of troops into Baghdad. Senator WARNER, Senator COLLINS and I believe this resolution avoids partisan rhetoric and provides the Senate a voice to express their disagreement with the President on his Iraq policy.

Importantly, this resolution holds the Iraqis accountable and lets them know that the U.S. commitment is not open-ended. Our resolution emphasizes the Iraq Study Group's valuable recommendations and specifically says that our strategy in Iraq ''should be conditioned upon the Iraqi government's meeting benchmarks that must be specified by the Administration.''

Along those lines, I hope General Petraeus will be vigorous in keeping Congress informed of progress he is making in Iraq. We need to know what the benchmarks are on the military side of the ledger. We also need to know what is expected of the Iraqis. I hope it's much more than just showing up; the bar can't be that low. I don't want to bombard General Petraeus with paperwork—we want and need him in Baghdad neighborhoods restoring order—but it is vital that we know if the Iraqis are capable of sharing security responsibilities.

During his office call last week, I told General Petraeus the expectations from Congress for his success are high, but the hopes of the American people are even higher. I feel that General Petraeus wants nothing less than success in Iraq and I look forward to working with him in the coming months to meet the needs of the troops so they have the tools they need to complete this mission.

Mr. LEVIN. Mr. President, unless there is someone else who wants to speak, I have already spoken. I would ask, is the vote scheduled?

The ACTING PRESIDENT pro tempore. Yes. At the expiration of time, 6 minutes 30 seconds, the vote will occur.

Mr. LEVIN. I note the absence of a quorum.

The ACTING PRESIDENT pro tempore. Without objection, the clerk will call the roll.

The legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mrs. MURRAY. Mr. President, I yield back the remaining time on this side, and I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second? There appears to be a sufficient second.

The question is, Will the Senate advise and consent to the nomination of LTG. David H. Petraeus to be General, United States Army? On this question, the yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER), the Senator from North Dakota (Mr. DORGAN), the Senator from Hawaii (Mr. INOUYE), and the Senator from South Dakota (Mr. JOHNSON) are necessarily absent.

I further announce that the Senator from Washington (Ms. CANTWELL), the Senator from Massachusetts (Mr. KERRY), and the Senator from Vermont (Mr. LEAHY) are absent on official business.

I further announce that, if present and voting, the Senator from California (Mrs. BOXER), the Senator from Washington (Ms. CANTWELL), the Senator from North Dakota (Mr. DORGAN), the Senator from Massachusetts (Mr. KERRY), and the Senator from Vermont (Mr. LEAHY) would each vote ''yea.''

Mr. MCCONNELL. The following Senators were necessarily absent: the Senator from Arizona (Mr. MCCAIN), the Senator from Kansas (Mr. ROBERTS), the Senator from Oregon (Mr. SMITH), the Senator from Alaska (Mr. STEVENS), and the Senator from Wyoming (Mr. THOMAS).

Further, if present and voting, the Senator from Georgia (Mr. CHAMBLISS), the Senator from Oklahoma (Mr. COBURN), the Senator from Idaho (Mr. CRAIG), the Senator from South Carolina (Mr. GRAHAM), the Senator from Arizona (Mr. KYL), the Senator from Mississippi (Mr. LOTT), and the Senator from Florida (Mr. MARTINEZ) would have voted ''yea.''

The result was announced—yeas 81, nays 0, as follows:

[Rollcall Vote No. 33 Ex.]

YEAS—81

Akaka	Dole	Mikulski
Alexander	Domenici	Murkowski
Allard	Durbin	Murray
Baucus	Ensign	Nelson (FL)
Bayh	Enzi	Nelson (NE)
Bennett	Feingold	Obama
Biden	Feinstein	Pryor
Bingaman	Grassley	Reed
Bond	Gregg	Reid
Brown	Hagel	Rockefeller
Brownback	Harkin	Salazar
Bunning	Hatch	Sanders
Burr	Hutchison	Schumer
Byrd	Inhofe	Sessions
Cardin	Isakson	Shelby
Carper	Kennedy	Snowe
Casey	Klobuchar	Specter
Clinton	Kohl	Stabenow
Cochran	Landrieu	Sununu
Coleman	Lautenberg	Tester
Collins	Levin	Thune
Conrad	Lieberman	Vitter
Corker	Lincoln	Voinovich
Cornyn	Lugar	Warner
Crapo	McCaskill	Webb
DeMint	McConnell	Whitehouse
Dodd	Menendez	Wyden

NOT VOTING—19

Boxer	Inouye	McCain
Cantwell	Johnson	Roberts
Chambliss	Kerry	Smith
Coburn	Kyl	Stevens
Craig	Leahy	Thomas
Dorgan	Lott	
Graham	Martinez	

The nomination was confirmed.

The ACTING PRESIDENT pro tempore. Under the previous order, the President will be immediately notified of the Senate's action.

Mr. FEINGOLD. Mr. President, I voted for LTG David H. Petraeus of the U.S. Army to be general and commander, Multi-National Forces—Iraq. He is a highly experienced individual with a long history of excellent and selfless service to this country. I believe he represents the high caliber and professionalism of our Nation's military, and I wish him well with an extremely difficult assignment.

But while I am supporting his nomination, I in no way support the President's policies in Iraq. The President has made the wrong judgment about Iraq time and again, first by taking us into war on a fraudulent basis, then by keeping our brave troops in Iraq, and now by pushing to put 21,500 more American troops into harm's way.

The indefinite presence of U.S. military personnel in Iraq will not fix that country's political problems. And as we have seen over the last few years, sending more troops will not provide the stability in Iraq that can only come from a political agreement. Congress must develop the courage to confront this President on what has become one of the greatest foreign policy mistakes in our history.

LEGISLATIVE SESSION

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will return to legislative session.

FAIR MINIMUM WAGE ACT OF 2007

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 2, which the clerk will report.

The bill clerk read as follows:

A bill (H.R. 2) to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage.

Pending:

Reid (for Baucus) Amendment No. 100, in the nature of a substitute.

McConnell (for Gregg) Amendment No. 101 (to Amendment No. 100), to provide Congress a second look at wasteful spending by establishing enhanced rescission authority under fast-track procedures.

Kyl Amendment No. 115 (to Amendment No. 100), to extend through December 31, 2008, the depreciation treatment of leasehold, restaurant, and retail space improvements.

Enzi (for Ensign/Inhofe) Amendment No. 152 (to Amendment No. 100), to reduce document fraud, prevent identity theft, and preserve the integrity of the Social Security system.

Enzi (for Ensign) Amendment No. 153 (to Amendment No. 100), to preserve and protect Social Security benefits of American workers, including those making minimum wage, and to help ensure greater Congressional oversight of the Social Security system by requiring that both Houses of Congress approve a totalization agreement before the agreement, giving foreign workers Social Security benefits, can go into effect.

Vitter/Voinovich Amendment No. 110 (to Amendment No. 100), to amend title 44 of the United States Code, to provide for the suspension of fines under certain circumstances for first-time paperwork violations by small business concerns.

DeMint Amendment No. 155 (to Amendment No. 100), to amend the Public Health Service Act to provide for cooperative governing of individual health insurance coverage offered in interstate commerce, and to

amend the Internal Revenue Code of 1986 regarding the disposition of unused health benefits in cafeteria plans and flexible spending arrangements and the use of health savings accounts for the payment of health insurance premiums for high deductible health plans purchased in the individual market.

DeMint Amendment No. 156 (to Amendment No. 100), to amend the Internal Revenue Code of 1986 regarding the disposition of unused health benefits in cafeteria plans and flexible spending arrangements.

DeMint Amendment No. 157 (to the language proposed to be stricken by Amendment No. 100), to increase the Federal minimum wage by an amount that is based on applicable State minimum wages.

DeMint Amendment No. 159 (to Amendment No. 100), to protect individuals from having their money involuntarily collected and used for lobbying by a labor organization.

DeMint Amendment No. 160 (to Amendment No. 100), to amend the Internal Revenue Code of 1986 to allow certain small businesses to defer payment of tax.

DeMint Amendment No. 161 (to Amendment No. 100), to prohibit the use of flexible schedules by Federal employees unless such flexible schedule benefits are made available to private sector employees not later than 1 year after the date of enactment of the Fair Minimum Wage Act of 2007.

DeMint Amendment No. 162 (to Amendment No. 100), to amend the Fair Labor Standards Act of 1938 regarding the minimum wage.

Kennedy (for Kerry) Amendment No. 128 (to Amendment No. 100), to direct the Administrator of the Small Business Administration to establish a pilot program to provide regulatory compliance assistance to small business concerns.

Martinez Amendment No. 105 (to Amendment No. 100), to clarify the house parent exemption to certain wage and hour requirements.

Sanders Amendment No. 201 (to Amendment No. 100), to express the sense of the Senate concerning poverty.

Gregg Amendment No. 203 (to Amendment No. 100), to enable employees to use employee option time.

Burr Amendment No. 195 (to Amendment No. 100), to provide for an exemption to a minimum wage increase for certain employers who contribute to their employees' health benefit expenses.

Chambliss Amendment No. 118 (to Amendment No. 100), to provide minimum wage rates for agricultural workers.

Kennedy (for Feinstein) Amendment No. 167 (to Amendment No. 118), to improve agricultural job opportunities, benefits, and security for aliens in the United States.

Enzi (for Allard) Amendment No. 169 (to Amendment No. 100), to prevent identity theft by allowing the sharing of social security data among government agencies for immigration enforcement purposes.

The ACTING PRESIDENT pro tempore. The Senator from Georgia is recognized.

Mr. ISAKSON. I ask unanimous consent that I be recognized for 3 minutes as in morning business prior to the continued deliberation.

Mr. DURBIN. Reserving the right to object, and I will not object, I know the Senator from Connecticut will seek time, and I will seek time after him. Unless there is another speaker on the Republican side we can share with—the Senator from Wyoming?

Mr. ENZI. I was hoping to be able to speak on the bill at some point sometime, too.

Mr. DURBIN. This is all morning business we are talking about. Since the bill is on the floor, I think we should defer. You go first.

Mr. ENZI. I would allow the others to go first. I was trying to keep a longer queue from happening.

Mr. DURBIN. I am asking to be part of the queue, and if you show me compassion and mercy, I promise to be brief.

The Senator from Georgia has asked for 3 minutes; the Senator from Connecticut, 12 minutes; and I ask for 5 minutes.

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

The Senator from Georgia is recognized.

HONORING RUBEN ALEXANDER CRUMBLEY

Mr. ISAKSON. Mr. President, as one ages, there are many things they appreciate in life. There is nothing greater or more appreciated than friendship. It is an old saying that when you get toward the end of life and you go back to count friends, you can sometimes count them and only need one hand. When I look at my one hand in counting my friends, I look and see the face of Ruben Alexander Crumbley, who, on today, will celebrate his 65th birthday in McDonough, GA.

So I wish to, for a moment on the floor of the Senate, memorialize that occasion but also to remind myself and all of us, as we deal with the daily workings of the Senate and the importance of our job, to never forget the importance of our friends.

Sixty-five years ago, when Rubin Alexander Crumbley was born, he had a serious heart ailment, at a time when medical science was not nearly as advanced as it is today. Through the surgeries and the care of his doctor, the ailment was cured, and he has lived a long and successful life, making significant contributions to the great State of Georgia.

He served in the State senate in the State of Georgia. He served as a superior court judge in Henry County in that judicial circuit. And he sought election, although falling short, to the Georgia supreme court.

He is a tireless worker and advocate on behalf of individuals, and he and his wife Claire have worked tirelessly to improve the county of Henry and the city of McDonough. But most important of all, as his friends gather tonight at the Eagles Landing Country Club in McDonough, GA, to celebrate his life and his birthday, I today wish to acknowledge, as a friend, my great appreciation for all the contributions he has made to me, to my life, and to my family.

In closing, I wish to also remember the third person of our group. We were such close friends at the University of Georgia. Rarely a night went by that after studying or partying, we did not gather together for a cup of coffee to talk over the day and ahead to the next day. It was Ruben Alexander Crumbley, JOHNNY ISAKSON, and Jack Cox.

So in remembering my friendship with Alex and celebrating his birthday, I also wish to acknowledge Jack Cox because he sacrificed his life in Vietnam and died fighting on behalf of the United States of America. That was many years ago, but he and Alex and I have shared together a great friendship and many great memories, which Alex tonight will review.

I regret I will not be with him in person, but I wanted to take this moment to acknowledge a great occasion and a great friendship.

Mr. President, I yield back.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut is recognized.

IRAQ

Mr. DODD. Mr. President, about a month ago, Senator JOHN KERRY of Massachusetts and I were in the Middle East, and at sundown on an evening in Baghdad, as we landed in our helicopter in the Green Zone, a young man walked up to Senator KERRY and me. I could hardly see him. He was about 6 feet 2 inches, 6 feet 3 inches, a captain, and a West Point graduate. He talked to us about his concerns and what was going on in Iraq. This was back in the mid part of December before the Christmas holidays. His name was Brian Freeman.

The conversation did not last very long. It was not one of those long conversations. It may have lasted 15, 20 minutes, at best. I do not even have a clear picture in my mind of what he looked like because it was dark, as the conversation went on for 15 or 20 minutes. But it is one of those meetings all of us have had in our lives, where you do not forget a person, an individual. For whatever reason, he was compelling, he was sincere. He sought us out. He wanted us to know how he felt about what was happening in Iraq.

I mentioned him on ''Meet the Press'' a few weeks later in talking about Iraq. I did not mention his name. I did not wish to put him in that position. But I talked about this young Army captain, a West Point graduate, whom I met. He apparently saw the program in Baghdad and e-mailed me, and we began this conversation between my office and himself over the last month or so, in which we talked about the surge, and he talked about the problems associated with it, the jobs he was being asked to do.

He said to me—I am quoting him now—

> Senator, it's nuts over here. Soldiers are being asked to do work we're not trained to do. I'm doing work that the State Department people are far more prepared to do in fostering democracy, but they're not allowed to come off the bases because it's too dangerous here. It doesn't make any sense.

CPT Brian Freeman, a West Point graduate, was killed in Iraq last Saturday.

I have spoken to his family over the last number of days, his wife Charlotte, his two young children, his parents and his in-laws, trying to express on behalf,

I am sure, of all us the sense of grief we feel about this young man's loss of life and his contribution to our country.

I cannot tell you how exciting it was for me to meet him. This young man had nothing but potential and a great interest in seeing his country do better and grow stronger. And he wanted to be a part of it and make a contribution to our land.

