr. SALAZAR):

S. 2801. A bill to amend chapters 83 and 84 of title 5, United States Code, to authorize payments to certain trusts under the Social Security Act, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. ENSIGN (for himself, Mr. STRYVENS, and Mrs. HUTCHISON):

S. 2802. A bill to improve American innovation and competitiveness in the global economy; to the Committee on Commerce, Science, and Transportation.
SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LOTT:
S. Res. 477. A resolution commemorating the 30th anniversary of the date that Rick Monday heroically rescued the American Flag from being desecrated and recognizing Rick Monday for his courage and patriotism; considered and agreed to.

By Mr. LAUTENBERG:
S. Res. 478. A resolution commemorating the development of the charge-coupled device; considered and agreed to.

By Mr. MENENDEZ (for himself, Mr. LAUTENBERG, Mr. FEINGOLD, Mrs. BOXER, Mr. KERRY, Mr. DURBIN, Mr. BINGAMAN, Mr. KENNEDY, Mr. INOUYE, and Mr. DODD):
S. Res. 479. A resolution supporting the goals and ideas of a National Child Care Worthy Wage Day; considered and agreed to.

ADDITIONAL COSPONSORS

S. 1064
At the request of Mr. COCHRAN, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 1064, a bill to amend the Public Health Service Act to improve stroke prevention, diagnosis, treatment, and rehabilitation.

S. 1112
At the request of Mr. GRASSLEY, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 1112, a bill to make permanent the enhanced educational savings provisions for qualified tuition programs enacted as part of the Economic Growth and Tax Relief Reconciliation Act of 2001.

S. 1353
At the request of Mr. REID, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1353, a bill to amend the Public Health Service Act to provide for the establishment of an Amyotrophic Lateral Sclerosis Registry.

S. 1357
At the request of Ms. MIKULSKI, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 1357, a bill to amend the Public Health Service Act to provide waivers relating to grants for preventive health measures with respect to breast and cervical cancers.

S. 1366
At the request of Mr. DODD, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S. 1366, a bill to amend the Internal Revenue Code of 1986 to exclude property tax rebates and other benefits provided to volunteer firefighters, search and rescue personnel, and emergency medical responders from income and employment taxes and wage withholding.

S. 2035
At the request of Mr. CRAIG, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 2035, a bill to extend the time required for construction of a hydroelectric project in the State of Idaho, and for other purposes.

S. 2321
At the request of Mr. SANTORUM, the names of the Senator from South Carolina (Mr. DE MINT), the Senator from Arizona (Mr. KYL), and the Senator from Florida (Mr. NELSON) were added as cosponsors of S. 2321, a bill to require the Secretary of the Treasury to mint coins in commemoration of Louis Braille.

S. 2366
At the request of Mr. SPECTER, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 2366, a bill to require a more reasonable period for delayed-notice search warrants, to provide enhanced judicial review of FISA orders and national security letters, to create a FISA order, and to create national security letter sunset provisions.

S. 2459
At the request of Ms. COLLINS, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 2459, a bill to improve cargo security, and for other purposes.

S. 2491
At the request of Mr. CORNYN, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 2491, a bill to award a Congressional gold medal to Byron Nelson in recognition of his significant contributions to the game of golf as a player, a teacher, and a commentator.

S. 2501
At the request of Mrs. LINCOLN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2501, a bill to amend the Internal Revenue Code of 1986 to provide for an extension of the period of limitation to file claims for refunds on account of disability determinations by the Department of Veterans Affairs.

S. 2563
At the request of Mr. DE MINT, the name of the Senator from New Hampshire (Mr. SUNUNU) was added as a cosponsor of S. 2563, a bill to empower States with authority for most taxing and spending for highway programs and mass transit programs, and for other purposes.

S. 2564
At the request of Mr. STEVENS, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 2564, a bill to direct the Federal Communications Commission to make efforts to reduce telephone rates for Armed Forces personnel deployed overseas.

S. 2568
At the request of Mrs. MURRAY, her name was added as a cosponsor of S. 2568, a bill to amend title 10, United States Code to enhance the national defense through empowerment of the Chief of the National Guard Bureau and the enhancement of the functions of the National Guard Bureau, and for other purposes.

S. 2658
At the request of Mr. LEAHY, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 2658, supra.

S. 2681
At the request of Mr. BOND, the names of the Senator from South Carolina (Mr. DE MINT) and the Senator from New Hampshire (Mr. GREGG) were added as cosponsors of S. 2681, supra.

S. 2697
At the request of Mrs. MURRAY, her name was added as a cosponsor of S. 2697, a bill to amend title 10, United States Code, to provide for reports on the withdrawal or diversion of equipment from Reserve units to other Reserve units being mobilized, and for other purposes.

S. 2707
At the request of Mr. LUGAR, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 2707, a bill to establish the position of the United States Ambassador for ASEAN.

S. 2722
At the request of Mr. LAUTENBERG, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 2722, a bill to amend title XVIII of the Social Security Act to require the sponsor of a prescription drug plan or an organization offering an MA-PD plan to promptly pay claims submitted under part D, and for other purposes.

S. 2734
At the request of Mr. LOTT, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 2734, a bill to amend the Federal Water Pollution Control Act to expand and strengthen cooperative efforts to monitor, restore, and protect the resource productivity, water quality, and marine ecosystems of the Gulf of Mexico.

S. 2795
At the request of Mr. NELSON of Florida, his name was added as a cosponsor of S. 2795, a bill to exclude from admission to the United States aliens who have made investments contributing to the enhancement of the ability of Cuba to develop its petroleum resources, and for other purposes.

S. CON. RES. 81
At the request of Mr. KYL, the names of the Senator from Georgia (Mr. CHAMBLISS) and the Senator from New Hampshire (Mr. SUNUNU) were added as cosponsors of S. CON. RES. 81, a concurrent resolution expressing the sense of Congress regarding a free trade agreement between the United States and Taiwan.

S. RES. 313
At the request of Mr. FRIST, his name was added as a cosponsor of S. Res. 313,
a resolution expressing the sense of the Senate that a National Methamphetamine Prevention Week should be established to increase awareness of methamphetamine and to educate the public on ways to help prevent the use of that damaging narcotic.

S. RES. 472

At the request of Mr. SPECTER, his name and the names of the Senator from Ohio (Mr. DeWINE) and the Senator from Oklahoma (Mr. COBURN) were added as cosponsors of S. Res. 472, a resolution commemorating and acknowledging the dedication and sacrifice made by the men and women who have lost their lives while serving as law enforcement officers.

STATMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. INHOFE (for himself and Mr. COBURN):

S. 2800. A bill to designate the Department of Veterans Affairs Outpatient Clinic in Tulsa, Oklahoma, as the “Ernest Childers Department of Veterans Affairs Outpatient Clinic”; to the Committee on Veterans Affairs.

Mr. INHOFE. Mr. President, I rise today for myself and on the behalf of my colleague, Dr. COBURN, to introduce a bill to honor the memory an American hero and fine soldier.

Ernest Childers was born in Broken Arrow, OK, on February 1, 1918, as the third of five children. His father died when he was young and he grew up mostly on a farm. His hunting skills in his youth provided much of the food for his family and formed the basis of a great military career.

Ernest Childers enlisted in the Oklahoma National Guard in 1937 while attending the Chillico Indian School in north-central Oklahoma. He then went to Fort Sill in Lawton, OK, for basic training before being deployed to Africa in World War II. On September 22, 1943, despite a broken instep that forced him to crawl, 2nd Lieutenant Childers advanced against enemy machine gun nests in Oliveto, Italy, killing two snipers and capturing an enemy general in the process. His actions were instrumental in helping the Americans win the Battle of Oliveto and won him the Congressional Medal of Honor. He continued his career in the Army earning several other military awards including the Combat Infantry Badge, Europe and Africa Campaign Medals, The Purple Heart, The Bronze Star, and the Oklahoma Distinguished Service Cross. He retired from the Army in August of 1965 as a Lieutenant Colonel in Oklahoma’s 45th Infantry Division.

Ernest Childers passed away on March 17, 2005 and was Oklahoma’s last Congressional Medal of Honor winner still living in the state. He was an honored guest of many Presidential Inaugurations and as a Creek Indian, was named Oklahoma’s Most Outstanding Indian by the Tulsa Chapter of the Council of American Indians in 1966. He once said “The American Indian has only one country to defend, and when you’re picked on, the American Indian never turns his back.” Mr. President, I am proud and believe it is only appropriate to introduce a bill to rename the Department of Veterans Affairs’ Outpatient Clinic in Tulsa, Oklahoma, the Ernest Childers Department of Veterans Affairs Outpatient Clinic to honor the enduring legacy of a true hero and fine soldier.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 477—COMMENORATING THE 30TH ANNIVERSARY OF THE DATE THAT RICK MONDAY HEROICALLY RESCUED THE AMERICAN FLAG FROM BEING DESECRATED AND RECOGNIZING RICK MONDAY FOR HIS COURAGE AND PATRIOTISM

Mr. LOTT submitted the following resolution; which was considered and agreed to:

S. Res. 477

Whereas, on April 25, 1976, Rick Monday played centerfield for the Chicago Cubs in a game against the Los Angeles Dodgers at Dodger Stadium; whereas, during the 4th inning of that game, 2 individuals ran onto the outfield of Dodger Stadium, doused an American Flag with lighter fluid, and attempted to set the Flag on fire; whereas, once Rick Monday recognized that those individuals were about to publicly desecrate the American Flag, he quickly ran towards those individuals and grabbed the American Flag from them just as they were attempting to place a lit match on to the Flag; whereas the patriotic act of Rick Monday to rescue the American Flag inspired: (1) the crowd at Dodger Stadium to stand in ovation and spontaneously begin singing “God Bless America”; (2) millions of citizens throughout the United States, especially those citizens who were serving or had served in the Armed Forces; and (3) citizens of the United States who today continue to look to the Flag as a symbol of liberty and justice; whereas Rick Monday, after reflecting on his act of rescuing the American Flag, said, “That flag represents all the rights and freedoms that we have in this country. If you desecrate the flag, you desecrate the efforts of all the people who fought and died to protect those rights and freedoms.”; whereas the Major League Baseball Hall of Fame recognizes the actions taken by Rick Monday when he rescued the American Flag as 1 of the 100 Classic Moments in the history of baseball; whereas Rick Monday served the United States honorably and courageously in the Marine Corps Reserve for over 6 years; whereas Rick Monday was a 2-time Major League Baseball All-Star during his distinguished, 19-year career; whereas April 25, 2006, marked the 30th anniversary of the date that Rick Monday heroically rescued the American Flag from being desecrated; (2) recognizes Rick Monday for— (A) his courage and patriotism; (B) upholding the noble ideals and freedoms represented by the American Flag; and (C) honoring the men and women whose sacrifices have protected those ideals and freedoms; (3) respectfully requests the Secretary of the Senate to transmit an enrolled copy of this resolution to— (A) Rick Monday; (B) the National Baseball Hall of Fame and Museum in Cooperstown, New York; (C) the Commissioner of Major League Baseball, Bud Selig; (D) the owner of the Los Angeles Dodgers, owner, Frank McCourt; and (E) the owner of the Chicago Cubs, the Tribune Company.

SENATE RESOLUTION 478—COMMEMORATING THE DEVELOPMENT OF THE CHARGE-COUPLED DEVICE

Mr. LAUTENBURG submitted the following resolution; which was considered and agreed to:

S. Res. 478

Whereas charge-coupled device (commonly referred to as “CCD”) technology revolutionized imaging equipment and has significantly affected society by improving quality of life and the technological capabilities of everyday tools and equipment; whereas the CCD is widely used in technology, including digital cameras, video recorders, space-based telescopes, satellites, and medical imaging devices; whereas Willard S. Boyle of Halifax, Nova Scotia, and George E. Smith of New Barnstable, Massachusetts, have advanced society through their development of the CCD while working at the Bell Labs, Murray Hill, New Jersey, Bell Labs site in 1969; and whereas Mr. Boyle and Mr. Smith have been awarded the 2006 Charles Stark Draper Prize by the National Academy of Engineering, and inducted into the National Inventors Hall of Fame for their invention; now, therefore, be it

Resolved, That the Senate commemorates the development of the charge-coupled device.

SENATE RESOLUTION 479—SUPPORTING THE GOALS AND IDEAS OF A CHILD CARE WORTHY WAGE DAY

Mr. MENENDEZ (for himself, Mr. LAUTENBERG, Mr. FEINGOLD, Mrs. BOXER, Mr. KERRY, Mr. DURBIN, Mr. BAGMAN, Mr. KENNEDY, Mr. INOUYE, and Mr. DODD) submitted the following resolution; which was considered and agreed to:

S. Res. 479

Whereas approximately 13,000,000 children are in nonparental care during part or all of the day while their parents work; whereas the early care and education industry employs more than 2,000,000 workers; whereas the early care and education industry employs more than 2,000,000 workers; whereas these workers indirectly add $580,000,000,000 to the economy by enabling millions of parents to perform their own jobs;
 Whereas the average salary of early care and education workers is $18,060 per year, and only \( \frac{1}{2} \) have health insurance and even fewer have a pension plan;

 Whereas the quality of early care and education programs is directly linked to the quality of early childhood educators;

 Whereas the turnover rate of early childhood program staff is close to 50 percent per year, and low wages and lack of benefits, among other factors, make it difficult to retain high-quality educators who have the consistent, caring relationships with young children that are important to children’s development;

 Whereas the compensation of early childhood educators should be commensurate with the importance of the job of helping the young children of the Nation develop their social, emotional, physical, and intellectual skills, and be ready for school;

 Whereas providing adequate compensation to early childhood program staff should be a priority, and resources may be allocated to improve the compensation of early childhood educators to ensure that quality care and education are accessible to all families;

 Whereas additional training and education for the workforce is critical for ensuring high-quality early learning environments, and whereas child care workers should receive compensation commensurate with such training and experience; and

 Whereas the Center for the Child Care Workforce, A Project of the American Federation of Teachers Educational Foundation and other child care organizations recognized May 1 as National Child Care Worthy Wage Day: Now, therefore, be it

 Resolved, That the Senate—

 (1) designates May 1, 2006, as National Child Care Worthy Wage Day, and (2) calls on the people of the United States to observe National Child Care Worthy Wage Day for the benefit of early childhood care and education staff and programs in their communities.