Today, I am here to say enough is enough. I think all of us feel this way. We are coming to a point next week when we will have a debate about this. We are going to discuss various resolutions before us. I firmly believe we have to do everything we possibly can to ensure that the tragedy of Brian Freeman does not continue to be replicated over and over again. That is why we must say no, in my view, to the decision by the President of the United States to send thousands more of our brave young men and women in uniform to the streets of Baghdad to risk their lives for a plan which just ''doesn't make any sense,'' to quote Brian Freeman.

I, as one Senator, intend to speak loudly, as I have already, against this ill-conceived policy. But more than just speak out, I intend, at every available opportunity, to ask this body and the other body to go on record in a meaningful way against the President's specific decision to send more than 20,000 additional troops to Iraq and against the continuation of our failed military strategy in Iraq.

This administration's Iraq policy has been a total failure. And this ''escalation'' or ''surge''—call it whatever you will—of 21,500 more Americans is not going to work. I think all of us in this Chamber know it. General Powell, General Abizaid, and General Casey know it. The British and the rest of our allies know it. Nearly every expert who has come before the Senate Foreign Relations Committee, regardless of their political persuasion or ideology, over the last several weeks of hearings Senator BIDEN has held, knows it as well.

That was their testimony. But most importantly, two-thirds of the American people flatout oppose it, according to a recent survey done in our country—not that surveys ought to determine policy. But you cannot sustain a policy when the American people no longer feel you are on the right track. And they are right about it.

As my good friend from Nebraska, Senator HAGEL, so eloquently and passionately said:

> [W]e owe the military and their families a policy worthy of their sacrifices . . . and I don't believe we have that policy today.

I could not agree with him more.

As we all know, we have lost more than 3,000 young men and women. More than 20,000 American troops have been grievously injured. According to many estimates, several hundred thousand Iraqi civilians have been killed or maimed over the last 4 years. And now estimates suggest this war will end up costing the American people over $1.2 trillion.

We have stretched our military to the breaking point. As Congressman MURTHA testified before the Foreign Relations Committee last week:

> At the beginning of the Iraq war, 80 percent of all Army units and almost 100 percent of active combat units were rated at the highest state of readiness. Today, virtually all of our active-duty combat units at home and all of our guard units are at the lowest state of readiness—

''the lowest state of readiness''—

> primarily due to equipment shortages resulting from repeated and extended deployments to Iraq.

I strongly believe we must demonstrate to the American public that we share their deep concerns and doubts about the President's proposed plans to escalate our involvement in Iraq. I think we need to demonstrate we are prepared to lead on this issue—not simply sit back, fearful of taking positions most of us believe are in the interests of our country.

Earlier this week in committee, I offered an amendment to the Foreign Relations Committee proposal that was offered by my friend, the chairman of the committee, Senator BIDEN, and Senator HAGEL and the chairman of the Armed Services Committee, Senator LEVIN. My amendment called for capping the number of troops in Iraq and required the President to seek a new authorization—after 5 years, a new authorization; it has been 5 years since we voted on the justification to go into Iraq—but to get that new authorization from Congress immediately prior to any future troop increases in Iraq—an authorization, I would quickly add, I would vigorously oppose, but it would be an opportunity to debate on the floor of the Senate.

My amendment was not about setting a floor, as some have suggested. It was about exactly the opposite. It was about the first step in fundamentally altering the status quo in Iraq and forcing the President to listen to the recommendations of the Baker-Hamilton Study Group to fundamentally change our mission in Iraq and begin the phased redeployment of U.S. combat troops.

It was also about preventing more troops from being put in harm's way for a flawed tactic to a failed strategy.

Although my amendment failed, I voted in support of the Biden resolution. But I believe it is absolutely essential that the final resolution the Senate adopts next week be one with more clarity than is currently to be found in the words of this resolution or the competing Warner-Collins resolution, which was introduced by our good friend, the Senator from Virginia, Mr. JOHN WARNER.

Regardless of how effective I and others are in bringing more clarity to the resolution through the amendment process, we need to also take, at some point in the very near future, concrete legislative action such as was attempted last week in the committee on Wednesday but which is not possible in the context of the concurrent resolution we will consider next week.

We need to face the hard facts. The President of the United States has already said he will ignore Congress when it comes to his recent proposals on Iraq. He has said loudly he will ignore what we do. So it is all the more important we do something that is meaningful.

Sense-of-the-Senate resolutions are the easiest things to ignore. They require absolutely no Presidential recognition whatsoever. They are merely opportunities for us to express our views on various important matters. I recognize it has a value, to some degree. But there are people out there wondering whether we are actually going to take advantage of this time to do something more than send a message, which all of us have sent, either privately or publicly, that this policy must change. We are beyond the message-sending time. We all know what the message is.

Now the question is whether this body, this historic body, that has an obligation beyond the roles and the opportunities or the obligations of the other body, will take a clear and strong position when it comes to this most recent decision.

The Vice President has recently said that the nonbinding resolution passed by this coequal branch of Government ''won't stop us,'' to quote him. Mr. CHENEY went on to say: ''I think it would be detrimental from the standpoint of the troops'' to pass this.

''Detrimental from the standpoint of the troops''?

Refereeing a civil war is detrimental from the standpoint of the troops. Surging into the streets of Baghdad with no clear mission is not detrimental to our troops? Sending Americans into combat with insufficient body armor is not detrimental to our troops? But stopping the President from sending more young men and women into Baghdad is most certainly not detrimental to our troops.

Two-thirds of the American public and two-thirds of our troops oppose a surge, according to a recent survey done by the Military Times—two-thirds of the American public and two-thirds of our troops.

But it is not public opinion polls that shape my conclusions that our policies in Iraq are terribly flawed. It is the facts on the ground, which I have learned, as I know others have as well in our recent visits to Iraq, as well as the judgments of former and current military and foreign policy experts.

What is it going to take to make this administration change course?

It is going to take a Congress, in my view, that does not allow the blank checks over the last 5 years to continue. It is going to take a Congress—and I am confident this one will be one—that has the courage to stand up and clearly say we will not support

more troops nor the current failed policy. And if the President refuses to listen, it is going to take a Congress that is prepared to legislatively force the President to change this disastrous course.

So next week we will begin the process of attempting to make it crystal clear in the language of whatever concurrent resolution we adopt that this Congress is opposed to more troops, opposed to a policy that makes our troops remain referees in a civil war, and in favor of a changed policy which begins the process of the phased redeployment of our troops, which last year the Congress had anticipated would begin in 2006.

There are those who say we should not try to tinker with the wording of carefully crafted Iraq resolutions because they are delicate compromises and to propose anything more forceful would be politically divisive and that Congress ought to speak with one voice.

Well, I wish we could speak with one voice. But to them I would say, I believe in consensus. I believe in bipartisanship. My 25-year record in this body has amply demonstrated the value of that. But when the quest for consensus paralyzes our ability and prevents us from taking real action to stop the senseless death of young Americans, then I do not think consensus ought to be the goal.

Stopping this insanity ought to be the goal. If you can do it 51 to 49, then do it. If you can do it 100 to nothing, obviously, that is preferable. But waiting around for consensus on this issue worries me deeply, that we are going to miss an opportunity to fulfill our obligations to stand up and say: Enough of this stuff. Stop it now.

There are those who say that opposing the surge betrays our troops. Quite the contrary is true. I say to them, what truly betrays our troops is sending them into a civil war they cannot and should not have to stop. More than 60 percent of the Iraqi people do not want us in their country. How do you send people into harm's way when the people you are trying to help do not want you to stay?

Of course, stopping the escalation of U.S. forces is only the first step as part of a broader policy to stabilize Iraq and bring our troops home.

There must also be meaningful deescalation of U.S. combat activities in Iraq. We must begin the redeployment of U.S. forces away from the urban areas where the sectarian conflict is greatest, to enclaves within Iraq and to elsewhere within the region—Afghanistan, of course, being the principal place where our troops could be used.

This will enable U.S. forces to concentrate on training Iraqi forces, securing Iraq's borders, and conducting counterterrorism operations to protect U.S. vital security interests in the region.

In the coming days, every American should be able to know whether his or her Senator is prepared to go further and attempt to legally bind the President from continuing this policy of folly. That is why I will not be satisfied if the resolution we adopt next week is the last step this Congress takes to right the wrong that the President is perpetrating on our brave young men and women in uniform and on the American people as a whole. That is why I will find opportunities, if I can, to bring binding legislation to a vote in this body so that every American can know where we stand on this issue.

The American people want this Congress to live up to its responsibilities. I am confident we can and will under our leadership. The time has come for us to weigh in and change the course of U.S. involvement in Iraq, something we all know in our hearts needs to be done. If we were able to authorize the President to go to war in 2002—a vote that I deeply regret having cast in favor of—5 years ago on grounds of weapons of mass destruction and the behavior of Saddam Hussein—one of which was not true, and the other doesn't exist anymore—it is time for us to debate this new argument for our involvement in Iraq and decide, up or down, whether we believe it is the right course of action.

This Nation of ours is at a critical crossroads. The President wants to deepen our involvement in the war. I think most of us here want to responsibly end our involvement after 4 painful years that have taken a tragic toll on our country.

I have met with countless families, in my own State and in others, who have been through the tragedy of losing loved ones in Iraq. Talking to Brian Freeman's family in Utah the other night was painful. His 14-month-old and his 3-year-old don't have a father any longer. Our country lost a wonderful young man whom Senator KERRY and I had the privilege of meeting for such a brief time. But both of us were profoundly affected by his courage and commitment. I say to them and others that in this body we will stand up in the coming days and bring an end to this insanity.

I yield the floor.

The ACTING PRESIDENT pro tempore. The assistant majority leader is recognized for 5 minutes.

DARFUR

Mr. DURBIN. Mr. President, I rise to address the crisis in Darfur. I wish I could do more than speak out, but at the very least, I will continue to speak out. Today I want to specifically speak to an urgent humanitarian crisis.

On January 17, 14 United Nations organizations, including UNICEF, the World Food Programme, and the High Commissioner for Refugees, issued a joint statement on Darfur. These statements are usually just ignored. They are somewhat repetitious by nature, usually dry as dust, and they languish unnoticed on a bookshelf. This statement is different. This statement is a plea. It is a plea for help, a desperate plea for help. This statement outlines the efforts of humanitarian agencies in Darfur over the last 2 years. It outlines the heroic efforts that have been made to save hundreds of thousands of lives from a brooding genocide.

The statement reads:

> In the face of growing insecurity and danger to communities and workers, the [United Nations] and its humanitarian partners have effectively been holding the line for survival and protection of millions. That line cannot be held much longer.

Humanitarian access to those in need has become highly limited. Attacks on both civilians and those trying to help increase by the day. There are an estimated 14,000 aid workers in Darfur, most of them Sudanese, who risk their lives every moment of every day to save innocent people. In recent months, these relief workers have been murdered, raped, and attacked repeatedly. Humanitarian and U.N. compounds have been attacked, their vehicles hijacked, their supplies looted. Sudanese police who should be protecting them have arrested and beaten the aid workers. Sudanese nationals who work for these organizations have been the most viciously attacked targets of violence and harassment.

These atrocities represent a concentrated, deliberate assault on efforts to provide basic services to the poor, innocent people in Darfur—food, water, shelter, and medicine. Actions by the Sudanese Government are compounded by the actions of rebel groups, some of which have also preyed upon civilians and are responsible for these attacks and hijackings. In every case, it is the people of Darfur who are the victims of this violence. A third of the population of Darfur has been driven from their homes. They urgently need humanitarian assistance. But humanitarian organizations are under attack, just as they are. The Sudanese Government has indicated its willingness to accept the first stages of a peacekeeping plan, ever so slowly. But so far there are only a little over 100 U.N. military officers and 33 U.N. policy advisers on the ground in Darfur, an area as large as the State of Texas. Thousands more are needed, and they are needed immediately.

I recently joined Senators FEINGOLD, BROWNBACK, and others in a bipartisan letter to the President raising the issue of these attacks on humanitarian workers. We have asked the President what the U.S. response will be, what our strategy should be in the face of Sudanese assurances, promises that have not been kept. We recognize the State Department and the President want to build on preliminary progress that has been made in at least getting some U.N. peacekeepers on the ground. But that progress has been tragically, deliberately slowed. As we wait and as we debate, people die every day. We must do more.

I believe the United States should be prepared to support additional funding for peacekeeping operations in Darfur.

Congress has the opportunity to do that with a funding resolution for the rest of the year that it will vote on in just a few days. The President should also increase funding for peacekeeping operations in the budget request that he will soon send to Congress. Darfur clearly remains an emergency and must remain a priority.

A little over a year ago, I went to Kigali, Rwanda, with Senator BROWNBACK. We stayed in the Hotel Rwanda, made famous by the film as a refuge for people trying to escape death in the throes of another genocide. I walked down the hill from that hotel to a Catholic Church that I was later told was a sanctuary for only a brief time before the rebels overtook it and killed 1,000 people on the stone floor of the church. That was a genocide about which we should have spoken out more and we should have done something about.

My predecessor, Senator Paul Simon of Illinois, pleaded with the Clinton administration to do more, and President Clinton acknowledges today he should have done more. I salute the Bush administration for calling the situation in Darfur the genocide that it is. But now that we have acknowledged this horror is happening in our time on our watch, we have a responsibility to do something.

We said ''never again'' after Rwanda, but the genocide continues. The United States and the world must take meaningful action to show the Sudanese Government that a few hundred peacekeepers from the U.N. are not enough, and we must act now before the thin line of relief workers is severed and the suffering in Darfur grows even worse.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

Mr. ENZI. Mr. President, I am glad to have an opportunity to speak on the minimum wage bill that is before the Senate. I have spoken a little bit during the last week, but I have held in reserve a lot of time because we had amendments offered that other Senators wanted to explain. Normally when a bill is on the floor we have to stand down here and say: Please, if you have amendments, bring them to the floor so we can debate them. However, in about the first hour that this bill was on the floor, we had a dozen amendments that were suggested, and people were clamoring for time to debate them. We had amendments from both sides of the aisle. I think there were over 115 amendments that were suggested to this bill. Everybody realizes that 115 amendments are never going to be voted on with any bill. I don't think we have even come close to that on any of the bills that I have seen in the 10 years I have been here.

Later today, the majority leader is going to file cloture. He has given notice that he will do that. That is asking the Senate to garner 60 votes in favor of bringing the debate to a close on the Baucus substitute which contains the minimum wage increase and the small business tax incentive package. I congratulate Senators GRASSLEY and BAUCUS for the tremendous effort they put into coming up with a package for small business that would help offset the impact of the minimum wage increase. It is something that was considered the last time there was a minimum wage increase, and I suspect that in the future it will always be a part of a package in some way to make sure that we don't harm these small businesspeople who provide a training ground for those with minimum skills so that they can get better skills and get better jobs.