 AMENDMENTS SUBMITTED AND PROPOSED

 SA 3960. Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

 SA 3961. Mr. CORNYN (for Mr. Isakson) proposed an amendment to the bill S. 2611, supra, which was ordered to lie on the table.

 SA 3962. Mr. CORNYN (for Mr. Kyl (for himself and Mr. Cornyn) submitted an amendment intended to be proposed by Mr. Cornyn to the bill S. 2611, supra; which was ordered to lie on the table.

 SA 3963. Mr. VITTER (for himself, Mr. Chambliss, Mr. Grassley, and Mr. Santorum) submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

 SA 3964. Mr. VITTER (for himself and Mr. Grassley) submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

 SA 3965. Mr. CORNYN (for himself and Mr. Kyl) submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

 SA 3966. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

 SA 3967. Mr. ALEXANDER submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

 TEXT OF AMENDMENTS

 SA 3960. Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table.

 SA 3961. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

 SA 3962. Mr. BINGAMAN (for himself and Mr. Domenici) submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

 SA 3963. Mr. BINGAMAN (for himself and Mr. Domenici) submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

 SA 3964. Mr. LEVIN (for himself and Ms. Collins) submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

 SA 3965. Mr. ENSIGN (for himself, Mr. Santorum, and Mr. Inhofe) submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

 SA 3966. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

 SA 3967. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

 SA 3968. Mr. ALLARD submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

 SA 3969. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

 SA 3970. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

 SA 3971. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

 SA 3972. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

 SA 3973. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

 SA 3974. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

 SA 3975. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

 SA 3976. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

 SA 3977. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

 SA 3978. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

 SA 3979. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

 SA 3980. Mr. BURNS submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

 SA 3981. Mr. BINGAMAN (for himself and Mrs. Johnson) submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

 SA 3982. Mr. BINGAMAN (for himself and Mr. Domenici) submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

 SA 3983. Mr. BINGAMAN (for himself and Mr. Domenici) submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

 SA 3984. Mr. LEVIN (for himself and Ms. Collins) submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

 SA 3985. Mr. ENSIGN (for himself, Mr. Santorum, and Mr. Inhofe) submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

 SA 3986. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

 SA 3987. Mr. ALEXANDER submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

 TITLE VIII—WARTIME TREATMENT STUDY ACT

 SEC. 801. SHORT TITLE.

 ‘‘This title may be cited as the ‘Wartime Treatment Study Act’.’’

 SEC. 802. FINDINGS.

 Congress makes the following findings:

 (1) During World War II, the United States successfully fought the spread of Nazism and fascism by Germany, Italy, and Japan.

 (2) Nazi Germany persecuted and engaged in genocide against Jews and certain other groups. By the end of the war, 6,000,000 Jews had perished at the hands of Nazi Germany. United States Government policies, however, restricted entry to the United States to Jewish and other refugees who sought safety from Nazi persecution.

 (3) While we were at war, the United States treated the Japanese Americans, German American, and Italian American communities as suspect.

 (4) The United States Government should conduct an independent review of the wartime treatment of Japanese Americans through the Commission on Wartime Relocation and Internment of Civilians. An independent review of the treatment of German Americans and Italian Americans and of Jewish refugees fleeing persecution and genocide has not yet been undertaken.

 (5) During World War II, the United States Government branded as ‘‘enemy aliens’’ more than 600,000 Italian-born and 300,000 German-born United States resident aliens and their families and required them to carry Certificates of Identification, limited their travel, and seized their personal property. At that time, these groups were the two largest foreign-born groups in the United States.

 (6) During World War II, the United States Government arrested, interned or otherwise detained thousands of European Americans, including those remaining in the United States after cessation of World War II hostilities, and repatriated, exchanged, or deported European Americans, including American-born children, to hostile, war-torn European Axis nations, many to be exchanged for Germans held in those nations.

 CONGRESSIONAL RECORD—Senate May 15, 2006
SEC. 811. ESTABLISHMENT OF COMMISSION ON WARTIME TREATMENT OF EUROPEAN AMERICANS.

(a) IN GENERAL.—There shall be established the European American Commission, to be known as the ‘Commission on Wartime Treatment of European Americans.’ The Commission shall be composed of seven members.

(b) MEMBERSHIP. — The members of the Commission shall be appointed for a term of three years from among—

(A) ITALIAN AMERICANS.

(B) GREEK AMERICANS.

(C) GERMAN AMERICANS.

(D) EUROPEAN LATIN AMERICANS.

(E) RUSSIAN AMERICANS.

(F) ORTHODOX JEWISH AMERICANS.

(G) ROMANIAN AMERICANS.

SEC. 812. DUTIES OF THE EUROPEAN AMERICAN COMMISSION.

(a) IN GENERAL.—It shall be the duty of the European American Commission to review the wartime treatment of European Americans, and to report its findings and recommendations to Congress.

(b) SCOPE OF REVIEW. — The Commission shall carry on a review of the wartime treatment of European Americans and European Latin Americans as provided in subsection (a).

(c) TERMS.—The term of office of members of the Commission shall be three years, running from the date of their appointment.

(d) REPRESENTATION.—The American Commission shall include—

(A) Members representing the interests of American citizens of Italian ancestry.

(B) Members representing the interests of American citizens of Greek ancestry.

(C) Members representing the interests of American citizens of German ancestry.

(D) Members representing the interests of American citizens of European Latin American ancestry.

(E) Members representing the interests of American citizens of Russian ancestry.

(F) Members representing the interests of American citizens of Orthodox Jewish ancestry.

(G) Members representing the interests of American citizens of Romanian ancestry.

SEC. 813. POWERS OF THE EUROPEAN AMERICAN COMMISSION.

(a) IN GENERAL.—The European American Commission shall have such powers and duties as shall be necessary to carry out the duties imposed on it by this Act.

(b) GOVERNMENT INFORMATION AND COOPERATION. — The Commission shall have such powers and duties as the Attorney General, or the Attorney General’s successor, deems necessary for the performance of its duties.

(c) FIELD HEARINGS. — The Commission shall have power to conduct hearings in any part of the United States and to make a record of the proceedings at such hearings.

(d) REPRESENTATION. — The Commission may request the Attorney General to invoke the aid of an appropriate United States district court to require, by subpoena or otherwise, such attendance, testimony, or production as the Commission deems necessary.

SEC. 814. ADMINISTRATIVE PROVISIONS.

The European American Commission shall have the power to make rules and regulations not inconsistent with the provisions of this Act.

SEC. 815. RULES OF THE COMMISSION.

The European American Commission shall have the power to adopt rules and regulations relating to the conduct of its business.

SEC. 816. FUNDING.

The Commission shall be funded in the manner provided in paragraph (2) of subsection (a) of section 3109 of title 31, United States Code.
(3) obtain the detail of any Federal Government employee, and such detail shall be without reimbursement or interruption or loss of civil service status or privilege; and
(4) enter into agreements with the Administrator of General Services for procurement of necessary financial and administrative services, for which payment may be made by reimbursement from funds of the Commission in such amounts as may be agreed upon by the Chairman of the Commission and the Administrator.

(6) enter into contracts with Federal or State agencies, private firms, institutions, and agencies for the conduct of research or surveys, the preparation of reports, or in such amounts as are provided in appropriation Acts.

other activities necessary to the discharge of the duties of the Commission, to the extent or in such amounts as are provided in appropriation Acts.

SEC. 815. FUNDING.
Of the amounts authorized to be appropriated to the Department of Justice, $50,000 shall be available to carry out this chapter.

SEC. 816. SUNSET.
The European American Commission shall terminate 60 days after it submits its report to Congress.

CHAPTER 2—COMMISSION ON WARTIME TREATMENT OF JEWISH REFUGEES

SEC. 821. ESTABLISHMENT OF COMMISSION ON WARTIME TREATMENT OF JEWISH REFUGEES.

(a) IN GENERAL.—There is established the Commission on Wartime Treatment of Jewish Refugees (referred to in this chapter as the ‘‘Jewish Refugee Commission’’).

(b) MEMBERSHIP.—The Jewish Refugee Commission shall be composed of 7 members, who shall be appointed not later than 90 days after the date of enactment of this Act as follows:

(1) Three members shall be appointed by the President.

(2) Two members shall be appointed by the Speaker of the House of Representatives, in consultation with the minority leader.

(3) Two members shall be appointed by the majority leader of the Senate, in consultation with the minority leader.

(c) TERMS.—The term of office for members shall be 2 years from the date of the Jewish Refugee Commission. A vacancy in the Jewish Refugee Commission shall not affect its powers, and shall be filled in the same manner in which the original appointment was made.

(d) REPRESENTATION.—The Jewish Refugee Commission shall include 2 members representing the interests of Jewish refugees.

(e) QUORUM.—The President shall call the first meeting of the Jewish Refugee Commission not later than 120 days after the date of enactment of this Act.

(f) CHAIRMAN.—Four members of the Jewish Refugee Commission shall constitute a quorum, but a lesser number may hold hearings.

(g) CHAIRMAN.—The Jewish Refugee Commission shall elect a Chairman and Vice Chairman from among its members. The term of office of each shall be for the life of the Jewish Refugee Commission.

(h) COMPENSATION.—

(1) IN GENERAL.—Members of the Jewish Refugee Commission shall serve without pay.

(2) REIMBURSEMENT OF EXPENSES.—All members of the Jewish Refugee Commission shall be reimbursed for reasonable travel and subsistence expenses, as well as reasonable and necessary expenses incurred by them in the performance of their duties.

SEC. 822. DUTIES OF THE JEWISH REFUGEE COMMISSION.

(a) IN GENERAL.—It shall be the duty of the Jewish Refugee Commission to review the United States Government’s refusal to allow Jewish and other refugees fleeing persecution in Europe entry to the United States as provided in subsection (b).

(b) SCOPE OF REVIEW.—The Jewish Refugee Commission’s review shall cover the period between January 1, 1933, through December 31, 1945, and shall include, to the greatest extent practicable:

(1) A review of the United States Government’s refusal to allow Jewish and other refugees fleeing persecution or genocide entry to the United States, including a review of the underlying rationale of the United States Government’s decision to refuse the Jewish and other refugees entry, the information the United States Government received or acquired suggesting such refusal was necessary, the perceived benefit of such refusal, and the impact of such refusal on the refugees.

(2) A review of Federal refugee policy relating to those fleeing persecution or genocide, including policies that made it easier for future victims of persecution or genocide to obtain refuge in the United States.

(c) FIELD HEARINGS.—The Jewish Refugee Commission shall hold public hearings in such cities of the United States as it deems appropriate.

(d) REPORT.—The Jewish Refugee Commission shall submit a written report of its findings and recommendations to Congress not later than 18 months after the date of the first meeting called pursuant to section 821(e).

SEC. 823. POWERS OF THE JEWISH REFUGEE COMMISSION.

(a) IN GENERAL.—The Jewish Refugee Commission or, on the authorization of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out the provisions of this chapter, hold such hearings and sit and act at such times and places, and request the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, and documents as the Commission or such subcommittee or member may deem advisable.

(b) GOVERNMENT INFORMATION AND CO-OPERATION.—The Jewish Refugee Commission may acquire directly from the head of any department, agency, independent instrumentality, or other authority of the executive branch of the Government, available information that the Jewish Refugee Commission considers useful in the discharge of its duties. All departments, agencies, and independent instrumentalties, or other authorities of the executive branch of the Government shall cooperate with the Jewish Refugee Commission and furnish all information requested by the Jewish Refugee Commission to the extent permitted by law, including information collected as a result of Public Law 96-317 and Public Law 106-451. For purposes of the Privacy Act (5 U.S.C. 552a(b)(9)), the Jewish Refugee Commission shall be deemed to be a committee of jurisdiction.

SEC. 824. ADMINISTRATIVE PROVISIONS.

The Jewish Refugee Commission is authorized to—

(1) appoint and fix the compensation of such personnel as may be necessary, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5 relating to classification and General Schedule pay rates, that the compensation of any employee of the Commission may not exceed a rate equivalent to the rate payable under GS-15 of the General Schedule under section 5332 of title 5.

(2) obtain the services of experts and consultants in accordance with the provisions of section 3190 of such title;

and obtain the detail of any Federal Government employee, and such detail shall be without reimbursement or interruption or loss of civil service status or privilege; and
(5) procure supplies, services, and property by contract in accordance with applicable laws and regulations and to the extent or in such amounts as are provided in appropriation Acts; and
(6) enter into contracts with Federal or State agencies, private firms, institutions, and agencies for the conduct of research or surveys, the preparation of reports, and other activities necessary to the discharge of the duties of the Commission, to the extent or in such amounts as are provided in appropriation Acts.

SEC. 825. FUNDING.
Of the amounts authorized to be appropriated to the Department of Justice, $50,000 shall be available to carry out this chapter.

SEC. 826. SUNSET.
The Jewish Refugee Commission shall terminate 60 days after it submits its report to Congress.

SA 3961. Mr. CORNYN (for Mr. ISAKSON) proposed an amendment to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; as follows:

On page 53, between lines 14 and 15, insert the following:

SEC. 133. BORDER SECURITY CERTIFICATION.

Provided that nothing in this Act, or any amendments made under this Act, which grants legal status to any individual, or adjusts the current status of any individual, who enters or entered the United States in violation of Federal law unless the Secretary has submitted a written certification to the President and Congress that the border security measures authorized under Title I and the increases in Federal detention space authorized under section 233 have been fully completed and are fully operational.

SA 3962. Mr. CORNYN (for Mr. Kyl (for himself and Mr. CORNYN)) submitted an amendment intended to be proposed by Mr. CORNYN to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 358, line 3, insert ‘‘(other than sub-paragraph (Cy)(2)(D)” after ‘‘(9)(A)’’. On page 359, strike lines 9 through 12, and insert the following:

‘‘(6) INELIGIBILITY.—An alien is ineligible for adjustment to lawful permanent resident status under this section if—’’.
“(i) the alien has been ordered removed from the United States—
   “(I) for overstaying the period of authorized admission under section 217;
   “(II) under section 235 or 236; or
   “(III) pursuant to a final order of removal under section 240;
“(ii) the alien failed to depart the United States during the period of a voluntary deportation order issued under section 240B;
“(iii) the Secretary of Homeland Security determines that—
   “(I) the alien, having been convicted by a final judgment of a serious crime, constitutes a danger to the community of the United States;
   “(II) there are reasonable grounds for believing that the alien has committed a serious crime outside the United States prior to the arrival of the alien in the United States; or
   “(III) there are reasonable grounds for regarding the alien as a danger to the security of the United States;
“(iv) the alien has been convicted of a felony or 3 or more misdemeanors.

(B) EXCEPTION.—Notwithstanding subparagraph (A), an alien who has not been ordered removed from the United States shall remain eligible for adjustment to lawful permanent resident status under this section if the alien’s ineligibility under subparagraph (A) is solely related to the alien’s—
   “(i) entry into the United States without inspection;
   “(ii) remaining in the United States beyond the period of authorized admission; or
   “(III) there are reasonable grounds for regarding the alien as a danger to the security of the United States; or
   “(iv) the alien has been convicted of a felony or 3 or more misdemeanors.

(ii) establishes that the alien failed to receive notice of removal proceedings in accordance with paragraph (1) or (2) of section 239(a); or
“(iv) demonstrates that the alien did not receive notice of removal proceedings in accordance with paragraph (1) or (2) of section 239(a); or
“(III) pursing reasonable grounds for believing that the alien has committed a serious crime outside the United States prior to the arrival of the alien in the United States; or
“(IV) demonstrates that the alien has committed a serious crime outside the United States prior to the arrival of the alien in the United States; or
“(V) the alien failed to depart the United States during the period of a voluntary deportation order issued under section 240B;
“(VI) the alien has maintained such non-immigrant status in the United States for a continuous period of not less than 4 years;
“(VII) an employer attests that the employer will employ the alien in the offered job position; and
“(VIII) the Secretary of Labor determines and certifies that the alien is an essential United States worker who is able, willing, qualified, and available to fill the job position.

SEC. 3963. Mr. VITTER (for himself, Mr. CHAMBLISS, Mr. GRASSLEY, and Mr. SANTORUM) submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Strike sections 601 through 614.

SEC. 3964. Mr. VITTER (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 350, strike line 1 and all that follows through “inference.” on page 351, line 1, and insert the following—

“(II) DOCUMENTS.—An alien who is unable to submit a document described in subclause (I) may satisfy the requirement in clause (i) by submitting to the Secretary at least 2 other types of reliable documents that provide evidence of employment for each required period of employment, including—
   “(aa) bank records;
   “(bb) business records;
   “(cc) sworn affidavits from non-relatives who have direct knowledge of the alien’s work, including the name, address, and phone number of the affiant, the nature and duration of the relationship between the affiant and the alien, and other verification information; or
   “(dd) remittance records.

(iv) BURDEN OF PROOF.—An alien applying for adjustment under this subsection has the burden of proving by a preponderance of the evidence that the alien has satisfied the employment requirements in clause (i).

On page 374, line 22, insert after “work” the following:

“(ii) an employer attests that the employer will employ the alien in the offered job position; and

SEC. 3965. Mr. CORNYN (for himself and Mr. KYL) submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 295, strike lines 14 through 16 and insert the following:

“(B) by the alien, if—
   “(i) the alien has maintained such non-immigrant status in the United States for a continuous period of not less than 4 years;
   “(ii) an employer attests that the employer will employ the alien in the offered job position; and
   “(iii) the Secretary of Labor determines and certifies that the alien is an essential United States worker who is able, willing, qualified, and available to fill the job position.

SEC. 3966. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. __. NULLIFICATION OF EXECUTIVE ORDER AND PROHIBITION OF FUNDS.

(a) NULLIFICATION OF EFFECT OF EXECUTIVE ORDER.—Executive Order 13166, issued August 16, 2000 (65 Fed. Reg. 50121) (relating to improving access to services for persons with limited English proficiency), is null and void and shall have no force or effect.

(b) PROHIBITION AGAINST USE OF FUNDS FOR COMPREHENSIVE IMMIGRATION REFORM AND FOR OTHER PURPOSES.—No funds appropriated pursuant to any provision of law may be used to promulgate or enforce any executive order that creates an entitlement to services provided in any language other than English.

SEC. 3967. Mr. ALEXANDER submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. __. COMPREHENSIVE METHAMPHETAMINE PLAN.

(a) In General.—Not later than 90 days after the date of enactment of this Act, the President, in coordination with the Secretary of State, the Attorney General, and the Secretary of Homeland Security, shall submit to the Chairman of the Judiciary of the Senate and the Chairman of the Committee on the Judiciary of the House of Representatives a formal plan that outlines the diplomatic, law enforcement, and other procedures that the Federal Government should implement to reduce the amount of Methamphetamine being trafficked into the United States.

(b) CONTENTS OF PLAN.—The plan under subsection (a) shall, at a minimum, include—
   “(1) a specific timeline for engaging elected and diplomatic officials in a bilateral process focused on developing a framework to reduce the inflow of Methamphetamine into the United States;
   “(2) a specific plan to engage the 5 countries who export the most pseudoephedrine, ephedrine, phenylpropanolamine, and other such Methamphetamine precursors during the calendar year preceding the year in which the plan is prepared; and
   “(3) a specific plan to outline what, if any, additional funding will be used to enhance the border, ports of entry, or any other Methamphetamine trafficking windows that are
currenly being exploited by Methamphetamine traffickers.

(c) GAO REPORT.—Not later than 100 days after the date of enactment of this Act, the Government Accountability Office shall prepare and submit to the committees of Congress referred to in subsection (a), a report to determine whether the President is in compliance with this section.

SA 3969. Mr. KYL (for himself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 266, strike line 8 and all that follows through page 297, line 2, and insert the following:

"(n) Notwithstanding any other provision of this Act, an alien having nonimmigrant status described in section 101(a)(15)(H)(ii)(c) is ineligible for and may not apply for adjustment of status under this section on the basis of such status.

SA 3970. Mr. KYL (for himself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 358, line 3, insert "(other than subparagraph (C)(i)(1)(II))" after "(9)"

On page 359, strike lines 9 through 12, and insert the following:

"(6) INELIGIBILITY.—

(A) IN GENERAL.—An alien is ineligible for adjustment to lawful permanent resident status under this section if—

(i) the alien has been ordered removed from the United States;

(ii) for overstaying the period of authorized admission under section 217;

(iii) pursuant to a final order of removal under section 240B;

(iv) the alien failed to depart the United States during the period of a voluntary departure order issued under section 806B;

(v) the alien has been convicted of a felony or 3 or more misdemeanors.

(B) EXCEPTION.—Notwithstanding the provisions of subparagraph (A), an alien who has not been ordered removed from the United States shall remain eligible for adjustment to lawful permanent resident status under this section if the alien's ineligibility under subparagraph (A) is solely related to the alien's—

(i) entry into the United States without inspection;

(ii) remaining in the United States beyond the period of authorized admission; or

(iii) failure to maintain legal status while in the United States.

(C) WAIVER.—The Secretary may, in his sole discretion, waive the application of subparagraph (A) if the alien—

(i) demonstrates that the alien did not receive notice of removal proceedings in accordance with paragraph (1) or (2) of section 239(a); or

(ii) establishes that the alien's failure to appear was due to exceptional circumstances beyond the alien's control, as serious illness of the alien or serious illness or death of the spouse, child, or parent of the alien.

SA 3971. Mr. OBAMA (for himself, Mrs. FEINSTEIN, and Mr. BINGAMAN) submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 266, strike line 13 and all that follows through page 287, line 3, and insert the following:

"(C) PREVAILING WAGE LEVEL.—For purposes of subparagraph (A)(ii), the prevailing wage level shall be determined in accordance with the following:

(i) If the job opportunity is covered by a collective bargaining agreement between a union and the employer, the prevailing wage shall be the wage rate set forth in the collective bargaining agreement.

(ii) If the job opportunity is not covered by such an agreement and it is in an occupation that is covered by a wage determination under a provision of subchapter IV of chapter 31 of title 40, United States Code, or the Service Contract Act of 1965 (41 U.S.C. 351 et seq.), the prevailing wage level shall be the appropriate statutory wage.

(iii) If the job opportunity is not covered by such an agreement and it is in an occupation that is not covered by a wage determination under a provision of subchapter IV of chapter 31 of title 40, United States Code, the prevailing wage level shall be based on published wage data for the occupation from the Bureau of Labor Statistics, including the Occupational Employment Statistics survey, Current Employment Statistics data, National Compensation Survey, and Occupational Employment Projections program. If the Bureau of Labor Statistics does not have wage data applicable to such occupation, the employer may base the prevailing wage level on another wage survey approved by the Secretary.

(iv) If the Secretary shall promulgate regulations applicable to approval of such other wage surveys that require, among other things that the Bureau of Labor Statistics determine such surveys are statistically viable.

On page 273, line 7, strike "unskilled and low-skilled workers" and insert "workers who have not completed any education beyond a high school diploma."
SA 3975. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 8, between lines 20 and 21, insert the following: (3) Recruitment of Former Military Personnel.  
(A) in general.—The Commissioner of United States Customs and Border Protection, in conjunction with the Secretary of Defense, shall establish a program to actively recruit members of the Army, Navy, Air Force, Marine Corps, and Coast Guard who have elected to separate from active duty.  
(B) report.—Not later than 180 days after the date of the enactment of this Act, the Commissioner shall submit a report on the implementation of the recruitment program established pursuant to subparagraph (A) to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives.

SA 3976. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

SEC. 115. STUDY AND REPORT ON THE USE OF TECHNOLOGY TO PREVENT UNLAWFUL IMMIGRATION.  
(a) Study.—The Secretary of Homeland Security shall conduct a study of available technology, including radar animal detection systems, that could be utilized to—  
(1) increase the security of the international borders of the United States; and  
(2) permit law enforcement officials to detect and prevent illegal immigration.  
(b) Report.—Not later than 6 months after the date of enactment of this Act, the Secretary of Homeland Security shall submit to Congress a report, which shall include—  
(1) the results of the study carried out under subsection (a); and  
(2) the recommendations of the Secretary related to the efficacy of the technologies studied.

SA 3977. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 15. CRIMINAL PENALTIES FOR FORGERY OF FEDERAL DOCUMENTS.  
(a) in general.—Chapter 25 of title 18, United States Code, is amended by adding at the end the following:  
"§ 1515. Federal records, documents, and writings, generally.  
(1) Any person who—  
(1) falsely makes, alters, forgery, or counterfeits any Federal document, Federal writing, or record, Federal record, document, or writing characterizing, or purporting to characterize, official Federal activity, service, contract, obligation, duty, property, or chose;  
(2) utters or publishes as true, or possesses with intent to utter or publish as true, any record, document, or writing described in paragraph (1), knowing, or negligently failing to know, that such record, document, or writing has not been verified, has been inconclusively verified, is unable to be verified, or is false, altered, forged, or counterfeited;  
(3) transmits to, or presents at any office, to any officer of the United States, any record, document, or writing described in paragraph (1), knowing, or negligently failing to know, that such record, document, or writing has not been verified, has been inconclusively verified, is unable to be verified, or is false, altered, forged, or counterfeited;  
(4) attempts, or conspires to commit, any of the acts described in paragraphs (1) through (3); or  
(5) while outside of the United States, engages in any of the acts described in paragraphs (1) through (3), shall be fined under this title, imprisoned not more than 10 years, or both.  
(b) Civilian Volunteers. —A civilian volunteer participating in the NBNW Program shall not be liable for the acts of any volunteer participating in the NBNW Program.  
(c) Retired Annuities. —An employee of BRAVE Force who has worked for the Federal Government shall be considered a retired annuitant and shall have no reduction in annuity as a result of salary paid for such employees’ service in the NBNW Program.

SA 3978. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

SEC. 161. NATIONAL BORDER NEIGHBORHOOD WATCH PROGRAM.  
The Commissioner of the Bureau of United States Customs and Border Protection (in this subtitle referred to as the "Commissioner") shall establish a National Border Neighborhood Watch Program (in this subtitle referred to as the "NBNW Program") to permit retired law enforcement officers and civilian volunteers to combat illegal immigration into the United States.

SEC. 162. BRAVE FORCE.  
(a) Establishment.—There is established in the United States Border Patrol of the Department of Homeland Security a BRAVE Force.  
(b) Retired Law Enforcement Officers.—In this section, the term "retired law enforcement officer" means an individual who—  
(1) has retired from employment as a Federal, State, or local law enforcement officer; and  
(2) has not reached the Social Security retirement age (as defined in section 216(l) of the Social Security Act (42 U.S.C. 416(l))).  
(c) Effect on Personnel Caps.—Employees of BRAVE Force hired to carry out the NBNW Program shall be considered as additional agents and shall not count against the CBP personnel limits.  
(d) Retired Annuities.—An employee of BRAVE Force who has worked for the Federal Government shall be considered a retired annuitant and shall have no reduction in annuity as a result of salary paid for such employees’ service in the NBNW Program.  