The small businesses of this country are hiring people with no skills, teaching them how to operate a cash register, how to interact with customers, and often how to dress, how to cook—all kinds of services. I am reminded that in Cheyenne, WY, we have a McDonald's. They are always used as the example in minimum wage debates. They take a lot of grief, and they really don't deserve all that grief. They do a tremendous job of training young people in some very basic customer service skills.

The reason I am reminded of the Cheyenne McDonald's is that we like to point out that three former employees there who started at minimum wage now own 21 McDonald's. So it is an entry way to greater things. It is not for everybody, but for those with a desire to learn and succeed, there are possibilities. Any time we can hold out hope, we are helping people.

Yesterday there was a speech on the floor of the Senate and it was said that we had already spent 5 days on this bill and it was time to move on. Yesterday was actually the fourth day on the bill. Today is the fifth day. We will not be able to have any votes today. I don't know whether you count that or not because we were talking about how the Senate is supposed to work 40 hours a week just like other people do. I know a lot of my colleagues and I have our 40 hours in by about Wednesday, but at any rate, we have been talking about working a 5-day week. We are here, and we are talking, but we will not vote today. I don't know whether you can really count that as a day on the bill.

We talked on the bill on Monday, but we didn't have any votes Monday. So I don't know if you can count that as a day on the bill either. Next Monday we have the right to talk on it again, and then Tuesday morning there will be the cloture vote. That would be the next vote allowed on the bill. We really had 3 days on the bill.

How productive were we during those 3 days? We voted on 11 amendments. We have over 100 amendments. Many of the amendments deal with labor issues. There are some that don't deal directly with the minimum wage. But the minority side, as I have watched over the last several years, always has some unrelated amendments that they want to showcase and get passed.

Another thing I have noticed as I have been here is the unfortunate thing that we do to amendments that are suggested on a key bill. Once that amendment has been suggested, if the majority is the Democrats and the Republicans suggest the amendment, that is considered a poison pill, something just designed to take the bill down. I can say that because in the past on some Republican bills, when the Democrats would submit an amendment, it would be labeled a poison pill.

Unfortunately, the people of America don't get to see the debate that occurs off the Senate floor. They are not often invited into the committee meetings. They are not invited into the bipartisan task force groups that work across the aisle on solving problems before they even get to committee. There is a good reason for that. If the media were invited, they would take some of the dumb ideas that are thrown out—and I have to admit when I am throwing out ideas, I throw out a lot of ideas; some of them stick and some you really recognize as being dumb—and concentrate on those few dumb ideas because people get enjoyment out of that.

Some of these meetings where there is brainstorming and trying to find common ground have to be held separately. These are often very productive talks. There are a number of them going on right now on key issues. I think that this is the best way to handle a bill. But what America gets to watch is us debating on this floor, the attitudes we project, and the arguments that we project. I know most of the people out there watching are always rooting for one side or the other. I don't think it is the vast majority of independents who are spending their time addicted to the television. So our constituents kind of expect us to ram home the arguments from our side, and we do.

I contend that what we get to talk about on the floor of the Senate is the 20 percent of the issues we are never going to agree on.

We have to get past that point and get to the point where we look at all proposals in a very serious way and figure out a way that we can accept it or modify it in some way that makes it acceptable. What I usually do is try to find a third way. We have to do a bit more of that around here, and if we do I think we will find that the Senate will be a lot more successful.

Senator KENNEDY and I have been practicing that for the last couple of years. We have been working prior to committee meetings, in committee meetings, and after committee meetings. We have been very successful at not having much floor debate on things that came through committee. We got 35 bills through committee, and the longest debate we had on the floor was over the pension bill. That bill was very important, one of the most important bills in the last 2 years. It was 980 pages long in the Senate, which is not a small bill. We already had agreement

before we came to the floor that there would be one hour of debate equally divided, with two amendments and a final vote. Check back through the years and see how often that has happened. That was an extremely difficult bill, and we had 1 hour of debate, two amendments, and a final vote. It can be done around here. In fact, we wound up with 27 bills signed by the President. We are checking to see how many committees have had that kind of production. Most of those didn't get debated here at all because there wasn't that 20 percent of disagreement. We had the 80-percent agreement and we went with it. That is not possible on all bills, and I understand that.

I am certainly encouraging my colleagues to get together, work on bills prior to them becoming what might be considered a poison pill, and see if something cannot be worked out. Hopefully, we can go back through some of these amendments that have been offered before and look at them with clear eyes and see if there isn't a way that what is being talked about in principle cannot be achieved somehow.

I want to let the people watching this debate that they are not seeing the real story on bills. There is a different and better way we could do it. I hope that is how we will do it more often.

Now, I will speak a little more on the bill before us. I am going to be disappointed if we don't have a few more votes on the bill prior to having the cloture vote. Again, it is a request from the minority to have an opportunity to vote on some of their amendments. So I urge my Democratic colleagues to allow a vote on a few very important amendments that my Republican colleagues have offered to the bill. I know the Democrats don't want to vote on the amendments because each of them is reasonable enough that it could pass. I know that may sound silly, but that is how things often work here. I have offered amendments—and the Democrats have sounded the trumpet that they will allow an open process on amendments offered, but they have chosen to filibuster by delay. When we only get 11 votes and only 3 days on which we are allowed to offer amendments, it is hard to claim it was a full week. Often bills that are very important here take 3 weeks. In fact, I think that is probably the normal range for a bill around here.

So they have the opportunity right now to let the clock run out. But we could have already voted on the minimum wage and small business incentive package if we could have received some votes on the important amendments that have been offered. We said we were going to cull down the number of amendments, and we obviously did.

I call for a vote on four amendments we still have outstanding—although there are many others outstanding. I want to reiterate my conviction that as we move to raise the minimum wage, we must also provide a measure of relief to small businesses which will bear the cost of the increased wages.

Let me first turn to the four amendments I have noted. Over the course of this debate, we have heard many times that the minimum wage is an issue of fairness, an issue that affects working parents and working families. The minimum wage is not the only relevant matter before us that implicates issues of both fairness and family life. One of the most significant dilemmas that face working men and women is the struggle to maintain a balance between their work and family life.

Senator GREGG offered an amendment that reaches to the core of this issue by providing the opportunity for private sector employees to enter voluntary—I stress the word ''voluntary''—flexible work arrangements with their employers. Senator GREGG requested and deserves a vote on his employee option time amendment. However, more importantly, working families in this country deserve a vote on this amendment.

Twenty-eight years ago, this body gave Federal employees this highly valued benefit. Now the other side of the aisle wants to deny private employees the same right. Where this can be a big problem is where you have a private employee who is married to a public employee. The public employee can rework his or her schedule to be able to do what the family needs to have done, and the spouse cannot do that because it is illegal. They say, why can my husband or wife do it? Well, because it is legal in the public sector. Even unions recognize this benefit is coveted by employees. In a union-sponsored health care worker survey, scheduling options was the second most important factor in accepting a job.

Working families are striving to find the right balance of work and time with their children, spouses, and other loved ones. The Gregg amendment will remove a major obstacle to finding this balance. Nobody should properly invoke the importance of providing relief or help for working families, while simultaneously denying a vote on this amendment. This is not only fair, but this is giving the employee the right to choose, in cooperation with their employer, the best work schedule for their family in the workplace.

Senator KENNEDY has talked about the children of low-wage workers in this country. Allowing employees more flexible work schedules will cut down on unscheduled leave, sick days, child care costs, and the loss of productivity that occurs when an employee is on the job but their heart is somewhere else tending to the needs of family.

Public sector employees have enjoyed flextime benefits for nearly three decades. We have not heard a lot of problems about it. At the same time, it has been denied workers in the private sector. Where is the fairness in that result? The amendment offered by Senator DEMINT goes to the heart of this discriminatory result. It says if we are going to allow flextime benefits to some and not others, we ought to correct the system the other way; if it is not good in the public sector, maybe we ought to eliminate it under the Federal sector. Senator DEMINT deserves a vote, provided the other one fails. Fundamental fairness demands it. By eliminating flexible work schedules for Government employees until private employees have the same rights, we hope to force our friends on the other side of the aisle to acknowledge and address this disparity. If flextime is such a terrible proposal and so dangerous to private employers and employees, one would think they would support this amendment to protect Government employees. But there is a reason they will not support this amendment. Employees who have flextime like it: 79 percent of the women who have it use it; 68 percent of the men who have it use it.

There are many Senators in this Chamber who offer their employees flexible schedules. Why is it good enough policy for Senators and Government employees and not for the private sector? It is long past time for the Senate to give this popular benefit full and open consideration. Once again, if we are truly concerned about our working families and about being fair, we should not deny a vote on this amendment.

Another amendment I hope we will vote on is Senator BURR's health flex proposal. All of us know health insurance costs are a major issue for both working families and small employers. This amendment would give employers the option to provide a $2.10 increase in wages or spend the increase on health care benefits. We have to recognize the tough choices employees face every day and how the underlying bill will make those choices even tougher.

Most Americans get their health care through employment, but it is becoming more and more difficult for small employers to keep up with escalating health care costs. Everybody in the country recognizes the difficulty of keeping up with health care costs. The small businessman, like everybody else, wants to have insurance for his family and his employees. As most of us know, 46.6 million people in the United States, or one in seven Americans, lacked insurance during 2005. There is no pretending that a minimum wage increase is going to make that number any smaller. Senator BURR's amendment addresses this negative side effect.

The availability of affordable health insurance is clearly an issue for all families, and any time this body has an opportunity to address or examine ideas designed to achieve that end, I don't think we should refuse to do so. Senator BURR has asked for a vote and he, too, deserves a vote on this important issue.

Finally, Senator VITTER also offered an amendment that directly relates to the group of people I feel will be most harmed by this mandated increase in the minimum wage. His amendment is

one of fundamental fairness, also, to the small employers who create the jobs and try their best to play by the rules. Senator VITTER's amendment recognizes that small businesses often do not have the in-house resources or the outside experts they need to assist them in complying with the ever-growing amounts of paperwork they are required to provide to the federal government. They cannot afford to hire expensive consultants to do this for them. Paperwork in the Federal Government is voluminous, and learning how to do it correctly often takes very thick manuals. The information they are required to give to the Federal Government is very extensive. I used to file some of those forms and reports, and I was amazed at the textbooks you had to go through to be able to fill out the forms properly. Part of that is a problem we have with the Paperwork Reduction Act. We ought to take a look at the Paperwork Reduction Act again.

Our income tax forms could be much easier to fill out. I went to the IRS when I first got here, as the only accountant in the Senate, and told them that I have done a few of those forms. I could not understand them; I could not understand the logic behind them. There are a couple of places where a line could be added and you would not have to go to another form. I found out there is a huge penalty to Government agencies who add a line to a form. But there is no penalty for adding another chapter to the book that explains the form. Therefore, it is easier to add another whole chapter than to add a simple line. The Paperwork Reduction Act is creating some problems for small business that keep the paperwork from being plain and simple.

As a result, small businesses sometimes make inadvertent errors in complying with these obligations. His amendment would relieve small businesses from monetary fines for certain first-time violations that pose no threat to health or safety. This is a very important criteria. The Federal Government should not be playing a game of ''gotcha'' in these circumstances, particularly with small businesses. What they should be doing is playing fair. If we, too, are being fair, we would allow a vote on this important amendment.

Apart from these amendments, I believe we need to focus on the central question before this body. Everybody in this Chamber knows we will approve an increase in the minimum wage and that we will do it very soon. The debate, as I keep reminding people, has not been over whether to do the increase, it has been whether we can keep people in business at the same time we do the increase and the ways to do that. We have made some progress on that issue, I believe.

There is a long road ahead to do the tax package Senator BAUCUS and Senator GRASSLEY so capably worked out in a very bipartisan way because those bills are supposed to start in the House and that will be part of the argument, too. There will be some argument. Some of the offsets are opposed by some people—and I think, if you look at the list of those who oppose them, it is big businesses, not small businesses. I believe they think they are being left out of this process. However, this is a small business issue, and I am trying to solve some of those small business problems. The approval of an increase to $7.25 is simply not an issue; and, further rhetoric on this point adds nothing to the important public debate that remains.

The debate is simple: How do we go about mandating this increase without harming the small businesses that have to pay for it? These small businesses have been the engine of our economy and employ the bulk of the minimum wage workers. We do great harm not only to these small businesses but to all those workers who rely on them for their livelihood if we don't provide the practical means for businesses to afford such mandated increases. We have failed in our responsibilities if we do not balance an increase in the minimum wage with the appropriate relief for small businesses. For a worker without a job, a higher minimum wage is meaningless.

As a former small business owner—my wife and I had three shoe stores—I know how difficult it can be to meet payroll every week and meet all the other obligations a small businessman has to face. Here are the realities: Raising the minimum wage to $7.25 imposes a 41-percent increase in labor costs for a small employer with minimum wage workers. Many of them will see this as a tax. That is why some on our side have problems voting for an increase in taxes. It goes to a very important segment of our population, but it is a 41-percent increase in labor costs. Every employer has to face the very real issue of how he or she will deal with this increased cost and still make the payroll week after week.

This cartoon appeared in one of the papers. It says:

> The good news is the U.S. House voted to increase the minimum wage. The bad news is I can't afford to pay any more.

Although this cartoon may, at first, appear humorous, these are very real and very difficult questions that impact our small business employers dramatically. It is not a laughing matter. These payroll increases have to be paid for by employers, and money doesn't grow on trees. A lot of the things we look at as options often are not available to them. The fact is that competition regulates prices—unless we have price controls—and employers must make hard decisions as how to meet these increased payroll obligations.

When costs go up, businesses must first look to cut expenses. The choices they have can be very difficult. To meet higher mandated payroll costs, the smaller employer may be forced to consider cutting back on benefits, such as health insurance, retirement, and leave plans. It is simply too easy to forget that fringe benefits have a significant cost, and if a small employer must reduce expenses to meet payroll, these costs are often the first to go.

Beyond cutting fringe benefits, small businesses may need to consider cutting back work hours or eliminating overtime or eliminating some duplication on a shift. I mentioned a video store that has always had two people to close up because they think two is the minimum for safety. They are now talking about having to go to one person to close up. Cutting hours, eliminating overtime, laying off workers or not hiring more are traditional and often necessary responses to meeting increased costs. Unfortunately, these actions ultimately hurt the very workers the minimum wage increase is designed to help.

Another thing we need to do—and I have avoided putting it into the bill as an amendment—is to reauthorize the Workforce Investment Act. The HELP Committee has passed it unanimously twice. The Senate has passed it unanimously twice. But we have not been able to get a conference committee. Part of the reason for not getting a conference committee is worrying about where the conference committee will go. There ought to be a lot more confidence in the conference committee on the side of the Democrats right now because they will control the conference committee.