SA 3979. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Strike section 106, and insert the following:  

SEC. 106. CONSTRUCTION OF STRATEGIC BORDER FENCING AND VEHICLE BARRIERS.  
(a) Tucson Sector.—The Secretary shall—  
(1) replace all aged, deteriorating, or damaged primary fencing in the Tucson Sector located proximate to population centers in Douglas, Nogales, Naco, and Lukeville, Arizona with double- or triple-layered fencing running parallel to the international border between the United States and Mexico;  
(2) extend the double- or triple-layered fencing for a distance of not less than 2 miles beyond urban areas, except that the double- or triple-layered fence shall extend west of Naco, Arizona, for a distance of 10 miles; and  
(3) construct not less than 150 miles of vehicle barriers and all-weather roads in the Tucson Sector running parallel to the international border between the United States and Mexico in areas that are known transit points for illegal cross-border traffic.  
(b) Yuma Sector.—The Secretary shall—  
(1) place all aged, deteriorating, or damaged primary fencing in the Yuma Sector located proximate to population centers in Yuma, Somerton, and San Luis, Arizona with double- or triple-layered fencing running parallel to the international border between the United States and Mexico;  

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(2) extend the double- or triple-layered fencing for a distance of not less than 2 miles beyond urban areas in the Yuma Sector; and (3) construct not less than 50 miles of vehicle barriers along the border between the United States and Mexico in areas that are known transit points for illegal border traffic.

(c) OTHER HIGH TRAFFICKED AREAS.—The Secretary shall construct not less than 370 miles of triple-layered fencing which may include portions already constructed in San Diego, Tucson and Yuma Sectors and 500 miles of vehicle barriers in other areas along the southwest border that the Secretary determines are most often used by smugglers and illegal aliens attempting to gain illegal entry into the United States. (d) CONSTRUCTION DEADLINE.—The Secretary shall immediately commence construction of the fencing, barriers, and roads described in subsections (a), (b), and (c) and shall complete such construction not later than 2 years after the date of the enactment of this Act.

(e) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit a report to the Committee on the Judiciary of the Senate and Committee on the Judiciary of the House of Representatives that describes the progress that has been made in constructing the fencing, barriers, and roads described in subsections (a), (b), and (c).

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

SA 3980. Mr. BURNS submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

SEC. 766. PREVENTION OF CONGRESSIONAL REAPPORTIONMENT DISTORTIONS.

(a) SHORT TITLE.—This section may be cited as the “Fair and Accurate Representation Act of 2006”.

(b) FINDINGS.—Congress finds that—

(1) the current process of reapportioning Representatives in Congress among the several States. Nothing in this subsection shall be construed to supersede section 185 of this title.

(d) CONFORMING AMENDMENT.—Section 22(a) of the Act entitled “An Act To provide for the fifteen and subsequent decennial censuses and to provide for apportionment of Representatives in Congress”, of June 18, 1929 (2 U.S.C. 2a(a)), is amended by striking “as ascertained under the seventeenth and each subsequent decennial census of the pop-ulation of the United States” and reported under section 141 of title 13, United States Code, for each decennial census of population”.

SA 3981. Mr. BINGAMAN (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 292, strike line 18 and all that follows through page 295, line 4, and insert the following:

SEC. 133. TEMPORARY ADMITTANCE OF MEXICAN NATIONALS WITH BORDER CROSSING CARDS.

The Secretary shall permit a national of Mexico, who enters the United States with a valid Border Crossing Card (as described in section 1929 of this title), to be admitted into the United States and subject to deportation; (2) the establishment of the policy of the Bureau of the Census is to make a concerted effort to count the foreign born population within the United States without making a separate computation for illegal aliens; and (3) including the count of illegal aliens in the reapportionment base for the House of Representatives will result in the loss of congressional representation by many States, in violation of the constitutional principle of “one man, one vote”.

(c) ADJUSTMENTS TO PREVENT DISTORTIONS.—Section 141 of title 13, United States Code, is amended—

(1) by redesigning subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following:

“(g) The Secretary shall make such adjustments in total population figures as may be necessary to ensure that aliens who are in the United States in violation of the immigration laws of the United States are not counted in tabulating population under subsection (b) for the purposes of apportion-ment of Representatives in Congress among the several States. Nothing in this subsection shall be construed to supersede section 185 of this title.

(Sec. 776. Provisions Available to States with State and Local Immigration Enforcement Agencie.)

SA 3982. Mr. BINGAMAN (for himself and Mr. DOMENICI) submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 53, between lines 14 and 15, insert the following:

SEC. 107. SOUTHWEST BORDER SECURITY TASK FORCE.

(a) SHORT TITLE.—This section may be cited as the “Southwest Border Security Task Force Act of 2006”.

(b) SOUTHWEST BORDER SECURITY TASK FORCE PROGRAM.—

(1) ESTABLISHMENT.—The Secretary shall establish a southwest border security task force program to—

(A) facilitate local participation in providing recommendations regarding steps to enhance the Department and State, local, and tribal law enforcement agencies.

(2) NUMBER.—In carrying out the program established under paragraph (1), the Secretary shall establish at least 1 Border Security Task Force (referred to in this section as the "Task Force") in each State that is adjacent to the international border between the United States and Mexico.

(3) MEMBERSHIP.—Each Task Force shall include representatives of—

(A) relevant Federal agencies;

(B) State and local law enforcement agencies;

(C) State and local government;

(D) community organizations;

(E) Indian tribes; and

(F) other interested parties.

(4) CHAIRMAN.—Each Task Force shall select a Chairperson from among its members.

(5) RECOMMENDATIONS.—Not later than 9 months after the date of the enactment of this Act, and annually thereafter, each Task Force shall submit a report to the Secretary containing—

(A) specific recommendations to enhance border security along the international border between the State in which such Task Force is located and Mexico; and

(B) a request for financial and other resources necessary to implement the recommendations during the subsequent fiscal year.

(c) BORDER SECURITY GRANTS.—

GRANTS AUTHORIZED.—The Secretary shall award a grant to each Task Force submitting a report under subsection (b)(5)(B) to the extent that—

(A) sufficient funds are available; and

(B) the request is consistent with the Nation’s comprehensive border security strategy.

(2) MINIMUM AMOUNT.—Not less than 1 Task Force in each of the States adjacent to Mexico shall be eligible to receive a grant under this subsection in an amount not less than $500,000.

(3) REPORT.—Not later than 90 days after the end of each fiscal year for which Federal financial assistance or other resources are received by a Task Force, the Task Force shall submit a report to the Secretary describing the use of such financial assistance or other resources by the Task Force and by the organizations represented by the members of the Task Force.

(d) AUTHORIZATION OF APPROPRIATIONS.—The amounts authorized to be appropriated under this section shall be $10,000,000 for each of fiscal years 2007 through 2011 to carry out this section.

SA 3984. Mr. LEVIN (for himself and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

SEC. 112. SECURE COMMUNICATION.

(a) IN GENERAL.—The Secretary shall, as expeditiously as practicable, develop and implement a plan to improve the use of satellite communications and other technologies to ensure clear and secure 2-way communication capabilities—

(1) among all Border Patrol agents conducting operations between ports of entry;

(2) between Border Patrol agents and their respective Border Patrol stations;

(3) between Border Patrol agents and residents in remote areas along the international land borders of the United States; and

(4) between all appropriate border security agencies of the Department and State, local, and tribal law enforcement agencies.
(b) COMMUNICATION SYSTEM GRANTS.—

(1) DEFINITIONS.—In this subsection—

(A) the term ‘‘demonstration project’’ means the demonstration project established under section 2(6) of the Homeland Security Act of 2002 (6 U.S.C. 258); and

(B) the term ‘‘emergency response provider’’ has the meaning given that term in section 2(6) of the Homeland Security Act of 2002 (6 U.S.C. 258).

(2) IN GENERAL.—

(A) ESTABLISHMENT.—There is established in the Department an International Border Community Resilient Communications Demonstration Project.

(B) MINIMUM NUMBER OF COMMUNITIES.—The Secretary shall select not fewer than 6 communities to participate in the demonstration project.

(C) LOCATION OF COMMUNITIES.—Not fewer than 3 of the communities selected under subparagraph (B) shall be located on the northern border of the United States and not fewer than 3 of the communities selected under subparagraph (B) shall be located on the southern border of the United States.

(3) PROJECT REQUIREMENTS.—The demonstration project shall—

(A) address the interoperable communications needs of border patrol agents and other Federal officials involved in border security activities, police officers, National Guard personnel, and emergency response providers;

(B) foster interoperable communications—

(i) among Federal, State, local, and tribal government agencies in the United States involved in security and response activities along the international land borders of the United States; and

(ii) with similar agencies in Canada and Mexico;

(C) identify common international cross-border frequencies for communications equipment, including radio or computer messaging equipment;

(D) foster the standardization of interoperable communications equipment;

(E) identify solutions that will facilitate communications interoperability across national borders expeditiously;

(F) ensure that border patrol agents and other Federal officials involved in border security activities, police officers, National Guard personnel, and emergency response providers can communicate with each another and the public at disaster sites or in the event of an terrorist attack or other catastrophic event;

(G) provide training and equipment to enable border patrol agents and other Federal officials involved in border security activities, police officers, National Guard personnel, and emergency response providers to deal with threats and contingencies in a variety of environments; and

(H) identify and secure appropriate joint-use equipment to ensure communications access.

(4) DISTRIBUTION OF FUNDS.—

(A) IN GENERAL.—The Secretary shall distribute funds under this subsection to each community participating in the demonstration project of a State, or States, in which each community is located.

(B) OTHER PARTICIPANTS.—Not later than 60 days after receiving funds under subparagraph (A) the Secretary shall make the funds available to the local governments and emergency response providers participating in the demonstration project, as selected by the Secretary.

(5) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this subsection beginning in fiscal year 2006, 2007, and 2008, to carry out this subsection.

(6) REPORTING.—Not later than December 31, 2006, and each year thereafter in which funds are appropriated for the demonstration project, the Secretary shall provide to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a report on the demonstration project.

SA 3895. Mr. ENsign (for himself, Mr. SANTORUM, and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

In the appropriate place:

SEC. . PRECISION OF SOCIAL SECURITY CREDITS PRIOR TO ENUMERATION.

(a) INSURED STATUS.—Section 214 of the Social Security Act (42 U.S.C. 414) is amended by adding at the end, the following new subsection:

(4) To the extent funds are made available to the Secretary under section 458 of the Homeland Security Act of 2002 (6 U.S.C. 273) is amended—

(A) except as provided in paragraph (2), no quarter of coverage shall be credited for purposes of paragraph (1) if, with respect to any individual who assigned a social security account number on or after the date of enactment of the Comprehensive Immigration Reform Act of 2005, such quarter of coverage is earned prior to the year in which such social security account number is assigned;

(B) in paragraph (1) shall not apply with respect to any quarter of coverage earned by an individual who, at such time such quarter of coverage is earned, satisfies the criterion specified in subsection (d)(1);

(C) Section 214(e) of such Act (42 U.S.C. 415(e)) is amended—

(1) by striking ‘‘and’’ at the end of paragraph (1);

(2) by striking the period at the end of paragraph (2) and inserting ‘‘and’’; and

(3) by adding at the end a new paragraph as follows:

‘‘(3) in computing the average indexed monthly earnings of an individual who assigned a social security account number on or after the date of enactment of the Comprehensive Immigration Reform Act of 2005, there shall be counted any wages or self-employment income for which no quarter of coverage is assigned to such individual as a result of the application of section 214(d).’’

SA 3896. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . OFFICE OF INTERNAL CORRUPTION INVESTIGATION.

(a) INTERNAL CORRUPTION: BENEFITS FRAUD.—Section 453 of the Homeland Security Act of 2002 (6 U.S.C. 273) is amended—

(1) by striking ‘‘the Bureau of’’ each place it appears and inserting ‘‘United States’’;

(2) in subsection (a)—

(A) by striking paragraph (1) and inserting the following:

‘‘(1) establishing the Office of Internal Corruption Investigation, which shall—

(A) receive, process, administer, and investigate criminal and noncriminal allegations of misconduct, corruption, and fraud involving any employee or contract worker of United States Citizenship and Immigration Services that are not subject to investigation by the Inspector General for the Department;

(B) ensure that all complaints alleging any violation described in subparagraph (A) shall be recorded and stored in a manner appropriate to their sensitivity;

(C) have access to all records, reports, audits, reviews, documents, papers, recommendations, or other materials available to United States Citizenship and Immigration Services, which relate to programs and operations for which the Director is responsible under this Act;

(D) request such information or assistance from any Federal, State, or local government agency as may be necessary for carrying out the duties and responsibilities under this section;

(E) require the production of all information, documents, reports, answers, records, accounts, papers, and other data and documentary evidence necessary to carry out the functions under this section;

(i) by subpoena, which shall be enforceable, in the case of contempt or refusal to obey, by order of any appropriate United States district court; or

(ii) through procedures other than subpoena if obtaining documents or information from Federal agencies;

(F) administer to, or take from, any person an oath, affirmation, or affidavit, as necessary to carry out the functions under this section, which oath, affirmation, or affidavit, if administered or taken by or before an agent of the Office of Internal Corruption Investigation shall have the same force and effect as if administered or taken by or before an officer having a seal;

(G) investigate criminal allegations and noncriminal misconduct;

(H) acquire adequate office space, equipment, and supplies as necessary to carry out the functions and responsibilities under this section; and

(i) be under the direct supervision of the Director.’’;

(b) in paragraph (2), by striking ‘‘and’’ at the end; and

(c) in paragraph (3), by striking the period at the end and inserting ‘‘; and’’; and

(d) by adding at the end the following:

‘‘(1) establishing the Office of Immigration Benefits Fraud Investigation, which shall—

(A) conduct administrative investigations, including site visits, to address immigration benefit fraud;‘‘;

(B) assist United States Citizenship and Immigration Services provide the right benefit to the right person at the right;‘‘;

(C) track, measure, assess, conduct pattern analysis, and report fraud-related data to the Director; and

(D) work with counterparts in other Federal agencies on matters of mutual interest or information-sharing relating to immigration benefit fraud.’’;

and

(3) by adding at the end the following:

(c) ANNUAL REPORT.—The Director, in consultation with the Office of Internal Corruption Investigations, shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives that describes—

(1) the activities of the Office, including the number of investigations begun, completed, pending, turned over to the Inspector General for criminal investigations, and turned over to a United States Attorney for prosecution; and

(2) the types of allegations investigated by the Office during the 12-month period immediately preceding the submission of the report relating to terminal corruption, and fraud described in subsection (a)(1).’’;
(b) USE OF IMMIGRATION FEES TO COMBAT FRAUD.—Section 286(v)(2)(B) (8 U.S.C. 1356(v)(2)(B)) is amended by adding at the end the following: “Not less than 20 percent of the funds made available under this subparagraph shall be used for any deficiency for such taxes owed for any year during the period of establishment of all applicable Federal income tax liabilities with the Internal Revenue Service. The term “applicable Federal income tax liability” means liability for Federal income taxes owed for any year during the period of employment required under paragraph (1)(A) for which the statutory period for assessment of any deficiency for such taxes has not expired.”

SA 3987. Mr. GRASSLEY (for himself and Mr. GRAMM) submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 10, line 11, insert “autonomous unmanned ground vehicles,” after “vehicles.”

SA 3988. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 363, lines 7 and 8, strike ”, when such information is requested in writing by such entity”.

SA 3989. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 362, strike line 4 and all that follows through “(v)” on page 363, line 13, and insert “(e)”.

SA 3990. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 353, lines 14 through 17, strike “The relevant Federal agencies shall work to ensure that such clearances are completed within 90 days of the submission of fingerprints.”.

SA 3991. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 351, strike lines 7 through 22 and insert the following:

“(E) PAYMENT OF INCOME TAXES.—

“(1) IN GENERAL.—Not later than the date on which an alien’s status is adjusted under this section, the alien establishes the payment of all applicable Federal income tax liability by establishing that—

“(I) such tax liability exists;

“(II) all outstanding liabilities have been paid; or

“(III) the alien has entered into an agreement for payment of all outstanding liabilities with the Internal Revenue Service.

“(II) APPLICABLE FEDERAL INCOME TAX LIABILITY.—For purposes of clause (i), the term ‘applicable Federal income tax liability’ means liability for Federal income taxes owed for any year during the period of employment required by subparagraph (D)(i) for which the statutory period for assessment of any deficiency for such taxes has not expired.”

SA 3992. Mr. GRASSLEY (for himself and Mr. ALLEN) submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 286, line 22, strike “alien(s)” and all that follows through page 286, line 5, and insert “alien meets the requirements under section 312.”.

On page 24, line 3, strike “alien either”— and all that follows through line 15, and insert “alien meets the requirements under section 312.”.

SA 3993. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 271 of the amendment, between lines 14 and 15, insert the following:

“(13) AGREEMENT TO COLLECT PERCENTAGE OF WAGES TO OFFSET COST OF EMERGENCY HEALTH SERVICES FURNISHED TO UNINSURED H-2C NONIMMIGRANTS.—The employer shall collect an amount equal to 1.45 percent of the wages paid by the employer to any H-2C nonimmigrant in such amount to the Secretary of the Treasury for deposit into the H-2C Nonimmigrant Health Services Trust Fund established under section 404(c) of the Comprehensive Immigration Reform Act of 2006 at such time and in such manner as the Secretary of the Treasury shall determine.

On page 286, before line 10, insert the following:

“(c) H-2C NONIMMIGRANT HEALTH SERVICES TRUST FUND.—

“(1) CREATION OF TRUST FUND.—There is established in the Treasury of the United States a trust fund to be known as the ‘H-2C Nonimmigrant Health Services Trust Fund’, consisting of such amounts as may be appropriated or credited to such Trust Fund as provided in this subsection or under rules similar to the rules of section 9602 of the Internal Revenue Code of 1986.

“(2) TRANSFERS TO TRUST FUND.—There are hereby appropriated to the H-2C Nonimmigrant Health Services Trust Fund amounts equivalent to the amounts received by the Secretary of the Treasury as a result of the provisions of sections 101 and 13 of the Immigration and Nationality Act.

“(3) EXPENDITURES FROM TRUST FUND.—Amounts in the H-2C Nonimmigrant Health Services Trust Fund shall be available only for making payments by the Secretary of Health and Human Services out of the State allotments established in accordance with paragraph (4) directly to eligible providers for the provision of eligible services to H-2C nonimmigrants to the extent that the eligible provider was not otherwise reimbursed (through insurance or otherwise) for such services, as determined by such Secretary. Such payments shall be made under rules similar to the rules for making payments to eligible providers under section 101 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (42 U.S.C. 1395dd).

“(4) STATE ALLOTMENTS.—Not later than January 1 of each year, the Secretary of Health and Human Services shall establish an allotment for each State equal to the product of—

“(A) the total amount the Secretary of the Treasury notifies the Secretary of Health and Human Services was appropriated or credited to the H-2C Nonimmigrant Health Services Trust Fund during the preceding year; and

“(B) the number of H-2C nonimmigrants employed in the State during such preceding year (as determined by the Secretary of Labor).

“(5) DEFINITIONS.—In this subsection:

“(A) ELIGIBLE PROVIDERS; ELIGIBLE SERVICES.—The terms ‘eligible provider’ and ‘eligible services’ have the meanings given those terms in section 101(e) of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (42 U.S.C. 1395dd).

“(B) H-2C NONIMMIGRANT.—The term ‘H-2C nonimmigrant’ has the meaning given that term in section 218A(n)(7) of the Immigration and Nationality Act.

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DOMENICI. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on May 22, 2006 at 2:30 p.m. in room SD-366 of the Dirksen Building.

The purpose of the hearing is to receive testimony regarding nuclear power provisions contained in the Energy Policy Act of 2005.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6101.

For further information, please contact Clint Williamson or Steve Waskiewicz.
COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DOMENICI. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Tuesday, May 23, 2006 at 10 a.m. in room SD-366 of the Dirksen Building.


Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150.

For further information, please contact Nate Gentry or Steve Waskiewicz.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. SPECTER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the Session of the Senate on Monday, May 15 at 2:30 p.m. The purpose of this hearing is to receive testimony relating to implementation of the Energy Policy Act of 2005's reliability provisions.

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

PRIVILEGES OF THE FLOOR

Mr. SPECTER. Mr. President, I ask unanimous consent that George Farmakides, Seth Moore, Juria Jones, and Joe Jacquot be given floor privileges for the duration of the consideration of S. 261.

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

MEASURE READ THE FIRST TIME—H.R. 4954

Mr. FRIST. I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 4954) to improve maritime and cargo security.

Mr. FRIST. Mr. President, I now ask for its second reading, and in order to place the bill on the calendar under provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will receive its second reading on the next legislative day.

COMMEMORATING THE 30TH ANNIVERSARY OF THE HEROIC RESCUE OF THE AMERICAN FLAG

Mr. FRIST. Mr. President, I ask unanimous consent the Senate now proceed to the consideration of S. Res. 477 which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 477) commemorating the 30th anniversary of the date that Rick Monday heroically rescued the American flag from being desecrated.

There being no objection, the Senate proceeded to consider the resolution.

Mr. LOTT. Mr. President, the baseball field has been the setting for some of the most meaningful moments in American history. It was on a baseball field that the great slugger Lou Gehrig, shortly after learning he was suffering from a fatal disease, delivered his poignant stirring farewell speech, in which he declared himself to be "the luckiest man on the face of the earth." It was on a baseball field that Jackie Robinson broke the color line that had prevented African Americans from competing in the Major Leagues, thus triggering not only integration in professional baseball but the removal of racial barriers throughout American society as well. And it was on a baseball field 30 years ago that another significant moment took place, one that continues to resonate in the minds of millions of Americans.

On April 25, 1976, the Chicago Cubs were playing the Los Angeles Dodgers in an afternoon game at Dodger Stadium. It was early in the season; thus, not much was riding on the game's outcome. Both clubs were under .500 at the time. So for the fans in attendance, there was little reason to believe that the game ultimately would be anything more than pleasantly forgettable.

That all changed during the bottom of the game's fourth inning. The Dodgers were at bat when two protestors ran out onto the outfield grass carrying an American flag. These two proceeded to spread the flag on the ground, douse it with lighter fluid, and pull out some matches. Playing centerfield for the Cubs that day was Rick Monday. As Monday remembers it, "I was mad. What they were doing was wrong. It was wrong in 1976, and I still think it's wrong today... That flag represents all the rights and freedoms that we have in this country. If you desecrate the flag, you are desecrating the people who fought and died to protect those rights and freedoms." Just as one of the protestors was about to put a lit match to the American flag, Monday—while running at full speed—grabbed the flag away.

The legendary Hall of Fame broadcaster Vin Scully did the radio play-by-play for the Dodgers that day. His real-time description of the incident was as follows:

There's two of them. I'm not sure what he's doing out there. It looks like he's going to burn a flag. And Rick Monday runs and takes it away from him... I think a guy was going to set fire to an American flag, can you imagine that? Monday, when he realized what [the protestors] was going to do, ran over and took it from him... this guy was going to try and perform the indignity of setting fire to the American flag... It looked like a piece of cloth but you couldn't really tell from here what it was. But Monday, from his angle, took one look and realized it was a flag. And the fellow evidently was all set to set fire to it when Monday realized it.

And Rick will get an ovation and properly so. So Rick Monday—his alertness and quick thinking—gets a round of applause in centerfield. And on the message board, it just says, "Rick Monday—You Made a Great Play." And Monday is getting another ovation, and well he should. And now a lot of the folks are standing, and now the whole ballpark. And he's going to get a standing ovation.

Rick Monday's courageous and patriotic act of saving the American flag from public desecration then inspired the crowd at Dodger Stadium to spontaneously begin singing "God Bless America." As Monday remembers it, "It moved the entire crowd. I don't remember if we won or lost the game, but I'll never forget the applause." Monday soon began receiving hundreds of letters from people all across the country thanking him for rescuing the flag. His heroic act was especially inspiring to those men and women who were serving in the military or were war veterans. For instance, Monday received a letter from a Vietnam veteran who, as Monday described:

wrote that there were two things that he had with him in two tours of duty. These two things kept him in check with reality. One was a small picture of his wife. The other was a small American flag that was neatly tucked in the left breast pocket of his uniform. He would be in mud for weeks and months at a time. Those two things were what he looked at to connect him with reality, other than his buddies, and some of them were lost in battle. He wrote in the letter, "Thanks for protecting what those of us who were in Vietnam held onto dear.

More recently, Monday was visiting the U.S.S. Arizona Memorial in Hawaii when a survivor of Pearl Harbor walked up to him. When Monday went to shake his hand, the veteran—with tears in his eyes—placed his hand on Monday's shoulder and said, "What you did reaffirmed everything we did as members of the Armed Services."

To fully appreciate what Rick Monday did 30 years ago, one must remember that Americans were going through a very difficult time at that time. The Vietnam War and Watergate had left our country bitterly divided, and America was
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struggling to regain its confidence in the tumultuous aftermath. In saving the American flag from those who sought to desecrate it, Monday conveyed through his actions that the country the flag represents, as well as the liberty and justice the flag symbolizes, are precious and worth defending. Monday’s rescue of the flag thus helped rejuvenate American patriotism throughout the country. For this reason, the Baseball Hall of Fame recognizes the actions taken by Monday when he saved the American Flag as one of the 100 Classic Moments in the history of baseball.

Because of the courage and patriotism demonstrated on a baseball field by Mr. Monday 30 years ago, I am pleased to introduce a resolution commemorating the 30th anniversary of the date that Rick Monday heroically rescued the American flag from being desecrated. It is a fitting way to honor a historic act performed by a man who not only was a great ballplayer but who is a great American as well.

Mr. FRIST. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 477) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. Res. 477

Whereas, on April 25, 1976, Rick Monday played centerfield for the Chicago Cubs in a game against the Los Angeles Dodgers at Dodger Stadium;

Whereas, during the 4th inning of that game, 2 individuals ran onto the outfield of Dodger Stadium, doused an American Flag with lighter fluid, and attempted to set the Flag on fire;

Whereas once Rick Monday recognized that those individuals were about to publicly desecrate the American Flag, he quickly ran towards those individuals and grabbed the American Flag from them just as they were attempting to place a lit match on to the Flag;

Whereas the patriotic act of Rick Monday to rescue the American Flag inspired — I am pleased the Senate is poised to pass this resolution today honoring the invention of the charge-coupled device, or CCD, which has greatly improved our level of imaging technology.

In 1969, Dr. Willard S. Boyle and Dr. George E. Smith worked together at Bell Labs in Murray Hill, New Jersey; and created a basic design for a silicon-membrane chip, known as a CCD. This breakthrough technology was crucial to advancing digital imaging technology and can be found in most imaging devices, including digital cameras and video recorders, space-based telescopes and satellites, and medical imaging devices;

A CCD contains a light-sensitive chip that is able to store small amounts of charges in capacitors. A group of these capacitors create a pixel, which can be combined with other pixels to generate an image. The first CCD had just six pixels while the average camera now contains four to six million pixels. It is a credit to Dr. Boyle and Dr. Smith’s innovation that this technology has been developed into the high resolution images we use in our everyday lives.