I am hoping that the Workforce Investment Act can be a way that we can help get more job training. Small businesses also provide some job training for which they do not get paid. That does not come under that bill. As I mentioned, small businesses often hire people with minimum skills and teach them the skills they need to move up the wage ladder.

Incidentally, of the businesses I checked on, the average time that a person stayed at minimum wage was 3 weeks. If they had the capability to learn, they moved up quickly.

We must also remember that when confronted by higher labor costs, employers will naturally gravitate toward filling positions with the most highly skilled, experienced, and productive workers available.

Once again, this phenomenon of replacing low-skilled workers with high-skilled workers in the face of rising labor costs winds up harming the very workers the minimum wage seeks to help. Minimum wage positions are often the entryway into the world of work for those who lack skills and experience. Mandated increases in the minimum wage run the risk of closing that entryway to many.

Beyond these cost-cutting measures of eliminating benefits, reducing hours, downsizing, laying off employees, and reducing low-skill and entry-level employment, employers might have to face the prospect of increasing the price for goods and services. Such increases drive inflation and cause all

consumers to ultimately pay the price of these mandates. The irony is that as the cost of these labor increases is passed through to consumers, it affects everyone, including the minimum wage workers whose recently increased wages are suddenly devalued by the increased price of goods and services that impact them as well.

My colleagues and I feel strongly about the working families of this country and the businesses they work in and the businesses they run. I wish to emphasize that point. I consider the working families of this country to also include small businesses. A lot of us don't realize the ''wake up in the middle of the night wondering what is going to happen with the business'' concern and the real risks these people take. A lot of them are just mom-and-pop businesses that hire 3, 5, 15 people.

There is support for raising the minimum wage, but we recognize that by doing so, we put people out of business or make them cut their workforce. If we end up putting someone out of work, we are not doing them any favors. That is the reason we have offered a number of amendments to H.R. 2. This bill never went through the committee process, either in this body or in the other body. I think the committee process helps the chances of moving a bill along and takes care of a lot of the amendments we maybe ought not debate on the floor.

We have not had a chance to offer any amendments at all to this legislation until this week. When a bill goes directly to the floor and circumvents the committee process, Members have no choice but to go through the committee amendments process on the floor of the Senate. We only got to vote on 11 amendments, and have only gotten 3 days to vote on amendments.

Once again, I urge the Democratic leaders to allow us to vote on the amendments we have offered, and I strongly urge them not to forget the working families of this country who employ low-skilled workers. They will need real relief in order to keep their businesses growing and their employees working under this mandate. This body must commit in a bipartisan way now to the real issue at hand; that is, providing a responsible increase in the minimum wage that allows small businesses to continue employing and providing job opportunities to the very people the minimum wage is designed to help. The simple answer is before us.

AMENDMENTS NOS. 135 AND 138, EN BLOC, TO AMENDMENT NO. 100

Mr. ENZI. Mr. President, on behalf of Senator CORNYN, I ask unanimous consent to set the pending amendment aside and I call up amendments Nos. 135 and 138.

The PRESIDING OFFICER (Mr. WHITEHOUSE.) Without objection, it is so ordered. The clerk will report.

The bill clerk read as follows:

The Senator from Wyoming [Mr. ENZI], for Mr. CORNYN, proposes amendments numbered 135 and 138, en bloc, to amendment No. 100.

The amendments are as follows:

AMENDMENT NO. 135

(Purpose: To amend the Internal Revenue Code of 1986 to repeal the Federal unemployment surtax)

At the appropriate place, insert the following:

SEC. _____. REPEAL OF FEDERAL UNEMPLOYMENT SURTAX.

(a) IN GENERAL.—Section 3301 (relating to rate of Federal unemployment tax) is amended by striking ''or'' at the end of paragraph (1), by redesignating paragraph (2) as paragraph (3), and by inserting after paragraph (1) the following new paragraph:

''(2) in the case of wages paid in calendar year 2007—

''(A) 6.2 percent in the case of wages for any portion of the year ending before April 1, and

''(B) 6.0 percent in the case of wages for any portion of the year beginning after March 31; or''.

(b) CONFORMING AMENDMENT.—Section 3301(1) of such Code is amended by striking ''2007'' and inserting ''2006''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to wages paid after December 31, 2006.

AMENDMENT NO. 138

(Purpose: To amend the Internal Revenue Code of 1986 to expand workplace health incentives by equalizing the tax consequences of employee athletic facility use)

At the appropriate place, insert the following:

SEC. ____. EMPLOYER-PROVIDED OFF-PREMISES HEALTH CLUB SERVICES.

(a) TREATMENT AS FRINGE BENEFIT.—Subparagraph (A) of section 132(j)(4) of the Internal Revenue Code of 1986 (relating to on-premises gyms and other athletic facilities) is amended to read as follows:

''(A) IN GENERAL.—Gross income shall not include—

''(i) the value of any on-premises athletic facility provided by an employer to its employees, and

''(ii) in the case of any taxable year beginning in 2007, so much of the fees, dues, or membership expenses paid by an employer to an athletic or fitness facility described in subparagraph (C) on behalf of its employees as does not exceed $900 per employee per year.''.

(b) ATHLETIC FACILITIES DESCRIBED.—Paragraph (4) of section 132(j) of the Internal Revenue Code of 1986 (relating to special rules) is amended by adding at the end the following new subparagraph:

''(C) CERTAIN ATHLETIC OR FITNESS FACILITIES DESCRIBED.—For purposes of subparagraph (A)(ii), an athletic or fitness facility described in this subparagraph is a facility—

''(i) which provides instruction in a program of physical exercise, offers facilities for the preservation, maintenance, encouragement, or development of physical fitness, or is the site of such a program of a State or local government,

''(ii) which is not a private club owned and operated by its members,

''(iii) which does not offer golf, hunting, sailing, or riding facilities,

''(iv) whose health or fitness facility is not incidental to its overall function and purpose, and

''(v) which is fully compliant with the State of jurisdiction and Federal anti-discrimination laws.''.

(c) EXCLUSION APPLIES TO HIGHLY COMPENSATED EMPLOYEES ONLY IF NO DISCRIMINATION.—Section 132(j)(1) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''Paragraphs (1) and (2) of subsection (a)'' and inserting ''Subsections (a)(1), (a)(2), and (j)(4)'', and

(2) by striking the heading thereof through ''(2) APPLY'' and inserting ''CERTAIN EXCLUSIONS APPLY''.

(d) EMPLOYER DEDUCTION FOR DUES TO CERTAIN ATHLETIC FACILITIES.—

(1) IN GENERAL.—Paragraph (3) of section 274(a) of the Internal Revenue Code of 1986 (relating to denial of deduction for club dues) is amended by adding at the end the following new sentence: ''The preceding sentence shall not apply to so much of the fees, dues, or membership expenses paid in any taxable year beginning in 2007 to athletic or fitness facilities (within the meaning of section 132(j)(4)(C)) as does not exceed $900 per employee per year.''.

(2) CONFORMING AMENDMENT.—The last sentence of section 274(e)(4) of such Code is amended by inserting ''the first sentence of'' before ''subsection (a)(3)''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2006.

Mr. ENZI. I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, as we have reached Friday in the consideration of the increase in the minimum wage, let me restate both by affection and respect for my friend and colleague from Wyoming. We have a strong personal relationship and a very good professional relationship. There are a few occasions when we differ, and this happens to be one of them, but it doesn't take away from the fact that I have enormous respect for his legislative abilities. We have worked in a number of areas, and we have every commitment to working together in so many of those areas of our HELP Committee. I know we don't have to repeat it, but it is true. Since we have a moment on a Friday, I wanted to express it because of my deep concerns about the direction of this underlying legislation.

Let me state, with regard to these family issues, our committee is enormously interested in these family issues. The fact is, we have not addressed them in these recent Congresses. That happens to be the fact. We have not marked up those measures when Republicans were in charge of our committee. We didn't get them out on the floor of the Senate, so we have not considered them. But we are strongly committed to them. We are strongly committed.

My friend and colleague from Connecticut, Senator DODD—who is the author of the Family and Medical Leave Act—struggled 10 years before we ever could get that legislation passed because of the opposition within the Republican Party. He wants to extend that. It only applies to companies of 50 or more and leaves out half of all the workers. He wants to address that issue.

The Senator from Washington, Mrs. MURRAY, has had longstanding legislation providing up to 24 hours for individuals to go and work with teachers, engage in teacher conferences.

I have engaged in legislation for sick leave for workers, which is enormously important to people here.

Family-related issues are something in which we are enormously interested and concerned with. But I want to indicate we are also interested in flextime. But we also recognize that in this past Congress, this President eliminated overtime for 6 million Americans—overtime—this administration.

I am not going to take the time now, but I will certainly put the material in the RECORD about the proposal the Senator has just referenced—my friend, and he is my friend, the Senator from New Hampshire—talking about his flextime legislation. Here on page 2 in the legislation it says, ''notwithstanding section 7, an employer may establish biweekly work programs that—section (A) title I—that consist of a basic work requirement of not more than 80 hours over a 2-week period and in which more than 40 hours of the work period may occur in a week of that period.''

I believe this is the end of the 40-hour workweek, when your employer can make you work 50 hours in a week with no overtime. You say: No overtime? Where is that?

If we go to page 7 of the legislation, under the definition of ''overtime,'' the term ''overtime'': ''when used with respect to biweekly programs means all work worked in excess of the biweekly work schedule involved in excess of the allocated 50 hours a week.''

So here we are basically saying if the employer makes the judgment and decision that you are going to work 50 hours, you are going to work more than 40 hours. Under the existing law you get overtime pay for over 40 hours. Under this, you work 50 hours and you don't get the overtime. Here it is in the legislation.

Why do we have that on the minimum wage bill, I ask? It seems so accommodating. Can't we just accommodate family-related issues on it? Here we are trying to undermine it.

The issue, of course, that is key in all these matters—you say: What about public employees? Public employees do. They have unions to protect them, and they have longstanding agreements about how and who makes the judgment and decisions in working out those flextime issues. It is an entirely different situation. I am glad to try to work that out, as we have with Members on family-related issues. But why should we have to do it on a simple item like the terms of increasing the minimum wage? Why is it? As I said yesterday, we are considering zero amendments on our side. We are prepared to vote. I bet I could even get the leader to say—well, probably not—to say we would go with a voice vote and approve it today. But, no, at the current time we have, to my knowledge, 109 amendments. They increase every day from the other side—109 amendments. Zero over here, 109 amendments.

Another issue comes up, the issue of agencies violating different regulations, and if it is a first offense and exclusion of health and safety—look carefully how they define health and safety. This is an issue without a problem. Agencies have that flexibility today and use it today. What are we really trying to get at?

Under the original proposal that was offered with regard to first offenses, it would have exempted 97 percent of all mine safety companies. You say let's redraft that now in terms of health and safety and see if you won't take it. Why are we doing that out here on this question? We have just done mine safety.

If we want to deal with regulatory reform we are glad to do that. With regard to small business I thought that would be in the Small Business Committee's jurisdiction. Why should we be dealing with that when all we are trying to do is get an increase in the minimum wage?

Then I hear: What is going to happen in terms of employment when we pass this increase in the minimum wage? One chart I didn't use the other day but I remember from the past is this one. The last minimum wage increase did not increase unemployment. These are the figures, going from 1997, September, all the way through the year 2000. It shows the last time when we went to $5.15 the gradual decrease in unemployment.

If you look at it this way, we have the increase and the wage was $4.75 in the summer of 1996. Look at the increased job growth. Then we increased it in 1997 to $5.15, and it continued job growth.

There are 3.7 million Americans who work in these small mom-and-pop stores who will never be affected because of the small business exemptions. It is $500,000. They are excluded. It is only those. These are the figures on it.

We have gone through those in some measure. I still am distressed that we are spending this amount of time on this issue, and I wonder why it is the Republicans have all of these issues. If we had accepted all the amendments that have been offered by the Republicans, we would have added $241 billion in spending; $241 billion would have been added that would not have been offset.

We are on the fifth day today. We will be on the sixth day on Monday, the seventh on Tuesday. When we had the increase in 1977, we spent 2 days on it. When we had the increase in the minimum wage in 1989, we had 2 days. In 1996, we had 2 days—4 hours in the House of Representatives. Since we have been debating this issue, the good State of Iowa, Monday night, had a debate in the legislature for the increase in the minimum wage. They passed it. They considered it in the Senate, debated it, and passed it, and the new Governor of Iowa is signing the increase in the minimum wage today. This is what is happening out there.

This is part of what the American people are wondering about regarding this institution: Why in a State it takes 3 days to get it and other times it has taken a couple of days to consider this. It is a very simple matter: just raise the minimum wage to $7.25 from $5.15. We are in day 5, Monday it will be day 6, vote on cloture on day 7. With the 30 hours it will continue on into the better part of next week. Why does it take so long for this institution when all the amendments are over on this side, from the Republicans?

That happens to be the fact. We debated education. It is interesting. Our committee deals with education as the appropriations committee for education. Finance has some provisions in there with regard to the tax provisions. We have important education legislation coming up. We have worked out higher education legislation in our committee. There are still a few areas in terms of the loan programs we still have to work out. We are working with the administration on the K–12 program. But now we have dropped in here $35 billion in terms of education credits. There is nothing on the IDEA Program—nothing. No help and assistance on IDEA. No help and assistance in increasing Pell programs. They selected $35 billion for whatever they wanted on education to challenge us to vote against that particular proposal.

Is that it? The underlying bill is to try to get an increase in the minimum wage. I am glad to debate education. I was so interested in this because last year we increased the scholarship programs by $12 billion for students, and it went to conference and the Republican leadership took all $12 billion and put it for taxes. I can't scarcely remember any of those people who were arguing yesterday for increasing help and assistance for the students raising their voice let alone their vote in opposition. Or, when we added the funding, or tried to add the funding to the budget last year, I don't remember any of those speaking out. Twelve billion dollars it would have added. I don't remember any of those voices out there. But they suddenly want to have a long debate on that program.

Now we want to have a long debate on health savings accounts. The average user of health savings accounts earns $133,000 a year, and three-quarters of those who had the health savings accounts had insurance before they had them. I thought the question today was to get to the uninsured, not the wealthy who already had insurance. That is coming from the other side. Why on the minimum wage bill? I am glad to debate that issue, but why on the minimum wage? Why hold up another day for workers? That is what is happening.

Every day we are denying these workers, every single day, every hour we are denying these workers an increase in the minimum wage. Make no mistake who is doing that—109 amendments from that side and zero from

this side. You can say: We want to just have a little fair opportunity to discuss these. Come on. We weren't born yesterday. We know what is happening. This is a whole process to delay, and I believe they hope to defeat us on this issue.