Each year, the National Academy of Engineering honors an engineer or engineers whose accomplishments have significantly bettered society by improving our quality of life, providing the ability to live freely and comfortably, and/or easing access to information. This year, the Academy has chosen to honor Dr. Boyle and Dr. Smith with the prestigious Charles Stark Draper Prize for their innovation in imaging technology and invention of the CCD.

The National Inventors Hall of Fame has also chosen to commemorate Dr. Boyle and Dr. Smith’s contributions to society by inducting them into their Hall of Fame. The National Inventors Hall of Fame was founded in 1973 by the U.S. Patent and Trademark Office and the National Council of Intellectual Property Law Associations.

I hope that my colleagues will join me in commemorating the contributions to our society and standard of living that CCD technology has made and congratulating Dr. Willard S. Boyle and Dr. George E. Smith for their justly deserved award.

Mr. FRIST. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table, and any statements related thereto be printed in the RECORD.

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

The resolution (S. Res. 478) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. Res. 478

Whereas charge-coupled device (commonly referred to as “CCD”) technology revolutionized imaging equipment and has significantly affected society by improving quality of life and the technological capabilities of everyday tools and equipment;

Whereas the CCD is widely used in technology, including digital cameras, video recorders, space-based telescopes, satellites, and medical imaging devices;

Whereas Willard S. Boyle of Halifax, Nova Scotia, and George E. Smith of New Bar Harbor, New Jersey, have advanced society through their development of the CCD while working at the Murray Hill, New Jersey, Bell Labs site in 1969; and

Whereas Mr. Boyle and Mr. Smith have been awarded the 2006 Charles Stark Draper Prize by the National Academy of Engineering and inducted into the National Inventors Hall of Fame for their invention; Now, therefore, be it

Resolved, That the Senate commemorates the development of the charge-coupled device.

NATIONAL CHILD CARE WORTHY WAGE DAY

Mr. FRIST. I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 479 submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 479) supporting the development of the charge-coupled device.

NATIONAL CHILD CARE WORTHY WAGE DAY

Mr. FRIST. I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 479 submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 479) supporting the goals and ideas of a National Child Care Worthy Wage Day.
There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and any statements related thereto be printed in the RECORD.

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

The resolution (S. Res. 479) was agreed to.

The preamble was agreed to.

The resolution, with the preamble, reads as follows:

S. Res. 479

Whereas approximately 12,000,000 children are in nonparental care during part or all of the day while their parents work;

Whereas the early care and education industry employs more than 2,000,000 workers;

Whereas these workers indirectly add $580,000,000,000 to the economy by enabling millions of parents to perform their own jobs;

Whereas the average salary of early care and education workers is $18,060 per year, and only ½ have health insurance and even fewer have retirement plans;

Whereas the quality of early care and education programs is directly linked to the quality of early childhood educators;

Whereas the rate of early childhood program staff is roughly 30 percent per year, and low wages and lack of benefits, among other factors, make it difficult to retain high-quality early educators who have the consistent, caring relationships with young children that are important to children’s development;

Whereas the compensation of early childhood program staff should be commensurate with the importance of the job of helping the young children of the Nation develop their social, emotional, physical, and intellectual skills, and be ready for school;

Whereas providing adequate compensation to early childhood program staff should be a priority, and resources may be allocated to improve the compensation of early childhood educators to ensure that quality care and education are accessible to all families;

Whereas training and education for the child care workforce is critical to ensuring high-quality early learning environments, and whereas child care workers should receive compensation commensurate with such training and experience; and

Whereas the Center for the Child Care Workforce, a Project of the American Federation of Teachers Educational Foundation and other early childhood organizations recognized May 1 as National Child Care Worker Wage Day; Now, therefore, be it

Resolved, That the Senate—

(1) designates May 1, 2006, as National Child Care Worker Wage Day, and

(2) calls on the people of the United States to observe National Child Care Worker Wage Day by honoring early childhood care and education staff and programs in their communities.

NATIONAL METHAMPHETAMINE PREVENTION WEEK

Mr. FRIST. I ask unanimous consent the Judiciary Committee be discharged from further consideration of S. Res. 313, and the Senate then proceed to its consideration.

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

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 313) expressing the sense of the Senate that a National Methamphetamine Prevention Week should be established.

Resolved, That it is the sense of the Senate that—

(1) a National Methamphetamine Prevention Week should be established to increase awareness of methamphetamine and educate the public on effective ways to help prevent methamphetamine use at the international, Federal, State, and local levels: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(2) the people of the United States and interested groups should be encouraged to observe National Methamphetamine Prevention Week with appropriate ceremonies and activities.

Mr. FRIST. Mr. President, that is the Cantwell-Talent resolution expressing the sense of the Senate with regard to establishing a National Methamphetamine Prevention Week. I am delighted the resolution was adopted. It is an important issue. This is our No. 1 drug problem today. We made real progress earlier in the year addressing the methamphetamine epidemic that is occurring across the country. Much more needs to be done. I am delighted that resolution was adopted tonight.

ORDERS FOR TUESDAY, MAY 16, 2006

Mr. FRIST. Mr. President, today, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:45 a.m. on Tuesday, May 16. I further ask consent that the following business be carried over to tomorrow morning:

The morning hour be deemed expired, the Journal of proceedings be approved, and the nominations be considered as under the previous order; further, that following the prayer and pledge, the Senate proceeds to consider the resolution of the nomination of Milan D. Smith, Jr., as under the previous order; further, that following the vote on confirmation, the Senate resume consideration of S. 2611, the Comprehensive Immigration Reform Act; further that the Senate adjourns at 12:30 until 2:15 p.m. to accommodate the weekly policy luncheons.

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

PROGRAM

Mr. FRIST. Mr. President, today, we did return to the immigration reform bill and have one amendment pending. We expected other amendments to be offered today, and had Senators prepared to offer and debate their amendments. I am disappointed the other side did not allow those amendments to come forward at this time. I hope we can get back on track tomorrow and start processing amendments.

The other side of the aisle will have an alternative to the Isakson amendment, and I hope it will be offered early. We have a number of Senators waiting to offer amendments, and I hope we can reach reasonable time agreements on each amendment.

At approximately 10 o’clock tomorrow morning, we will have a vote on a
So the administration had 3 years to get ready, 2 years to be prepared for the millions of people under Medicare who would become eligible for a prescription drug benefit. This is an important benefit, one that was not in the original Medicare legislation. In those days, there were not that many prescription drugs, and they were not that good. Now we have quite a variety of very good drugs available to help the elderly and others stay healthy and strong and independent. The Medicare drug benefit was based about prescription drug benefit to Medicare made sense. Keeping people healthy and at home rather than sick and in the hospital or in the nursing home is not only morally right, it makes sense financially. So we passed a bill 2½ years ago. But it was not a very good one. It was extremely complicated. Imagine, if you will, a bill written by the pharmaceutical industry and the insurance industry. And that is what we ended up with, a bill that allows those two industries to capitalize on opportunities for profit-taking, which they are going to do and already have done. Unfortunately, it is at the expense of senior citizens.

In my home State of Illinois, seniors who are trying to figure out which might be the best approach for their prescription drugs have 45 different choices. Forty-five choices may sound like a holiday for some, akin to going to shop at a department store. For many seniors it became overwhelming and confusing.

They tried to get help. They called the Medicare hotline. That was supposed to be the 1-800 number that would answer their questions. If you could get through—after waiting for a long period of time—surveys of people who tried to get through found that many times they were giving out bad information.

They also put out brochures. Medicare put out the written information for seniors, and people looked at it closely and said: Well, this is wrong. It is written poorly. It does not describe the law as it currently exists.

So what was a senior to do? Many of them turned to family friends. I have had friends of mine whose moms and dads had to make this call. They sat down with them, worked through the paperwork. They went online. They helped them make the choice. But that was not always the case. Some people do not have a family member who is available or one who can understand the complexities of this choice. So they went to other places.

They would go to their pharmacist. So many pharmacists—I want to salute them this afternoon—so many pharmacists gave up their time. Frankly, that is what they have to sell, their time and professional advice. And they gave it up for their customers to try to help them through this immensely complicated legislation. So they went to other places.

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prescription drug plan, even if they explained it to them and they could make their choice.

In addition, if they didn't sign up by today, under current law, as written and passed by this Senate and signed by the President, these seniors are going to face a significant penalty, an increase in monthly premiums of 1 percent for every month past the deadline. That means they will automatically be subject to a 7-percent minimum penalty for every month of their lives. This is not a one-time penalty. They are stuck, branded. They came in too late, and they are supposed to pay the price.

I cannot tell you how many times we Democrats have come to the floor and said this is unfair. We need to extend the deadline and lift the penalty on those who otherwise would face the 7 percent indefinitely, for the rest of their lives, and we need to change this program.

Time after time, the Republican majority said: No, we are going to stick with this. It is tough, but that is the way it has to be.

It is my understanding that come tomorrow there will be an effort made—a bipartisan effort—to extend the deadline and lift the penalty. We are not sure. But delaying the penalty would be a good start. Without delaying the enrollment deadline, however, 6 million seniors will be left without coverage between now and November. Countless more will be left in limbo if they say there is no penalty if you didn't sign up by May 15, but you cannot sign up until November. Some couple will be stuck with no opportunity to seek and have the coverage they need for their prescription drugs.

In addition to the millions of seniors who have not yet signed up, there are many awaiting decisions from Medicare after filing complaints about various enrollment problems. They need more time.

Let me tell you about this afternoon. My office received a call from a couple in Illinois. They are enrolled in the Illinois Cares Rx program, a program for low-income seniors. This couple also had supplemental insurance through a former employer. Under the Illinois Cares Rx program, they could only enroll in one of two plans. They enrolled last December and until last week had been successfully filling prescriptions covered by the plan. Then, unknown to them, their former employer also signed them up for a plan. So the couple has been enrolled in two plans since January. Rather than giving the couple a choice of plans, Medicare now has automatically disenrolled them from the plan they had originally selected. They have been switched to a plan chosen by their former employer is not one of the two participating Illinois Cares Rx plans, which means the couple is now ineligible for the Medicare Part D Program and are paying nearly half of their monthly income for premiums and copays.

So this is an example of the complexity of this system. When you let all of these different entities bombard seniors who are doing their best to understand what is best for them—in my office, my staff assistant, Christa Donahue, received a phone call last year from a woman who said she wasn't sure which plan to take. We asked her: Can you tell me about the two plans you are currently taking? She gave us a list of four or five drugs. We decided, for our own knowledge, to take those five drugs and go after the four different plans in Illinois and see what happened to them. What happened is, day after day, week after week, the protection that had been promised in each of those plans changed. On any given day, the plan could drop one of the drugs they originally said they would cover or it could increase or decrease the price of the drug.

So seniors who believed they had signed up for something they could count on could not be sure. They could not be certain their drug would be covered. They could not be certain new drugs would be covered, and they could not be certain of the price.

It was written in a way that always gave the advantage to the drug company and the advantage at the expense of the senior citizen. Now, this couple thought they had done the right thing and it turns out, because of this bureaucratic glitch, they have been denied coverage for their prescription drugs and will have to sign up until November for the next year. Meanwhile, nearly half of their monthly income is going into premiums and copays.

So this is a situation that could have been avoided with a simpler bill, one designed to help seniors, one they could understand. It wasn't written that way; it was written to protect profits.

Even more surprising about this couple is, when they called Medicare and the representative at the other end said that there was no penalty if they didn't sign up by May 15, but you cannot sign up until November, forced to pay higher premiums and higher drug prices, through no fault of their own.

That is one story. Seniors need more time. We certainly should extend the enrollment deadline until the end of the year. We should suspend any penalty during that period of time, and we also should do something I think is critically important: we ought to acknowledge the obvious. We should have allowed Medicare to offer an option under this plan—yes, one Medicare option that people could turn to as the standard option.

The Veterans' Administration negotiated to help seniors bring costs down and that brought the cost of drugs down. It made more drugs available for the veterans who served our country. The same could have happened for seniors under Medicare. The pharmaceutical companies and insurance companies knew that. They didn't want Medicare's bargaining power to bring it down to the lowest prices. So they spent our efforts there—efforts to allow Medicare to offer an option under Medicare prescription Part D.

It is time to change that. It is time to allow Medicare to negotiate for seniors, to bring down costs even at the expense of profit taking by the drug companies.

If this sounds vaguely familiar, it is what Canada does. They have done that to protect their seniors and others living in their country. They have said to the drug companies: You are entitled to a profit but not profiteering. You are entitled to make money for additional research but not at the expense of some of the most vulnerable people in their country.

So they limited the amount of increase each year in the cost of the prescription drugs. That is why even today many people—even people in my family—are going to Canada to buy drugs. The efforts to extend the deadline, however, may have to explain to their seniors how this makes sense. May 15 will come and go. The efforts to extend the deadline, to lift the penalty and change the plan, despite being made many times on the floor of the Senate, have been rejected.
their loyalty to this flawed plan and be
more loyal to the seniors who count on
us every day.
I yield the floor.

ADJOURNMENT UNTIL 9:45 A.M.
TOMORROW

The PRESIDING OFFICER. Under
the previous order, the Senate stands
in adjournment until Tuesday, May 16,
at 9:45 a.m.
Thereupon, the Senate, at 6:35 p.m.,
adjaured until Tuesday, May 16, 2006,
at 9:45 a.m.

NOMINATIONS

Executive nomination received by
the Senate May 15, 2006:

IN THE AIR FORCE

The following named officer for appointment
in the United States Air Force to the grade indi-
cated while assigned to a position of importance
and responsibility under Title 10, U.S.C., Section
601:

To be general

GEN. MICHAEL V. HAYDEN
HONORING THE DISTINGUISHED ETHIOPIAN POET LAUREATE TSEGAYE GABRE-MEDHIN

HON. ELIJAH E. CUMMINGS
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Monday, May 15, 2006

Mr. CUMMINGS. Mr. Speaker, I rise today to honor the life and work of Ethiopian Poet Laureate Tsegaye Gabre-Medhin who passed away on February 25, 2006 at the age of 69 in his New York home.