It has been 10 years since we have had the increase. We have had 15 votes. We had a couple of other amendments which were accepted. We are prepared. The issue, on these family-related issues—we are the committee, we will work closely with our brothers and sisters on other committees to get these jobs done. But don't, on Friday afternoon, say: Oh, we just need to have a few more amendments on this. Then what will happen?

We are basically holding the increase in the minimum wage hostage now for additional tax expenditures for businesses. No clean bill. The House of Representatives, with 80 Republicans, went ahead and passed a clean bill but not here in the Senate. No, roadblocks were put in our way by Republicans. Make no mistake about it. Let's just call it what it is. Roadblocks, parliamentary tactics are used to block a bare increase in the minimum wage, to basically prohibit that increase.

We have the additional billions of dollars in tax expenditures added to it and now we still have opposition by filibuster by amendment. All of us have been around here. It is filibuster by amendment. Thankfully, we have a leader who is going to file cloture so at least we will have the vote on Tuesday next. But there should be no doubt in the minds of people, as we come into this weekend, who bears the burden in terms of the basic reluctance and opposition to the increase in the minimum wage. As I said yesterday—I won't repeat it—but it amazes me to try and understand why this blind opposition, and why the vehemence of this opposition of increasing the minimum wage to $7.25. What is it that bothers our Republican friends? What is it about it? It isn't the question about we want an opportunity to talk about education or health care or Social Security or immigration. No, no. There is opposition to going to $7.25 for those who are on the lowest part of the economic ladder. We have seen the most extraordinary explosion of wealth in this country in the history of this Nation, and we have held those workers for 10 years—they have lost 20 percent of their purchasing power. We are just restoring the purchasing power for those individuals. It has the strong continuing opposition of the Republicans.

It is difficult for me to understand the reasons for that. Certainly it can't be economic. We haven't had a debate—we have been ready to have that debate on what it does in terms of communities, what it does in terms of the economy. We have demonstrated that with figures, the best we have had. States that have increased the minimum wage do better economically. Countries that increase the minimum wage reduce poverty, have the strongest economies in Europe. We are glad to debate the various case studies that have been done with Krueger and Card over at Princeton analyzing different kinds of communities. We are glad to debate if you want to debate economics. No, no. It is all filibuster by amendment on these other topics.

So, Mr. President, I thank our leader, Senator REID, for being willing to file the cloture petition. We will vote on it next week, and hopefully we will be able to get a positive vote on that and we will be able to move ahead.

We want to leave on this Friday and let those who are out there who have been working hard and who are appreciative of the Congress—4 hours the House took to debate an increase in the minimum wage, 80 Republicans who supported that, and here we are at the end of the week, looking forward to another week on this issue with over 109 different amendments waiting, waiting, waiting, all offered by Republicans, on the widest variety of different subject matters one can imagine. We all know what is going on, and so do those minimum wage workers, their families, workers across this country, middle-income people and others in the faith community, in the trade union movement, who believe in a fair America and believe that those on the lowest rung of the economic ladder are entitled to participate in the promise of America, like everyone else.

Mr. President, I ask unanimous consent that following Senator ALEXANDER's statement, Senator LAUTENBERG be recognized for up to 15 minutes as in morning business.

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

Mr. ENZI. Mr. President, I would make a brief comment, if the Senator will allow that, prior to his speech.

Mr. ALEXANDER. Of course.

Mr. ENZI. Mr. President, I thank the Senator from Massachusetts for his comments. He makes some very persuasive arguments in a very short period of time on the four amendments I talked about, and I am sure we could reach an agreement and have a very short debate, probably 10 minutes equally divided, on those four and then a vote, and that would simplify things a lot. I understand his comments about how we have over—I don't remember how many amendments—but I need to mention, there are amendments on the Democratic side. It is a little easier for them to forgo their amendments, because they are in control. The other side doesn't have a way to bring up issues. What I am saying right now is what the Democrats said for the last 2 years and what Senator KENNEDY said a minute ago is what our leadership had to say on issues as we filed cloture. This is a very common procedure, and we all know how it works. So we will be dusting off arguments from the other side, they will be dusting off arguments from us, but hopefully we can progress through these issues in a very substantial way and get them done.

I appreciate those comments, and I will learn from them. I did notice the dates we talked about for quick resolution on the minimum wage happened before this Chamber had television. I suspect a lot of the debates we have here have more to do with television than they do with the substance of the amendment we are working on. I hope Senators can forgo that possibility, although I am not sure in this culture we can. I would hope the pundits out there, radio talk shows and television talk shows, could forgo on some of the issues trying to foment each of their sides so they argue and fight.

It would be a lot easier if we had some civility that went with it. I appreciate the other side's civility through these debates and I would ask that they allow these four more amendments.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. ALEXANDER. Mr. President, sometimes we like to say something so often and so vigorously that we believe it actually does what we say it will do, and I am afraid that is the case of the minimum wage arguments that have gone on since 1939. Perhaps it did in 1939, but I would suggest today that it doesn't do what we say it will do. I expect to vote for the minimum wage proposal the Senate produces if it includes the tax incentives and other measures that will help small business men and women pay the bill so they don't have to cut jobs as they compete with companies around the world, in China and in India and other places.

I will talk for a few minutes this morning about whether the raising minimum wage does what we say it does. We are doing a fairly extraordinary thing here. The Government is intervening in the marketplace. We don't ordinarily do that. We are fixing prices. We are fixing the cost of labor. Let's say we were in a class at the University of Massachusetts, University of Wyoming, or University of Tennessee in economics 101, and the professor walked in and said, Good morning, students. We have an interesting problem here. Let's pose this: The Government wants to intervene in the marketplace to fix the price of labor—something it doesn't ordinarily do. So the problem for the students to solve would be this: The reason for the intervention is to help, as the Senator from Massachusetts said, those who are on the lowest rungs of poverty. Working people on the lowest rungs of poverty will be our target. We want to help them have more money in their pockets.

Second, obviously we would like to do this in a way that most efficiently gets whatever money we have for this to them and doesn't miss the mark. Next, we want to do it at the lowest possible cost. We have lots of needs in the Government and in this country. Finally, we want to find the fairest way to pay the bill. If we are going to come up with this grand social objective that is presumably an objective for

the whole country, then who pays the bill? All of us? Some of us? A few of us? The richest of us? Who pays the bill?

So the challenge to the students is this: The Government is going to intervene. We are going to help, according to the Senator from Massachusetts, the lowest on the rungs of the economic ladder—people who are poor—people who are working. We want to do it in an efficient way. We want to make sure the money gets to the people we want to help, and we want to send the bill for all of this—hopefully as low as possible—to the fairest group of people who ought to pay for it.

I think if the answer came back to that question that what we ought to do was raise the minimum wage, the professor would give it a D or an F, or he might even send it back to the students who sent him that answer and say, Maybe you didn't hear my question. My question was: How do we intervene in the marketplace to help the people who are on the lowest rungs of the economic ladder? How do we do that in the least expensive, most efficient way, and with the fairest way to pay the bill?

Let's begin to critique the answer I posed that a student might have given to the professor in economics class 101. First, I think the professor might say, If you come back with a minimum wage idea, it is a very expensive way to go about it. A new study released by the Congressional Budget Office, which I ask unanimous consent to be included in the RECORD following my remarks—

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

(See exhibit 1.)

Mr. ALEXANDER. A new study by CBO estimated that raising the minimum wage to $7.25, which is the proposal here, would cost $11 billion. A study done by the Employment Policies Institute put the cost at $18 billion. I ask unanimous consent that this study by Professors Burkhauser of Cornell and Sabia of the University of Georgia be included in the RECORD following my remarks.

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

(See exhibit 2.)

Mr. ALEXANDER. So the student who suggested the minimum wage came up with a pretty expensive idea, an $11 billion price tag, or $18 billion, according to another study. But those estimates are about raising the cost of everyone's wages to $7.25 an hour. That is not how it works, because many workers are already paid a certain amount above the minimum wage and they will continue to earn more than the new minimum wage. So in effect, we are also legislating that a number of workers will receive a wage higher than $7.25, which means the cost is much higher than $11 billion or $18 billion. That is a lot of money. That is the first critique of the student's answer.

The second one: How well does this money hit the mark? We heard Senator KENNEDY say repeatedly: Those on the lowest rung of the economic ladder. We have visions of women and children who are poor, particularly single mothers. Senator KENNEDY has great passion for this issue. I have heard him many times over the last 4 years talking about how this is a women's issue; this is a children's issue; this is an issue for Americans on the lowest rung of the ladder who are in poverty. Well, let's see if that is true.

The studies show it is not true. Raising the minimum wage doesn't efficiently target the poor. Only one in five minimum wage workers live in households at or below the poverty line. So most of that $11 billion or $18 billion won't be going to the people who need it the most. It is more likely to be going, for example, to raise the salary of a teenager from a well-off family who has a part-time job at the mall. The Employment Policies Institute, the study I mentioned a little earlier by the professors from Cornell and the University of Georgia, said in their calculations that even less of the money would go to the workers in poor families—13 percent. Even if you look at households earning twice the rate of poverty, which was just under $40,000 in 2005, the Employment Policy Institute study found that less than half—43 percent of the minimum wage increase—would go to those families.

Let me go directly to the professors' study of the minimum wage. They say:

> While the minimum wage is often promoted as a policy designed to help the poor, minorities, and single mothers, this analysis reveals that only 3.7 percent of the benefits from a $7.25 hour Federal minimum wage would go to poor African-American families.

So 3.7 percent of the benefit of this $18 billion-plus cost will go to poor African-American families. Only 3.8 percent would go to poor single mother families. What we are about to do, if we do it, is spend $11 billion, $18 billion—more than that, probably—with the stated objective of helping the poor, especially single women, especially mothers with children, especially minorities, and what the professors' study shows is that only 3.8 percent goes to poor single mother households.

Even more troubling, they go on:

> The majority of working poor families, families who are working but remain in poverty, receive no benefit from an increase to $7.25 an hour.

The majority of families who are working but in poverty get no benefit from what we are about to do. These families don't benefit because they already earn more than the new Federal minimum wage and remain in poverty either because of a low number of hours worked or a large family size. Many of these individuals would benefit far more from an increase from the generous Federal and State earned-income tax programs.

A couple more statements from the professor from Cornell and the professor from Georgia:

> Only 3.8 percent of the benefits from an increase to $7.25 an hour accrue to poor single mothers. One of the factors causing this low percentage of benefits is the fact that the majority of poor single mothers have hourly wages above this level. In addition, only 18.5 percent of the benefits going to single mothers will go to those in poverty, the majority of benefits going to single mothers will go to those earning more than twice the poverty line.

So the authors conclude that only 12.7 percent, or 2.3 billion of their estimated $18 billion cost of this increase will go to poor families, and only 3.7 percent goes to poor African-American families.

The authors say that the ability of the minimum wage to target poor families is weaker and decreasing over time. Contrary to the statements of its advocates, fewer and fewer low-wage employees are supporting a family on minimum wage, with only 9 percent of low-wage employees actually supporting a poor family.

I think the professor so far, in grading the paper of the student who suggested an increase in the minimum wage, would say, well, you came up with something that is hugely expensive, $18 billion-plus. And second, you came up with something that almost entirely that misses its target, only 3 or 4 percent to poor African-American families out of this huge amount of money? So far that paper is not doing very well at the University of Massachusetts, Wyoming, or Tennessee.

Then there would be another question that ought to be answered. Who pays the bill? The people who are to pay the bill under the proposal of the Senator from Massachusetts are the small businesspeople of America. They were described by the Senator from Wyoming because he used to own a shoe store. We stand in the Senate almost every day and talk about small business men and women and how they have health care costs, how they have taxes to pay, they have OSHA requirements to meet, they have Federal regulations added every year, and we say if we do not do something about this, more of these jobs are going to India and China, and we have a big outsourcing of jobs around the world.

Even if we, as a Senate, were to decide that we wanted to take the most expensive and perhaps the most inefficient way to help the people lowest on the economic ladder, why would we send the bill to the small businesspeople of America? Why wouldn't we send it to Wall Street? Why wouldn't we send it to the big corporations? Why wouldn't we send it to the taxpayers at large? Why couldn't all of us pay the bill?

We are very good in Washington, DC—I used to notice this as Governor of a State—some Senator or Congressman would come up with a good-sounding idea, pass it, hold a press conference, take credit for it, and come back down and make a statement at the Lincoln Day or Jefferson Day dinner about local control. What we do here all the time is come up with good ideas, take credit for them, and send

the bill to someone else. That is what we are doing here: we are not paying for this. We are not saying: That is going to cost $18 billion so let's raise taxes on Americans to pay for it. We are saying it will cost $18 billion-plus, but, no worries, we will just send that on to the small businesspeople of America, not the big businesspeople.

According to the National Federation of Independent Businesses, small businesses employ 61 percent of all minimum wage workers. That is a lot of mom-and-pop shops, family-owned businesses. Why should they pay the bill for this idea? One reason it might have been better to take this legislation through the committee that the Senator from Massachusetts and the Senator from Wyoming so ably lead is, we could have discussed this and there might have been a better way to reach this goal of taking whatever money we have—maybe a generous amount, maybe $18 billion—and sending it directly to people on the lowest rung of the economic ladder.

We might have talked about the earned-income tax credit. The earned-income tax credit isn't always popular on this side of the aisle because it has had some fraud in it, but the idea is a good idea. I first heard about it when Pat Moynihan was in the Nixon White House in the early 1970s. He suggested instead of welfare programs we ought to have a negative income tax. He said rather than set up a lot of Government programs that tend to break down the family and spend money in bureaucracies, if people are working in America, and they are not making much money, let's give them some money. We are a rich country. We have 25 percent of all the money in the world every year for just 5 percent of the people in the world. And some people are really well off. They have more than one house. They have big incomes. We all know that. And so it tugs at us to think we are so wealthy and we still have people who are not just sitting on a bench, but we have people who are working every day, sometimes two jobs, and they are not making enough to help their families. That is what this debate is about. Pat Moynihan said in the early 1970s, and this Congress has said before: Let's try the earned-income tax credit. In other words, if you are working, and you are poor and you qualify, we will send you a check. The check comes from all of us. It doesn't come from this segment of society or that segment or just the small businesspeople. We all step up to the plate. The taxpayer pays the bill for earned-income tax credit.

Why didn't we have a hearing to talk about that? The tax credit is targeted to help low-income workers. It is only available for families making up to between 175 to 200 percent of poverty. For example, in 2006, a single parent with two or more children could not receive the earned-income tax credit if he or she earned more than $36,000. That is not a lot of money when you are trying to raise two children.

In comparison, according to the Congressional Budget Office, nearly 60 percent of a minimum wage increase would go to individuals living in families earning more than $36,000. So 60 percent of what we propose to do here goes to families earning more than $36,000, but an earned-income tax credit recipient could not receive money if they made more than $36,000.

The CBO study released this month also looked at the potential impact of increasing the minimum wage to $7.25 as well as possible increases to the earned-income tax credit. I put that in the RECORD a few minutes ago.

If we increase the minimum wage as has been proposed, CBO says it would cost $11 billion, the smaller number, but only $1.6 billion of that $11 billion would go to working families living below the poverty line. CBO is bipartisan, and works for all of us. They went on to say that to send nearly the same amount of money to working poor families, $1.4 billion in assistance, we would only need to increase the earned-income tax credit by $2.4 billion. So instead of a $11 billion or $18 billion pricetag for the minimum wage, we could have done the same thing through the earned-income tax credit by spending $2.4 billion.

Increasing the earned-income tax credit would target the same amount of money to poor families as raising the minimum wage at one-fifth the cost.

I have used my example of asking a professor at the University of Massachusetts or Wyoming or Tennessee, saying to his class: We have a large goal. We want to help people who are working and who are at the lowest rung of the economic ladder, as Senator KENNEDY describes. What would be the best way to do it? Tell me, the professor would say, tell me how to get the largest amount of money to that group of people, how to do it at a reasonable cost, and tell me who should pay the bill.

I think if the answer came back that we should spend $18 billion or more, and it costs five times as much to do it through the minimum wage as it would through the earned-income tax credit, and in addition to that, doing it through the minimum wage sends the bill to a struggling group of people disproportionately, the small businesspeople of America, and lets off all the rest of us, I think that person would get an F. And I think we ought to, as well.

I am sure what is going to happen in this Congress is we are going to pass a minimum wage bill because we are a wealthy country and we want people who are working and who do not have as much to have more. That is our impulse. And I don't believe that bill will get out of this Senate without substantial assistance for the small businesspeople who are paying the bill, or disproportionately the bill.

My hope is that Senator KENNEDY and Senator ENZI, some time before we bring up this minimum wage idea again, will say: Let's give ourselves the same kind of examination that I just suggested for those college students. Let's ask ourselves how to do this in an efficient, fair way that gets the money to the right people, instead of going around the country saying ''minimum wage, minimum wage, minimum wage,'' only to find out some time later that we have a lot of disappointed, poor, working families around America who aren't helped by what we convinced ourselves was the right thing to do.

EXHIBIT 1

CONGRESSIONAL BUDGET OFFICE,
U.S.CONGRESS,
Washington, DC, January 9, 2007.

Hon. CHARLES E. GRASSLEY,
Chairman, Committee on Finance,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: In response to your request, the Congressional Budget Office (CBO) analyzed some of the potential consequences of a hypothetical increase in the federal minimum wage rate from $5.15 per hour to $7.25 per hour and of several hypothetical expansions in the earned income tax credit (EITC). To provide the information, as requested, about the potential impacts on workers whose family income was below the federal poverty threshold, the analysis used data from the March 2005 Current Population Survey (CPS).

The analysis is subject to a number of limitations and should not be interpreted as a cost estimate of the effects of implementing changes in the federal minimum wage or the EITC in future years. CBO simulated the impacts of those policy options as if they were in effect in 2004 and did not incorporate any effect on employment levels or the number of hours worked. Since that time, the number of workers with wage rates in the $5.15 to $7.25 range has fallen by almost 30 percent and is expected to continue to decline as increases in state minimum wage rates and other changes in the labor market occur. For simplicity, CBO assumed that an increase in the minimum wage rate would have affected only the wage rates of workers earning between the old and the new minimum rates. Some workers with wage rates outside that range might also be affected by an increase in the minimum wage. For example, employers are permitted to pay certain tipped workers as little as $2.13 per hour if their tips bring their total hourly earnings up to the federal minimum wage; thus, an increase in the federal minimum wage could cause some of those employers to raise their wage rates. Also, some employers of workers already paid at or just above the new minimum wage rate might increase those workers' wage rates as well.

In addition, the CPS does not contain all of the information needed to compute the EITC, limiting the accuracy of those estimates. Based on the CPS, the estimated amount of EITC payments in 2004 was about 25 percent below the actual amount that year. CBO does not have a basis to infer whether that discrepancy would lead to an underestimate or an overestimate of the share of additional payments resulting from the hypothetical expansions of the EITC that would go to poor families. Moreover, the Joint Committee on Taxation produces the official estimates for any change in the EITC; its estimates may be different.

As discussed more fully in the attachment to this letter, the major findings of the analysis are these:

On the basis of data from the March 2005 CPS, about 18 percent of the 12 million workers who were paid an hourly wage rate between the federal minimum wage of $5.15 and $7.24 were in families that had a total cash income below the federal poverty threshold in 2004. Had all of the workers in that wage range, instead, received $7.25 per hour, they would have gotten about $11 billion in additional wages in that year. About 15 percent of those additional wages ($1.6 billion) would have been received by workers in poor families.

As requested, CBO examined the potential effects of hypothetical expansions in the EITC that would have provided additional payments to workers in poor families similar to the amount of additional earnings poor workers would have received by increasing the minimum wage rate to $7.25 per hour. One option was to increase the subsidy rate for childless workers by 50 percent. Another option was to increase the subsidy rate for workers with three or more children by 25 percent. On the basis of data from the CPS, combining those options would have increased total EITC payments by roughly $2.4 billion in 2004, with workers in poor families receiving $1.4 billion of that total.

The analysis was prepared by Molly Dahl, Tom DeLeire, and Ralph Smith of CBO's Health and Human Resources Division and Ed Harris of CBO's Tax Analysis Division. If you or your staff have any questions or would like further details, please feel free to call me at (202) 226–2700 or Ralph Smith at (202) 226–2659.

Sincerely,

DONALD B. MARRON,
Acting Director.

Attachment.

RESPONSE TO A REQUEST BY SENATOR GRASSLEY ABOUT THE EFFECTS OF INCREASING THE FEDERAL MINIMUM WAGE VERSUS EXPANDING THE EARNED INCOME TAX CREDIT

In response to a request from Senator Grassley, the Congressional Budget Office (CBO) used data from the Current Population Survey (CPS) to analyze the distributional effects of a hypothetical increase in the federal minimum wage rate and of several hypothetical expansions in the earned income tax credit (EITC). Although use of the CPS allows the production of results consistent with official poverty measures, the CPS is known to be inaccurate for measuring the EITC. CBO's estimates for a particular policy change could either understate or overstate the true cost of an expansion of the EITC, depending on how information available in the CPS differs from what taxpayers reported on their tax forms. CBO simulated the impacts of the hypothetical policy options as if they were in effect in 2004 and did not incorporate any effect on employment levels or the number of hours worked. The results are not estimates of the effects of implementing those options in future years.

Furthermore, this analysis is not a cost estimate. For proposals that would amend the Internal Revenue Code, including changes in the EITC, official cost estimates are provided by the Joint Committee on Taxation; its estimates may differ from those presented here.

METHODOLOGY

CBO identified workers who would have been affected by a hypothetical increase in the federal minimum wage rate from $5.15 per hour to $7.25 per hour in 2004 as those who reported in the March 2005 CPS that they were paid on an hourly basis and whose wage rate was between $5.15 and $7.24 at the time of the survey. Also included were workers who reported that they were paid $5.00 per hour, under the assumption that most of them were actually paid $5.15 but had rounded their survey response.

To estimate the impact of the hypothetical wage rate increase on the family income of workers, CBO assumed that all hourly workers whose wage rate was between $5.15 and $7.24 per hour would have been paid exactly $7.25 per hour had the hypothetical minimum wage rate been in effect. CBO further assumed that workers whose wage rate was $7.25 or higher would have been unaffected by the hypothetical increase in the minimum wage. For this tabulation, CBO assumed that no changes in employment or hours would have resulted from the higher minimum wage rate. The earnings gain attributed to the hypothetical increase in the minimum wage was calculated simply by multiplying the increase in the wage rate by the total number of hours that CBO estimated the affected people worked in 2004.

A limitation of this analysis is that the estimates are based on wage rates reported for March 2005 and income reported for 2004 and, therefore, do not reflect changes that have occurred since then or that will occur before future changes in the federal minimum wage, if enacted, would be implemented. For example, increases in state minimum wage rates and other changes in the labor market have already lessened the potential impact of raising the federal minimum wage rate.

CBO used information on family size and both before-tax cash family income and after-tax income, including certain noncash sources of income, in 2004 to place the affected workers into income categories relative to the poverty thresholds.

As requested, CBO also examined different ways of expanding the EITC to achieve similar income gains for workers in otherwise-poor families. Note that the CPS does not contain all of the information necessary to compute the EITC, limiting the accuracy of CBO's estimates. For example, using the CPS, CBO estimates that taxpayers received about $29 billion in EITC in 2004, when they actually received about $40 billion.

ESTIMATES OF THE EFFECTS OF A HYPOTHETICAL INCREASE IN THE MINIMUM WAGE IN 2004

Table 1 provides CBO's estimates of the number of workers paid on an hourly basis in March 2005 who received a wage rate below $5.00, between that rate and $7.24, and at or above $7.25. It shows that 11.6 million workers reported that they received a wage rate in the affected range. Table 1 also provides a cross-tabulation by income-to-poverty ratio, based on the family cash income of those workers in 2004, as reported by the Census Bureau. It shows that 18.5 percent (2.1 million) of the workers who received a wage rate in the relevant range in March 2005 were living in families that were poor in 2004.

Table 2 repeats the information from Table 1 but uses an after-tax measure of income that also includes the value of certain noncash sources of income. In the placement of people into income-to-poverty categories, the poverty thresholds themselves remain unchanged. On the basis of this alternative measure of income, a smaller portion of the workers in the relevant wage range were counted as poor (14.4 percent, rather than 18.5 percent).

Tables 3 provides CBO's estimates of the income gains that would have resulted from raising the wage rates of everyone who reported that they were paid between $5.00 and $7.24 per hour up to an hourly rate of $7.25. For those figures, CBO simply added its estimates of the gains in earnings from the wage rate increase to estimates of families' cash income. CBO estimates that $1.6 billion (15 percent) of the $11 billion in increased earnings that resulted from the higher wage rate would have been received by workers who were in families with money income below the official poverty threshold in 2004.

ESTIMATES OF THE EFFECTS OF HYPOTHETICAL INCREASES IN THE EITC IN 2004

Table 4 provides CBO's estimates of the distributional income effects of the changes in the EITC specified in the request. Again, the estimates are based on the CPS, not tax statistics, and do not take into account the many intricacies of actual tax provisions or the ways that people might alter their behavior in response to changes in the EITC. The Joint Committee on Taxation provides the official estimates of the potential effects of changes in the EITC.

In 2004, eligible taxpayers with one qualifying child could claim a credit of 34 percent of their earnings up to $7,660, resulting in a maximum credit of $2,604; the credit phased down at a rate of 15.98 percent of earnings above $14,040 for nonjoint filers and $15,040 for joint filers. For eligible taxpayers with two or more qualifying children, the credit was 40 percent of their earnings up to $10,750, with a maximum credit of $4,300; the phase-out rate was 21.06 percent, beginning at earnings above $14,040 for nonjoint filers and $15,040 for joint filers. Taxpayers between the ages of 25 and 64 with no qualifying children could claim a credit of 7.65 percent of their earnings up to $5,100, resulting in a maximum credit of $390; beginning at earnings above $6,390 for nonjoint filers and $7,390 for joint filers, the credit phased out at a rate of 7.65 percent. All thresholds are higher now. Not only are they indexed for inflation, but the plateau for joint filers was increased by $1,000 in 2005 and is scheduled to increase again in 2008.

The first column of Table 4 shows that, of the estimated $29 billion in EITC received in 2004, about 40 percent ($11 billion) was received by workers in poor families. (As explained, that CPS-based estimate of the total amount of EITC received is much lower than the actual amount that year, $40 billion.)

The second column reports CBO's estimates of the effects of a hypothetical expansion in the EITC in which workers in families with three or more children would be eligible for an additional credit. The subsidy rate for that group was increased from 40 percent to 50 percent, the maximum credit available was increased from $4,300 to $5,375, and the phase-out rate was increased from 21.06 to 26.325 percent, representing a 25 percent increase over the credit available in 2004 to those in families with two or more children. (The difference between the maximum credit available to those in families with three children and those in families with two children is $1,075, as compared with the $1,696 difference in the maximum credit available to those in families with two children and those in families with one child.) Using CPS data, CBO estimates that this expansion would have increased EITC payments to poor families by $1.1 billion.

The third column examines what the results of a hypothetical expansion of the EITC to childless individuals might have been. As requested, the subsidy rate, the maximum credit, and the phase-out rate to workers without children were increased by 50 percent. Under the hypothetical expansion, the maximum credit available to those workers would have been $585, and the subsidy and phase-out rates would have been 11.475 percent. This expansion would have increased EITC payments to poor families by an estimated $0.3 billion.

The fourth column examines the effects of a hypothetical expansion of the EITC in which both the expansion for those in families with three or more children and the ex-

pansion for childless individuals discussed above were implemented. Using CPS data, CBO estimates that the combination of the two would have resulted in increasing EITC payments to the poor by $1.4 billion, about 60 percent of the overall increase of $2.4 billion that CBO estimates would have occurred in 2004 if those expansions had been in place at the time.

TABLE 1.—DISTRIBUTION OF HOURLY WORKERS IN MARCH 2005, BY WAGE IN 2005 AND FAMILY CASH INCOME IN 2004

Income-to-Poverty Ratio	Hourly Workers, by Wage Rate							
	Less Than $5		$5 to Less Than $7.25		$7.25 and Higher		Total	
	Number (Millions)	Percent	Number (Millions)	Percent	Number (Millions)	Percent	Number (Millions)	Percent
Less Than 1.0	0.2	20.2	2.1	18.5	3.3	5.2	5.7	7.5
1.0 to Less Than 1.5	0.1	11.6	1.5	12.7	4.3	6.7	5.9	7.7
1.5 to Less Than 2.0	0.1	11.2	1.3	11.1	5.7	8.9	7.1	9.3
2.0 to Less Than 3.0	0.3	21.4	2.1	18.3	12.9	20.3	15.2	20.0
3.0 or More	0.4	35.6	4.6	39.4	37.5	58.9	42.4	55.6
Total	1.1	100.0	11.6	100.0	63.6	100.0	76.3	100.0

Source: Congressional Budget Office based on data from the Current Population Survey (March 2005).
Notes: Wage is the reported hourly wage in March 2005.
Income is before-tax family cash income in 2004, corresponding to the Census Bureau's definition of money income. Poverty thresholds are based on family size and composition. The definitions of both income and poverty thresholds are those used to determine the official poverty rate and are as defined in Bureau of the Census, Income, Poverty, and Health Insurance Coverage in the United States: 2004, Current Population Reports, P60–229 (August 2005).