Mr. Tsegaye Gabre-Medhin left behind a legacy of poetry and literary works that continue to inspire generations.

Tsegaye was born in 1936 in the town of Boda during the Italian invasion of Ethiopia. As a youth, he showed great promise as a writer. In elementary school he wrote and produced “King Dionysus and the Two Brothers,” a play that was attended by Emperor Haile Selassie.

Tsegaye grew to become one of his country’s most prominent literary figures and an international voice for African culture and peace. A prolific writer, he created more than 30 plays and numerous poems. Many in Ethiopia have claimed him to be that nation’s “Shakespeare.” For Tsegaye, poetry and theater were paths to inspiring hearts and condemning violence.

After completing secondary education in Ethiopia, he attended Blackstone School of Law in Chicago where he graduated in 1959. But, theater, not law, was his lifelong calling. In 1959 and 1960, he studied experimental drama at the Royal Court Theater in London and the Comedie-Francaise in Paris.

Tsegaye revolutionized theater with his portrayals of the poor and the forgotten, war, imperialism, human failings, and courage. While his work delighted the public, 18 of his 33 plays were banned by one government or another. He put into words what many could not say. Tsegaye’s poem, “The Day’s Hunger Consumed,” voiced an Ethiopian public’s outrage at the news of famine raging in the north.

From coast to coast, he was artistic director of the Ethiopian National Theater. In 1964, “Oda Oak Oracle,” a play written in English about Ethiopian country life and lore was produced around the world thrilling audiences in Africa, Great Britain and the U.S.

In 1971, Tsegaye was awarded a fellowship to the University of Dakar to study African cultural antiquities. That research led to a Fulbright Scholarship which enabled him to tour the U.S. lecturing on Ethiopian art and literature. During the 1970s, he helped found the department of theater at Addis Ababa University. He also worked as an Oxford University Press editor and in 1975 served as Vice Minister of Culture and Sports.

Tsegaye’s contributions to art and history are recognized worldwide. In 1966, he was awarded Ethiopia’s highest literary honor—the Haile Selassie Prize for Arharic Language. Other awards include the Gold Mercury Ad Personam Award in 1982; Fulbright Senior Scholar Resident Fellowship Award at Columbia University in 1985; Human Rights Watch Free Expression Award in New York in 1994. In 1997, the Congress of World Poets and the United Poets Laureate International conveyed on him the title of Poet Laureate. The Norwegian Author’s Union, along with the Royal Norwegian Ministry of Cultural Affairs, conferred its Annual Freedom of Expression Prize on Tsegaye in 2005.

Poet Laureate Tsegaye held membership in many distinguished organizations, including the African Writer’s Union and the African Researcher’s Union. While Tsegaye received many honors, one of his most prized was when the African Union selected one of his poems for its anthem. In the poem, Tsegaye wrote, “Let us make Africa the tree of life.” Alling health forced Tsegaye to leave his beloved Ethiopia in 1998 to move to New York for medical treatment that was not available in Ethiopia. Undeterred by illness, weakened eyesight, and an exhausting regimen of medical procedures, he continued to educate and inspire through his writings. His work was about social consciousness, and his sense of purpose and humanity.

Through his literature, Tsegaye’s pride in Ethiopia and love for Africa will live with us forever.

I close with one of Tsegaye’s more famous quotations, “I crave for knowledge. I envy tolerant, peaceful folks. I am frightened by ignorance. I loathe violence.”—Tsegaye Gabre-Medhin

HONORING THE RETIREMENT OF ALAN F. CLAYTON

HON. GRACE F. NAPOLITANO
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, May 15, 2006

Mrs. NAPOLITANO. Mr. Speaker, I rise today to honor and pay tribute to Alan Clayton, who recently retired after more than 24 years of distinguished public service. His leadership in numerous advocacy efforts has helped to improve the life of Latinos in the United States, especially for my constituents in the 38th Congressional District and throughout California.

Alan Clayton has been working in public policy and civil rights since 1985. Over the next two decades, he held a wide and lengthy variety of positions fighting for equal opportunity, advocating fair representation, and defending key programs. He has most recently worked as the Director of Equal Employment Opportunity for the Los Angeles County Chicoano Employees Association since 1994. His work has been recognized by civil rights organizations, Latino employee groups, and many local agencies.

In 1985, while he was a State civil rights representative for the California League of United Latin American Citizens, Alan filed a petition with the Governor and legislature over the lack of representation for Latinos in California State Government. His work lead to a joint legislative task force on the issue, and further efforts resulted in a redistricting for Los Angeles that better reflected representation for the Latino community.

On behalf of the Los Angeles County Chiciano Employees Association, Alan filed a complaint against the California Department of Health Services in 1987 for their systematic discrimination against Latinos in their hiring and promotions. The complaint was settled in 1992, resulting in the successful allocation of funds towards equal opportunity recruitment.

Alan has also been a leader in advocating for Latino empowerment in the redistricting of the City of Los Angeles and the Los Angeles Unified School District. These redistricting efforts in 1991 lead to the election of a second Latino to the Los Angeles Unified School District Board and a third Latino to the Los Angeles City Council.

His work on civil rights continued in 1997, when he began a five year effort fighting for a state senate bill that would assure extended outreach to minority groups and women in recruitment programs conducted by public sector agencies.

Through his role as Director of Equal Employment Opportunity at the Los Angeles County Chicanos Employees Association, Alan co-drafted and was the principle advocate for the Schiff-Cardenas Juvenile Justice Act of 2000. It has since provided over 550 million dollars of new money for juvenile programs administered both by probation departments, governmental agencies, and community based organizations. Since 2001, Alan has played a leading role in increasing representational fairness in Los Angeles County, both through ballot efforts to expand the Board of Supervisors, and through work that has increased the Latino community’s ability to elect candidates of their choice for both the school district and city council.

Mr. Speaker, today I would like to personally acknowledge and congratulate Alan Clayton for his many years of dedicated work. I ask my colleagues to join me and the many organizations in applauding his important efforts on behalf of California’s Latino community. I wish him and his wife Diane continued success, health and happiness in the future.

PERSONAL EXPLANATION

HON. DAVID G. REICHERT
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Monday, May 15, 2006

Mr. REICHERT. Mr. Speaker, on May 11, 2006, I missed rollcall vote No. 141, an amendment to the National Defense Authorization Act for FY07 offered by Congressman GOODE (VA). I was unavoidably detained. If I had been present, I would have voted “aye.”
Mr. SMITH of New Jersey. Mr. Speaker, reports that large enterprises and international networks run an organized “industry” with political support and economic resources in countries of origin, transit and destination. Corrupt officials are often implicated.

The Trafficking Victims Protection Act requires that every year the United States Department of State analyze and report on the problem of trafficking in persons around the world. If Germany is providing direct or indirect sanction for sex trafficking, then Germany does not deserve to be ranked as a tier one country.

As the world will turn its attention to soccer, those committed to ending the tragedy of trafficking of women and girls for sexual exploitation will be watching how Germany protects the most vulnerable. I hope that the German Government is ready.
HONORING CADET LIEUTENANT BRANDON J. ARCHULETA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 15, 2006

Mr. NAPOLITANO. Mr. Speaker, I rise today to honor Brandon Jason Archuleta, a distinguished Class President of the United States Military Academy in West Point for four consecutive years, a forthcoming graduate, and my constituent from the great city of Montebello, California.

On Saturday, May 27, 2006, Cadet Lieutenant Brandon Archuleta will complete his term at West Point Academy with a Bachelor of Sciences degree in American History and a commission as a Field Artillery Officer in the United States Army. As a freshman, or "Plebe," at West Point, he was elected by 1,200 of his peers as President for the Class of 2006. During his second year he was re-elected to a life-term representing his peers, while he continued to expand his academic accomplishments and his extracurricular involvement. He has received the National Defense Service Medal, the National Air Assault badge, while his leadership has been profiled by both MSNBC and the New York Times.

Brandon’s studies included research into comparative politics, political participation, legislative processes, defense policy, international security, and the media. In his fourth year, Brandon focused his senior thesis on American Politics. His work highlighted Hispanic Members of Congress and analyzed how concerns over ethnicity impacted their voting behavior and representation. While preparing this thesis, Brandon visited the Congressional Hispanic Caucus (CHC), interviewed several members, and was invited to attend a Caucus meeting in Washington where he met Senator KERRY. His study makes a unique contribution to the West Point academic community, as one of the first known research efforts on Hispanic Members of the 109th Congress.

Brandon Archuleta was born on November 24, 1983, to Bob and Vera Archuleta. A life-long baseball fan, he attended La Merced Elementary and Intermediate schools, becoming heavily involved in the Student Councils at both schools. He became an Eagle Scout, played baseball for several years, and developed artistic skill in both band and drama. Brandon attended St. John Bosco Catholic High School in Bellflower, and remained involved in: the varsity football team, 3 terms as class president, swim team, campus ministry, and the school newspaper. Brandon graduated with honors from St. John Bosco in 2001, and was chosen to deliver their commencement speech on behalf of his graduating class.

Shortly after graduating, he traveled to New Jersey where he attended the United States Military Academy Preparatory School, followed by his appointment United States Military Academy at West Point in 2002. As a Field Artillery Officer, Archuleta’s first assignment will be with the 3rd Infantry Division at Fort Stewart, Georgia. After five years of preparation and training, Brandon is ready for another five years as a commissioned officer in the United States Army.

Mr. Speaker, today I would like to personally acknowledge and commend Brandon Archuleta for his dedication to leadership and continuing service to our country. I ask my colleagues to join me in congratulating Brandon on his many achievements, especially upon his West Point graduation, and honoring his exemplary service as a role model for America’s youth. I wish him all the best for his future.
For 50 years Folsom Dam has provided the residents of Sacramento with increased flood protection, recreation, water storage, and power. With proposed modifications to Folsom Dam in the pipeline, Californians will enjoy even greater flood protection in the years to come. Mr. Speaker, as residents of Sacramento gather to commemorate this significant milestone, I ask all of my colleagues to join me in paying tribute to the 50th anniversary of Folsom Dam.

CONGRATULATIONS TO THE CHEERLEADERS OF VICTORIA MEMORIAL HIGH SCHOOL IN VICTORIA, TEXAS

HON. RON PAUL OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Monday, May 15, 2006

Mr. PAUL. Mr. Speaker, I rise today to congratulate the Cheerleaders of the Victoria Memorial High School in Victoria, Texas for their many recent accomplishments during the school year that is about to be completed.

Not only did these Cheerleaders win 1st place at the Universal Cheerleaders Association Regional Championship on December 11th, 2005, earning a bid to the National High School Cheerleading Championship in Orlando, Florida. They also won 1st place at the Universal Cheerleaders Association State Championship on January 29, 2006.

Moreover, they won 1st place at the Universal Cheerleaders Association National High School Cheerleading Championship in Orlando, Florida on February 12, 2006. The squad competed against 52 of the top cheerleading squads from across the Nation in the Small Varsity Division. The Memorial High School Cheerleading squad worked their way to the top spot in the Nation by placing among the top ten squads in the Nation since 2001.

In addition to their cheerleading duties, which include cheering at numerous athletic events held by their school and a rigorous practice schedule, each of these girls must maintain an overall grade average of 80 or above. They also participate in numerous community service activities, such as the American Cancer Society’s Relay for Life, The American Heart Association’s Heart Walk, and Red Ribbon Week. Additionally, they work with elementary and middle schools, building and promoting school spirit.

I want to congratulate Amanda Dunn and Spencer Streetman, Co-Head Cheerleaders as well as the rest of the squad, including: Caitlin Klare, Shelley Frerich, Ashley Blackburn, Marlee Mize, Syndal Brown, Brittney Morris, Sheina Farooqui, Kelcey Newell, Jordan Payne, Stephanie Bess, Ashton Bland, and Kay Boles.

I also wish to commend Head Coach Denise Neel, Choreographer Missy DeLuna and Assistant Coaches Ricky Contreras, Lindsay Neel, Bennie Cunningham, and Sarah Jammers.