TABLE 2.—DISTRIBUTION OF HOURLY WORKERS IN MARCH 2005, BY WAGE IN 2005 AND AFTER-TAX (POST-TRANSFER) FAMILY INCOME IN 2004

Income-to-Poverty Ratio	Hourly Workers, by Wage Rate							
	Less Than $5		$5 to Less Than $7.25		$7.25 and Higher		Total	
	Number (Millions)	Percent	Number (Millions)	Percent	Number (Millions)	Percent	Number (Millions)	Percent
Less Than 1.0	0.2	18.7	1.7	14.4	2.2	3.5	4.1	5.4
1.0 to Less Than 1.5	0.2	13.0	1.4	12.4	3.3	5.1	4.8	6.3
1.5 to Less Than 2.0	0.1	9.7	1.0	8.3	4.7	7.4	5.8	7.6
2.0 to Less Than 3.0	0.2	14.7	2.1	18.0	11.0	17.3	13.3	17.4
3.0 or More	0.5	44.0	5.4	46.9	42.4	66.6	48.3	63.3
Total	1.2	100.0	11.6	100.0	63.6	100.0	76.3	100.0

Source: Congressional Budget Office based on data from the Current Population Survey (March 2005).
Notes: Wage is the reported hourly wage in March 2005.
Income is after-tax family income, including certain noncash sources of income, in 2004, corresponding to the Census Bureau's definition of money income, minus taxes, plus noncash transfers (MI=Tx+NC)—an alternative measure of income that the bureau has examined. See Bureau of the Census, Alternative Income Estimates in the United States: 2003, Current Population Reports, P60–228 (June 2005). Poverty thresholds are based on family size and composition and are as defined in Bureau of the Census, Income, Poverty, and Health Insurance Coverage in the United States: 2004, Current Population Reports, P60–229 (August 2005).

TABLE 3.—DISTRIBUTIONAL EFFECTS OF A HYPOTHETICAL $7.25 MINIMUM WAGE IN 2004

Income-to-Poverty Ratio	Increased Earnings (Billions of 2004 dollars)	Percent
Less Than 1.0	1.6	15
1.0 to Less Than 1.5	1.6	14
1.5 to Less Than 2.0	1.6	14
2.0 to Less Than 3.0	2.2	20
3.0 or More	4.0	36
Total	10.9	100

Source: Congressional Budget Office based on data from the Current Population Survey (March 2005).
Note: Income is before-tax family cash income in 2004, corresponding to the Census Bureau's definition of money income. Poverty thresholds are based on family size and composition. The definitions of both income and poverty thresholds are those used to determine the official poverty rate and are as defined in Bureau of the Census, Income, Poverty, and Health Insurance Coverage in the United States: 2004, Current Population Reports, P60–229 (August 2005).

TABLE 4.—THE DISTRIBUTION OF THE EITC IN 2004 UNDER ALTERNATIVE HYPOTHETICAL POLICIES, BASED ON THE CURRENT POPULATION SURVEY

[Billions of 2004 dollars]

Income-to-Poverty Ratio	Base ‡	Increases in EITC Payments		
		Option 1 [a]	Option 2 [b]	Option 3 [c]
Less Than 1.0	11.4	1.1	0.3	1.4
1.0 to Less Than 1.5	8.4	0.5	0.1	0.6
1.5 to Less Than 2.0	4.8	0.2	*	0.2
2.0 to Less Than 3.0	3.0	0.1	0.1	0.1
3.0 or More	1.7	*	0.1	0.1
Total	29.3	1.9	0.5	2.4

Source: Congressional Budget Office based on data from the Current Population Survey (March 2005).
Notes: EITC = earned income tax credit.; * = less than 0.1 billion.
Income is before-tax family cash income in 2004, corresponding to the Census Bureau's definition of money income. Poverty thresholds are based on family size and composition. The definitions of both income and poverty thresholds are those used to determine the official poverty rate and are as defined in Bureau of the Census, Income, Poverty, and Health Insurance Coverage in the United States: 2004, Current Population Reports, P60–229 (August 2005).
a. CBO's estimates of the EITC received based on information available in the Current Population Survey. The actual EITC (including both the credit used to offset taxes and the refundable portion of the credit) in 2004 was about $40 billion.
b. For this option, the subsidy rate, phase-out rate, and maximum credit for EITC recipients with three or more children were increased by 25 percent.
c. For this option, the subsidy rate, phase-out rate, and maximum credit for EITC recipients with no children were increased by 50 percent.
d. For this option, the subsidy rate, phase out-rate, and maximum credit for EITC recipients with three or more children were increased by 25 percent, and the subsidy rate, phase-out rate, and maximum credit for EITC recipients with no children were increased by 50 percent. This option combines those in columns 2 and 3.

EXHIBIT 2

RAISING THE FEDERAL MINIMUM WAGE: ANOTHER EMPTY PROMISE TO THE WORKING POOR

(By Craig Garthwaite)

OVERVIEW

This paper provides a historical view of the effect of increases in the federal minimum wage on the working poor with a particular focus on the past 15 years. Since its inception in 1938, increases in the federal minimum wage have become an increasingly weak mechanism for addressing the problem of poverty in America. This continuing deterioration stems from the fact that fewer low-wage employees are supporting a family on a minimum wage income. As poverty becomes more a problem of hours worked and not an individual's wage level, anti-poverty policies that focus on wages will be less efficient than polices that focus on income, such as the Earned Income Tax Credit (EITC).

WAGES VS. INCOME

While wages and income are certainly related, the connection between the two has always been tenuous. In 1946, Nobel prize-winning economist George Stigler commented, ''the connection between hourly wages and the standard of living of a family is remote and fuzzy.'' As this study shows, the fuzzy connection in 1946 has become blurrier over time.

Examining Census Bureau data since 1939, the authors found that fewer low-wage employees live in poor households today than in years past. Specifically, in 1939, 85 percent of low-wage employees were living in poor households. By 2003, only 17 percent of low-wage employees were living in poor households. Consequently, attempting to target

poor families by manipulating wages is an inefficient means of addressing the problem.

Even more important than the number of low-wage employees living in poor households is the number of low-wage employees who are the heads of poor households. This stereotypical beneficiary of an increase in the wage floor is the one supporters of minimum wage increases claim represents the typical minimum wage employee. In reality, a small fraction of low-wage employees are the head of a poor household, and this number has decreased significantly over time. In 1939, nearly one-third (31%) of all low-wage employees were the heads of a poor household. By 2003, only 9 percent of low-wage employees were heading a poor household.

These statistics all reveal an underlying point—modern families have multiple workers whose collective earnings make up the family income. Federal anti-poverty policy should adjust accordingly. As more women and teenagers have entered the workforce as second and third earners, the ranks of low-wage employees contain fewer individuals singlehandedly supporting a family.

FEDERAL MINIMUM WAGE INCREASES AND POVERTY

A byproduct of the aforementioned changes in the composition of family incomes is that the poor make up a small percentage of beneficiaries from a wage hike. Contrary to popular perception, the average minimum wage employee is not in poverty or raising a family on a minimum wage income. Analyzing Census data, the authors found that a beneficiary from a proposed federal minimum wage hike to $7.25 an hour is far more likely to be in a family earning more than three times the poverty line than in a poor family. In total, only 12.7 percent of the benefits from a federal minimum wage increase to $7.25 an hour would go to poor families. In contrast, 63 percent of benefits would go to families earning more than twice the poverty line and 42 percent would go to families earning more than three times the poverty line. The average benefit per household is approximately the same, with poor families receiving a benefit of $1,110 and families earning three times the poverty line earning $1,090—nearly the same benefit, despite a vast difference in family incomes.

While there is strong empirical evidence to suggest that increasing the minimum wage will have adverse employment effects—particularly among young African Americans, young non-high school graduates, and teenagers—the authors assume no disemployment effects associated with the minimum wage hike so as to allow the policy its best chance to achieve the poverty-reducing goals promised by its proponents. While the minimum wage is often promoted as a policy designed to help the poor, minorities, and single mothers, this analysis reveals that only 3.7 percent of the benefits from a $7.25 an hour federal minimum wage would go to poor African-American families. Only 3.8 percent would go to poor single mother households. Even more troubling, the majority of ''working poor'' families—families who are working but remain in poverty—receive no benefit from an increase to $7.25 an hour. These families don't benefit because they already earn more than the new federal minimum wage and remain in poverty either because of a low number of hours worked or a large family size. Many of these individuals would benefit far more from an increase in the generosity of federal and state EITC programs.

WORK EFFORT AND POVERTY

Examining the hours worked by poor employees reveals that increases in work effort could have a significant effect on income. The authors found that the median wage of the highest earner in a poor household was much higher than the proposed federal minimum wage—$9.25 for poor households and $9.60 for poor and near-poor households (up to 150 percent of the poverty line). While this wage should be sufficient to put a family of four out of poverty (even without a second or even third earner), the data reveal that the majority of these individuals are not working full-time.

The median hours worked for the highest earner in a poor family in 2003 was 1,720—significantly less than full time (2,080 hours a year). While including near-poor families in the calculation brings this number up to 1,872 hours, the majority of these individuals are still working less than full time at their current wage. These individuals would receive significantly more benefit from programs that promote increased work effort than they ever would from a minimum wage increase.

SINGLE MOTHERS AND THE MINIMUM WAGE

Advocates of increasing the federal minimum wage often insinuate that primary beneficiaries will be single mothers raising a family on a minimum wage income. As was mentioned above, only 3.8 percent of the benefits from an increase to $7.25 an hour accrue to poor single mothers. One of the factors causing this low percentage of benefits is the fact that the majority of poor single mothers (58%) have hourly wages above this level. In addition, only 18.5 percent of the benefits going to single mothers will go to those in poverty. The majority of benefits going to single mothers will go to those earning more than twice the poverty line.

Senator Edward Kennedy (D–MA), the primary sponsor of a federal minimum wage increase to $7.25 an hour, recently stated in support of an increase that ''the jobs available to women leaving welfare are often minimum wage jobs.'' Census data, however, shows this is not the case. From 1995–2000, the time period following welfare reform, the employment rate of single mothers increased by 10.8 percentage points. Many of these single mothers were undoubtedly leaving the welfare rolls and joining the workforce. If Sen. Kennedy's claim is correct, one would expect a significant increase in the number of single mothers holding low-wage or federal minimum wage jobs. In reality, 77 percent of the increase in employment was accounted for by single mothers holding jobs paying more than low wages (50 percent of the average private sector hourly wage rate).

Examining the period over the 1990's business cycle produces similar results. The employment rate of single mothers increased by 14 percentage points, with 64 percent of this increase accounted for by single mothers earning more than low wages. Only 24 percent of the increase can be accounted for by those who held jobs at the prevailing federal minimum wage rate.

CONCLUSION

The authors calculate that, absent any employment loss, the cost to employers of the proposed increase in the federal minimum wage to $7.25 an hour will be $18.26 billion. Only 12.7 percent ($2.3 billion) of this cost will actually go to poor families, with only 3.7 percent going to poor African-American families. The ability of the minimum wage to target poor families is weaker and decreasing over time. Contrary to the statements of its advocates, fewer and fewer low-wage employees are supporting a family on the minimum wage, with only 9 percent of low-wage employees actually supporting a poor family.

Therefore, effective anti-poverty programs must concentrate on family income and not wages. While most working poor families will not receive any benefit from an increase in the federal minimum wage to $7.25 an hour, the vast majority would receive a benefit from increases in the generosity of federal and state EITC programs. These programs provide targeted assistance to the low-income working families so often cited in support of minimum wage increases—the same families that receive a minority of the benefits from a wage increase.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I understand Senator LAUTENBERG will be recognized next. I don't see him in the Senate. I will yield to him when he comes.

I say to my colleague from Tennessee, Senator ALEXANDER, how much I appreciate his fabulous remarks and analysis.

AMENDMENTS NOS. 209 AND 210 EN BLOC

Mr. SESSIONS. Mr. President, I ask unanimous consent that the pending amendment be temporarily set aside and I call up amendments Nos. 209 and 210 en bloc on behalf of Senator KYL.

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

The clerk will report.

The legislative clerk read as follows:

The Senator from Alabama [Mr. SESSIONS], for Mr. KYL, proposes amendments numbered 209 and 210 en bloc.

The amendments are as follows:

Mr. SESSIONS. Senator ALEXANDER, I was going to talk about the earned-income tax credit in some detail, about how we work it in America today. An amendment I filed has been accepted, and I do think the earned-income tax credit, as the Senator most cogently stated, has greater potential to help the working poor in America than the minimum wage increase. I knew that was so. But after the Senator's speech I know it is much more so than I thought. It is important we hear about this. I thank the Senator.

The amendment that I offered that was accepted will ask the Treasury Department within 6 months to report to us what can be done to allow working Americans to get their earned-income tax credit as part of their paycheck. I have been talking about this for several years. It is time to get serious about it. I found most people get their earned-income tax credit when they file their tax return the next year.

They work all year. As a result of that income history and the number of children they have, they qualify for the earned-income tax credit, and they get a big refund. On average it is $1,700 to $2,400, depending on the size of the family. That is a lot of money. It is almost $1 per hour worked.

Now, one of the key purposes of the earned-income tax credit was to help the working poor. The working poor are trying to make decisions about jobs, how to take care of their families, and we wanted to incentivize them to work and to not take welfare or other benefits, but over the years, the way it has worked out, the tax credit comes in one lump sum—not when a person is

making a decision about whether to go to work. And they don't get it then, so they still are paid whatever the minimum wage is.

I feel strongly about this. It is contrary to the policy that Milton Friedman and others thought about when they were talking about earning tax credits by working because, in the mind of the employee, the worker, there is no connection between that big tax return and their work. The tax credit needs to be tied to the work. It can be done now. A small number of businesses provide that tax credit today on the paycheck. It would, in fact, amount to almost $1 an hour for lower income workers as an increase in their pay if we can make this happen.

Remember, we do not have withholdings from this tax credit. There are no deductions from it. It is $1 they can take home, keep, and use for their family—to fix the tires on the car, the brakes, buy something their children need at school.

It is bad public policy to have the earned income tax credit to be distributed as it is. It is contrary to, I think, the impetus behind it. I believe we can fix it.

I know a lot of people, as the Senator said, think the earned income tax credit is rife with fraud. There is some evidence to suggest there is a substantial amount of fraud in this program. I do not think it would increase if it were paid on the paycheck.