Again, Mr. Speaker, my heartfelt congratulations to all those associated with the Cheerleaders of the Victoria Memorial High School in Victoria, Texas on a job well done.
### MEETINGS SCHEDULED

#### MAY 17

**9:30 a.m.**  
Environment and Public Works  
To hold hearings to examine the nominations of Dale Klein, of Texas, to be Member of the Nuclear Regulatory Commission, and Molly A. O’Neill, of Virginia, to be an Assistant Administrator of the Environmental Protection Agency.  
SD-628

**Indian Affairs**  
To hold an oversight hearing to examine Indian youth suicide.  
SR-485

**Judiciary**  
To hold hearings to examine understanding the benefits and cost of Section 5 pre-clearance requirements of the Voting Rights Act.  
SD-226

**10 a.m.**  
Appropriations  
Defense Subcommittee  
To hold hearings to examine proposed budget estimates for fiscal year 2007 for the Department of Defense.  
SD-192

**Finance**  
To hold hearings to examine physician-owned specialty hospitals.  
SD-215

**Health, Education, Labor, and Pensions**  
Business meeting to consider the proposed Ryan White Modernization Act of 2006, proposed Mine Safety and Health Act of 2006, proposed Older Americans Act Amendments of 2006, and the National Assessment of Educational Progress Authorization Act to require State academic assessments of student achievement in United States history and civics, and the nominations of Jerry Gayle Bridges, of Virginia, to be Chief Financial Officer, and Vince J. Juaristi, of Virginia, to be a Member of the Board of Directors, both of the Corporation for National and Community Service, Harry R. Hoglander, of Massachusetts, and Peter W. Tredick, of California, each to be a Member of the National Mediation Board, J. C. A. Stagg, of Virginia, to be a Member of the Board of Trustees of the James Madison Memorial Fellowship Foundation, Kent D. Talbert, of Virginia, to be General Counsel, Department of Education, and Horace A. Thompson, of Mississippi, to be a Member of the Occupational Safety and Health Review Commission.  
SD-430

**Homeland Security and Governmental Affairs**  
To hold hearings to examine the nominations of Robert J. Portman, of Ohio, to be Director of the Office of Management and Budget.  
SD-342

**2 p.m.**  
Commission on Security and Cooperation in Europe  
To hold hearings to examine the role of the Office for Democratic Institutions and Human Rights relating to advancing the human dimension in the OSCE, focusing on the Office for Democratic Institutions and Human Rights and its role in monitoring elections in OSCE countries.  
SD-226

**Foreign Relations**  
To hold hearings to examine Iran’s political/nuclear ambitions and U.S. policy options.  
SD-419

**Intelligence**  
To hold hearings to examine Iran’s political/nuclear ambitions and U.S. policy options.  
SD-419

**Aging**  
To hold hearings to examine caring for seniors during a national emergency.  
SD-628

**3:30 p.m.**  
Commerce, Science, and Transportation  
Business meeting to markup the proposed innovation bill.  
SD-562

**Foreign Relations**  
To hold hearings to examine the nominations of General Michael V. Hayden, United States Air Force, to be Director of the Central Intelligence Agency.  
SH-216

**Homeland Security and Governmental Affairs**  
To hold hearings to examine the nomination of Robert Irwin Cusick, Jr., of Kentucky, to be Director of the Office of Government Ethics, Office of Personnel Management.  
SD-342

**Aging**  
To hold hearings to examine caring for seniors during a national emergency.  
SD-628

**3 p.m.**  
Judiciary  
Antitrust, Competition Policy and Consumer Rights Subcommittee  
To hold hearings to examine AT&T and BellSouth merger and what it means for consumers.  
SD-226
MAY 19
9 a.m.
Appropriations
Labor, Health and Human Services, Education, and Related Agencies Subcommittee
To hold hearings to examine proposed budget estimates for fiscal year 2007 for the National Institutes of Health.
SD–192

MAY 22
2 p.m.
Homeland Security and Governmental Affairs
To hold hearings to examine the nomination of Lurita Alexis Doan, of Virginia, to be Administrator of General Services.
SD–342

2:30 p.m.
Energy and Natural Resources
SD–366

MAY 23
10 a.m.
Banking, Housing, and Urban Affairs
To hold hearings to examine improving financial literacy in the United States.
SD–106

Commerce, Science, and Transportation
To hold hearings to examine price gouging related to gas prices.
SD–562

Energy and Natural Resources
SD–366

MAY 24
10 a.m.
Energy and Natural Resources
Business meeting to consider pending calendar business.
SD–366

10:15 a.m.
Judiciary
To hold hearings to examine the McCarran-Ferguson Act, focusing on implications of repealing the insurers’ antitrust exemption.
SD–226

10:30 a.m.
Appropriations
Legislative Branch Subcommittee
To resume hearings to examine the progress of construction on the Capitol Visitor Center.
SD–138

2:30 p.m.
Energy and Natural Resources
Public Lands and Forests Subcommittee
To hold hearings to examine S. 1135, to authorize the exchange of certain land in Grand and Uintah Counties, Utah, S. 2466, to authorize and direct the exchange and conveyance of certain National Forest land and other land in southeast Arizona, and S. 2567, to maintain the rural heritage of the Eastern Sierra and enhance the region’s tourism economy by designating certain public lands as wilderness and certain rivers as wild and scenic rivers in the State of California.
SD–366

MAY 25
9:30 a.m.
Indian Affairs
To hold an oversight hearing to examine Indian education.
SR–485

10 a.m.
Commerce, Science, and Transportation
To resume hearings to examine S. 2686, to amend the Communications Act of 1934 and for other purposes.
SD–106

Veterans’ Affairs
To hold hearings to examine pending benefits related legislation.
SR–418

2:30 p.m.
Commerce, Science, and Transportation
Business meeting to markup S. 2686, to amend the Communications Act of 1934 and for other purposes.
SH–216

JUNE 8
10 a.m.
Commerce, Science, and Transportation
Business meeting to examine the Pacific Salmon Treaty.
SD–562

JUNE 14
10 a.m.
Commerce, Science, and Transportation
Technology, Innovation, and Competitiveness Subcommittee
To hold hearings to examine alternative energy technologies.
Room to be announced

JUNE 15
10:30 a.m.
Commerce, Science, and Transportation
Fisheries and Coast Guard Subcommittee
To hold hearings to examine the Coast Guard budget.
SD–562

POSTPONEMENTS

MAY 17
10 a.m.
Commerce, Science, and Transportation
Technology, Innovation, and Competitiveness Subcommittee
To hold hearings to examine accelerating the adoption of health information technology.
SD–562
A unanimous-consent agreement was reached providing that on Tuesday, May 16, 2006, following the vote on the confirmation of the nomination of Milan D. Smith, Jr., of California, to be United States Circuit Judge for the Ninth Circuit, Senate continue consideration of the bill.

Nomination—Agreement: A unanimous-consent agreement was reached providing that at 9:45 a.m. on Tuesday, May 16, 2006, Senate proceed to executive session for the consideration of the nomination of Milan D. Smith, Jr., of California, to be United States Circuit Judge for the Ninth Circuit; provided further, that prior to the vote there be 15 minutes for debate equally divided between the Chairman and Ranking Member of the Committee on the Judiciary, and Senator Smith, and that at the expiration or yielding back of time, Senate proceed to a vote on confirmation of the nomination.

Nominations Received: Senate received the following nomination:

1 Air Force nomination in the rank of general.
Committee Meetings

(Committees not listed did not meet)

ELECTRICITY RELIABILITY


House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: There were no bills or resolutions introduced in the House of Representatives today.

Additional Cosponsors: Page H2597

Reports Filed: Reports were filed today as follows:

H.R. 5385, making appropriations for the military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2007, and for other purposes (H. Rept. 109–464);

H.R. 5386, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2007, and for other purposes (H. Rept. 109–465); and

H.R. 4681, to promote the development of democratic institutions in areas under the administrative control of the Palestinian Authority, and for other purposes, with an amendment (H. Rept. 109–462, Pt. 2).

Speaker: Read a letter from the Speaker wherein he appointed Representative Campbell to act as Speaker pro tempore for today.

Page H2596

Board of Trustees of the Open World Leadership Center—Appointment: Upon the recommendation of the Majority Leader, the Chair announced the Speaker’s reappointment of Ms. Elizabeth H. Prodromou of Boston, Massachusetts, on the part of the House to the Commission on International Religious Freedom for a two-year term ending May 14, 2008.

Page H2595

Quorum Calls—Votes: There were no yea-and-nay votes, and there were no recorded votes. There were no quorum calls.

Adjournment: The House met at 2 p.m. and adjourned at 2:07 p.m.

Committee Meetings

No committee meetings were held.

NEW PRIVATE LAWS

S. 584, to require the Secretary of the Interior to allow the continued occupancy and use of certain land and improvements within Rocky Mountain National Park. Signed on May 12, 2006. (Private Law 109–1)

Page H2595

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D450)

H.R. 3351, to make technical corrections to laws relating to Native Americans. Signed on May 12, 2006. (Public Law 109–221)
COMMITTEE MEETINGS FOR TUESDAY, MAY 16, 2006

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine the nominations of James Lambright, of Missouri, to be President of the Export-Import Bank of the United States, Armando J. Bucelo, Jr., and Todd S. Farha, both of Florida, each to be a Director of the Securities Investor Protection Corporation, Jon T. Rymer, of Tennessee, to be Inspector General, Federal Deposit Insurance Corporation, John W. Cox, of Texas, to be Chief Financial Officer, Department of Housing and Urban Development, and William Hardiman, of Michigan, to be a Member of the Board of Directors of the National Institute of Building Sciences, 10 a.m., SD–538.

Subcommittee on Securities and Investment, to hold hearings to examine the role of hedge funds in U.S. capital markets, 2 p.m., SD–538.

Committee on Commerce, Science, and Transportation: to hold hearings to examine Transportation Worker Identification Credential, 10 a.m., SD–562.

Committee on Energy and Natural Resources: to hold hearings to examine the status of Yucca Mountain Repository Project within the Office of Civilian Radioactive Waste Management at the Department of Energy, 10 a.m., SD–366.

Subcommittee on National Parks, to hold hearings to examine S. 1686, to amend the Constitution Heritage Act of 1988 to provide for the operation of the National Constitution Center, S. 2417 and H.R. 4192, bills to authorize the Secretary of the Interior to designate the President William Jefferson Clinton Birthplace home in Hope, Arkansas, as a National Historic Site and unit of the National Park System, S. 2419 and H.R. 4882, bills to ensure the proper remembrance of Vietnam veterans and the Vietnam War by providing a deadline for the designation of a visitor center for the Vietnam Veterans Memorial, S. 2568, to amend the National Trails System Act to designate the Captain John Smith Chesapeake National Historic Trail, S. 2627, to amend the Act of August 21, 1935, to extend the authorization for the National Park System Advisory Board, and S. Res. 468, supporting the continued administration of Channel Islands National Park, including Santa Rosa Island, in accordance with the laws (including regulations) and policies of the National Park Service, 2:30 p.m., SD–366.

Committee on Finance: to hold hearings to examine the nomination of Susan C. Schwab, of Maryland, to be United States Trade Representative, with the rank of Ambassador; to be followed by a business meeting to consider proposed legislation implementing the U.S.-Oman Free Trade Agreement, and the nomination of W. Ralph Basham, of Virginia, to be Commissioner of Customs, Department of Homeland Security, 10 a.m., SD–215.

Committee on Foreign Relations: to hold hearings to examine energy security and oil dependence issues, 9:30 a.m., SD–419.

Committee on Health, Education, Labor, and Pensions: Subcommittee on Retirement Security and Aging, to hold hearings to examine naturally occurring retirement communities, 10 a.m., SD–430.

Committee on the Judiciary: to hold hearings to examine the continuing need for Section 5 pre-clearance requirements of the Voting Rights Act, 9:30 a.m., SD–226.

Select Committee on Intelligence: to hold hearings to examine the nomination of Kenneth L. Wainstein, of Virginia, to be Assistant Attorney General for National Security, Department of Justice, 10:30 a.m., SH–216.

House


Committee on Homeland Security, hearing entitled “Are We Ready?: Implementing the National Strategy for Pandemic Influenza,” 2 p.m., 311 Cannon.

Committee on International Relations, Subcommittee on Africa, Global Human Rights and International Relations, hearing on Medical Outreach: An Instrument of U.S. Diplomacy, 2 p.m., 2172 Rayburn.

Committee on the Judiciary, Subcommittee on Courts, the Internet, and Intellectual Property, oversight hearing on Section 115 Reform Act (SIRA) of 2006, 4 p.m., 2141 Rayburn.

Committee on Rules, to consider the following: H.R. 4200, Forest Emergency Recovery and Research Act; and H.R. 5384, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2007, 5 p.m., H–313 Capitol.
Next Meeting of the SENATE
9:45 a.m., Tuesday, May 16

Senate Chamber

Program for Tuesday: Senate will begin consideration of the nomination of Milan D. Smith, Jr., of California, to be United States Circuit Judge for the Ninth Circuit, with a vote on confirmation thereon; following which, Senate will continue consideration of S. 2611, Comprehensive Immigration Reform Act.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES
12:30 p.m., Tuesday, May 16

House Chamber

Program for Tuesday: Consideration of suspensions as follows: (1) H.R. 2978—To allow the Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation to enter into a lease or other temporary conveyance of water rights recognized under the Fort Peck-Montana Compact for the purpose of meeting the water needs of the Dry Prairie Rural Water Association, Incorporated; (2) H.R. 586—Right-to-Ride Livestock on Federal Lands Act of 2005; (3) H.R. 3682—To redesignate the Mason Neck National Wildlife Refuge in Virginia as the Elizabeth Hartwell Mason Neck National Wildlife Refuge; (4) S. 1869—Coastal Barrier Resources Reauthorization Act of 2005; (5) H.R. 518—Neotropical Migratory Bird Conservation Improvement Act of 2006; (6) S. 1165—James Campbell National Wildlife Refuge Expansion Act of 2005; (7) H. Res. 751—Recognizing the cultural and educational contributions of American Ballet Theatre throughout its 65 years of service as “America’s National Ballet Company”; (8) H. Res. 740—Calling on the Government of the United Kingdom to immediately establish a full, independent, public judicial inquiry into the murder of Northern Ireland defense attorney Pat Finucane, as recommended by international Judge Peter Cory as part of the Weston Park agreement and a way forward for the Northern Ireland Peace Process; (9) H. Res. 795—Condemning in the strongest terms the terrorist attacks in Dahab and Northern Sinai, Egypt, on April 24 and 26, 2006; and (10) H. Res. 499—Condemning the murder of American journalist Paul Klebnikov on July 9, 2004, in Moscow and the murders of other members of the media in the Russian Federation.

Extensions of Remarks, as inserted in this issue

HOUSE
Cummings, Elijah E., Md., E829
Matsui, Doris O., Calif., E831
Napolitano, Grace F., Calif., E829, E831

ACKERMAN, Gary L., N.Y., E830

Paul, Ron, Tex., E831, E829
Reichert, David G., Wash., E829
Smith, Christopher H., N.J., E830

CONGRESSIONAL RECORD—DAILY DIGEST
May 15, 2006

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