I think more people, perhaps, would find themselves eligible if it were brought up at the workplace with them when they started to work and they made claim to it, who otherwise would not know they are eligible for it and might not even file a tax return, or if they do, they may not even claim the earned income tax credit. So I think we might have some more people claim the benefit, but it would have the public policy benefit of encouraging work and helping people while they work.

I think it is the right thing to do. I have talked with the Treasury Department about it several times. They fiddle around, and they talk to you, and they give an excuse, and they say: There is this problem and that problem. But from the beginning, this has been talked about. When they got right down to it, they could not obtain a consensus on how to do it, and they did not require it to be made part of the paycheck. They allowed it to be done differently. And most people are taking it otherwise than in their paycheck.

So, Mr. President, I am excited that this has been accepted. I hope the Treasury Department will respond in good faith to help us analyze this problem. And if they do, I think we can do a lot for working Americans.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I compliment the Senator from Alabama and ask unanimous consent to be added as a cosponsor to his legislation.

Mr. SESSIONS. Thank you, Mr. President. We would be pleased to have that happen.

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

Mr. SESSIONS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Ms. KLOBUCHAR). Without objection, it is so ordered.

HEALTH CARE

Mr. BOND. Madam President, yesterday, I had the pleasure of traveling to Lee's Summit, MO, to talk about the problem of health care. Right now, we know about 47 million Americans do not have health insurance. That is a huge burden for those families. It is a big problem for all of us as policymakers who need to be addressing this issue.

I went with the President and HHS Secretary Mike Leavitt. We toured the Saint Luke's Health System Hospital in Lee's Summit, which represents a very important next step in information technology for health care.

The information on patients coming in—from the diagnosis to the x rays—is all included on a basic computer format, which makes it available to any physician or nurse or other health care provider working with that patient. Even the radiologist does a description of what the x ray means, which is included by voice transcription directly into the program that is on the computer. It is linked through each room, so at a distance, for smaller rural hospitals, experts can do as thorough a diagnosis as they could in the room, with the exception they cannot physically put their hands on the patient.

But this has brought this hospital into a state where more and more hospitals want to go. We have the best technology. We have the best health care providers. We have the finest new medications, prescription drugs, that have dealt with many of the illnesses. But we have a much more expensive system because we have such quality care. The President has outlined a proposal on how we can incentivize Americans to buy insurance, keep health care costs under control, and maintain private control of health care decisions, leaving it in the hands of the patients and the providers.

Well, I believe the President has said the best way to do that is through private health insurance. He says that is a debate we ought to have in Washington. We believe the private sector is the best delivery vehicle of health care. We know there is a role for the Federal Government, but it is not to dictate, it is not to be the decisionmaker.

As he suggested, I think it makes sense to look at the Tax Code as part of the solution to the problem. Right now, if you pay your own health insurance, you pay taxes on the entire cost. If you are an individual, you get no benefit from paying your health insurance. But if you have an employer who pays for your health insurance, either all or part of it, you get that tax free.

I think that creates a very unlevel playing field. The President's proposal would establish a more equitable system, one I hope this body will carefully consider through the HELP Committee—to look at it, look at the details, criticize it, change it, but at least give it a full hearing.

I was rather disappointed, yesterday, before we even went out, to see some leaders of the majority party saying, oh, it is dead on arrival. Well, we are in such need of having real solutions to health care, I suggest this is a serious proposal that warrants serious discussion. I do not know all the details of it. But I had an opportunity to ask questions of staffers. I listened intently as the program was presented to a number of small business owners and small business employees who were very excited about the prospect of getting a tax break at a minimum of maybe some $2,200 a year if they bought health care—whatever minimum program their States would provide—if they were a single person, they would get $7,500 off of their tax bill; if they are a married couple, filing jointly, they would get $15,000.

Now, you may ask the question: Well, if they are low income and do not have to pay any income tax, where would the benefit come from? Well, by lowering their AGI, or the adjusted gross income, they would not be subject to Social Security and Medicare costs. So at the $15,000 level, that would exempt $15,000 from payroll taxes for FICA and Medicare.

So they were very encouraged that they would, for the first time, be able to afford health care. The small business owners were anxious to provide it for their employees or see their employees have access to it.

There are lots of questions about how it works. But from what I understood, you have to determine what is it you have to buy to qualify. I think at this point the thinking is that the States would determine what that base program is. It would obviously have to have some kind of catastrophic care.

It is my hope that it would also include preventive care to make sure people stay healthy. It is particularly important for children. We are going to be renewing the SCHIP program to make sure children in poor families have that kind of coverage. The best investment we can make in the future is assuring that our youngest citizens get off to a good start with good health care, identifying potential problems and treating them early and getting them off to a start in their education, giving them the opportunity to begin life with good health. And a good education is No. 1. SCHIP would be available for the children of families who

are at the bottom of the income ladder. But for all children, I hope they will be buying a health plan that focuses on preventive care, making sure people know what they have to do to stay healthy, and identifying problems before they become serious.

The States would be given flexibility to use additional funds which the Federal Government makes available to the States to implement their programs. Some States already have ways of assisting their lower income people, not the poorest but the lower income workers, providing the assistance for payments of premiums, if that is what the State wishes to do. So there is a lot of room for innovative programs at the State level.

The night before, the Governor of Missouri, Matt Blunt, offered another program, for example, and that is to say to all businesses: If you offer a health care plan to your employees that meets basic minimum State standards, you will be exempted from the franchise tax—a great boon to encourage Missouri businesses to offer all of their employees at least a basic health care plan. Proposals like that would be encouraged, and the great laboratories of the States could move forward to determine what kinds of things work best.

There was some question—I don't know where it came from—that this might cut back on our support of FQACs, federally qualified health centers, what we call community health centers. There is no truth to that. The President is a big supporter—as is, of course, his Secretary of Health and Human Services Mike Leavitt—of making sure there are health care clinics available in every area of the country. They have been on a vigorous expansion program and intend to continue that. I have visited health care clinics, over 50 of them, in different parts of our State, from the center cities to the suburban areas to the larger communities in rural areas to the most economically challenged, lowest population areas of the State. Those are absolutely the most critical safety net we have. I believe strongly in them. I have worked with my colleagues on a bipartisan basis to support them. They must continue to be there.

We are talking in this plan about using the Tax Code to make health insurance more available, but community health centers have the important challenge of making sure it is accessible. In many places, the only place you can find a doctor who will deliver babies is in a community health center or through a community health center, or find a dentist who will take care of dental problems. A shocking statistic we heard: 80 percent of 17-year-olds have serious dental problems in the United States. We have made dental care part of it. But these people who work in the community health centers are a vital part of our health care network.

The President's plan envisions strengthening that safety net. In addition, he remains committed to allowing small businesses to go together in pools to purchase health insurance and avoid the high premiums often charged to individual small businesses and the cost of administering those plans, which becomes extremely burdensome for many small businesses. I hope this year we can also pass association health plans.

Finally, the President spoke very forcefully about the need to continue the effort for medical malpractice reform. We saw the need for it in Missouri. Missouri passed a bill, and we started getting much better health care. In the western part of the State, until Missouri passed its medical malpractice reform, there were no doctors, outside of government hospitals, who could afford to be in the business of delivering babies. This is a problem which translates into higher costs of medicine because with unrestrained medical malpractice lawsuits being filed, there is a real danger that a great deal of time and effort will be wasted on unnecessary procedures for fear of the impact of a malpractice lawsuit. Many times, even the best doctors have maloutcomes. People don't live forever. We are all going to die from something. If there is a lawsuit filed against a doctor every time there is a bad outcome, they are going to be faced with insurance costs that go through the roof or health care that is not available.

I go back to the point that this is a concept, the outlines of which I think I know but which I think deserve a fair hearing. I hope that as we take a look at the many challenges facing us, our HELP Committee and our Finance Committee will look at the President's program to determine whether it may be one way of assuring we get health care insurance to many of the 47 million Americans who don't have it. I urge that they do so. I am sure there will be changes all of us would like to make, but I believe the concept merits a hearing. I urge my colleagues to give it that chance.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Madam President, to follow up briefly on the last item my colleague from Missouri was discussing, health care, the President in his State of the Union addressed it and laid out one approach which was certainly different from anything I had heard before, a tax approach that would call for some people to have to pay some taxes on Cadillac plans that they enjoy today and to use the money generated to help folks who don't enjoy that kind of health coverage. Some people immediately rejected it out of hand. I have not done that. I think we need to study it more closely and understand the ramifications. In the end, whether we agree that is a good idea or not, most of us will agree that it is a good idea to figure out how to harness information technology in the delivery of health care in our own States and in the country, much as the VA has done for veterans who go there for service at their facilities.

Delaware is endeavoring to become the first State to put in place a statewide Delaware Health Information Network which links our hospitals to our doctors' offices to our labs in a free-flowing electronic exchange of information. It will allow the exchange of electronic health records and lead the way, as a little State, to show what we can do for our country to save money and to save lives and improve outcomes and, frankly, to improve the quality of life for the providers as well and the satisfaction they derive from their work.

CLIMATE CHANGE

The second thing I wish to mention is this document which was released earlier this week. It is called ''A Call For Action.'' It was released on Monday by an interesting coalition of business leaders, manufacturers, utility companies, and environmental leaders. The folks who released it are called the United States Climate Action Partnership. I wish to briefly mention the charter members of the group who were here in the Capitol, just down the hall in the LBJ Room, on Monday morning. They include DuPont, a 200-year-old company headquartered in Delaware; Alcoa; BP—used to be called British Petroleum, now they are ''beyond petroleum''; Caterpillar; Duke Energy; the Environmental Defense folks; Florida Power & Light: GE; the NRDC, National Resources Defense Council; Pew Institute; PG&E Corporation, a big utility on the west coast; PNM, which is New Mexico power: and the World Resources Institute. What they have done is said: Climate change is real. Our Earth is becoming warmer. We have something to do with it. They call on us to do something about it—not just us in the Senate but as a nation to do something about it. They have laid out here a series of findings, of principles, and of recommendations.

One of the things I am doing is sharing with each of my colleagues a copy of this document. If we can get the utilities, manufacturers, and a number of our leading environmental groups to agree on a path forward on the principles and the recommendations, that is an important step for our country.

I shared this with the President on Wednesday. He was in Delaware to look at the work going on at the DuPont Company with respect to biofuels, biobutanol, making ethanol out of cellulosic ethanol, out of cornstalks, looking at work being done on fuel cells. I shared with him a copy of this document.

The President had in his speech the other night about one sentence where he talked about global warming and acknowledged that it was real. Then he moved on. But I said to the President during a chance I had to chat with him that there is a parade that is beginning to form, a realization that something

is happening to our planet, that we have something to do with creating this warming, and that we have an obligation to do something about it. I applaud the leaders from the environmental and business communities who have joined forces to say: This is an approach which makes sense. They take what we call a market approach and use in their approach the idea that while we are putting in place a cap-and-trade system to reduce CO_2 emissions, why don't we do so in a way that incentivizes clean coal technology with carbon recapture, that incentivizes things such as wind power, maybe incentivizes the next generation of nuclear energy as well.

I commend them. I understand from folks who are involved in this original partnership, they are getting a lot of calls from around the country, from other business leaders, and some from the environmental community who want to know more about it and, frankly, want to join. My message to the President on Wednesday was, a parade is forming. We can watch the parade. We can be a part of that parade or we can lead that parade. We need to lead the parade. President Bush is our President, and he needs to be leading that parade as well.

I wanted to share that.

The third thing I wish to do is comment on the legislation before us and to applaud the efforts of several of our colleagues, including Senator BAUCUS and Senator GRASSLEY, as we have brought this minimum wage bill to the floor and coupled it with small business tax cuts. The President signalled early on that he would be willing to sign the minimum wage bill, after having not supported it for a number of years. It has been a long time. We have heard plenty of speeches in the last week about this issue. It has been a long time since we raised the minimum wage.

As Governor of my State, we raised the minimum wage a time or two. I always contended that if we wanted people to get off welfare, to go to work and to be successful, work has to pay more than welfare. If you take a minimum wage job and you enhance that with an income tax credit and add to that Medicaid benefits, add to that food stamps and food supplement benefits, people aren't going to get rich—help them with assisted housing—but if we do it right, people can actually be better off working than they would be receiving the welfare. An increase in the minimum wage is part and parcel of that.

I am pleased to support this increase, even if it is coupled with increases or changes and modifications to small business tax credits.

We all know—in fact, everybody in the Senate has given speeches, I am sure, saying this—that small businesses are the engine of job creation in this country. I have, and I suspect the Presiding Officer has, as have the Senator from New Jersey and the Senator from North Carolina, we have all given speeches saying how important the small business community is. Small business generates new jobs. One of our important jobs in government—Federal, State, and local—is to create a nurturing environment for job creation and preservation. Some of the ways to do that are a well-trained workforce, reasonable tax burdens, reasonable regulations, safer communities, transportation, good infrastructure, and affordable health care. But taxes are important.

What I commend Senator BAUCUS and Senator GRASSLEY in doing is crafting a series of tax credits for small business that incentivizes them to hire people, some of whom are coming off of welfare and disability, and veterans coming back from Afghanistan and Iraq. They have done good work, and I look forward to supporting adoption of the legislation and working out a compromise with the House that includes both the increase in the minimum wage and the tax cuts and, in some cases, credits for small businesses, and then get the President to sign that compromise.

HONORING OUR ARMED FORCES

SENIOR AIRMAN ELIZABETH A. LONCKI

Mr. CARPER. Madam President, I want to mention today the death of a Delawarean—our 15th Delawarean—whose life has been lost in Iraq. She was the first female whose life has been lost in Iraq and whose funeral I attended a week or two ago. I want to reflect on the life and service of Air Force SrA Elizabeth Loncki.

She was the first female Delawarean to be killed in the line of duty in Iraq. As a bomb disposal technician, Elizabeth performed one of the most dangerous tasks assigned to Armed Forces personnel. She routinely put herself in harm's way with the hope and knowledge that her actions would save the lives of others. I daresay they have saved the lives of hundreds of other people. The steel nerve and extreme bravery required to locate and disarm explosive devices are not traits too many people possess, including us. Only the bravest of our soldiers and military personnel carry out this responsibility, and her ability to perform and carry out this difficult work speaks volumes about her character and sense of duty to her colleagues, comrades, our country, and to the Iraqi people.

Elizabeth epitomized the best of our country's brave men and women who fought to free Iraq and to secure a new democracy in the Middle East. She exhibited unwavering courage, dutiful service to her country, and above all else, honor. In the way she lived her life—and how we remember her—Elizabeth reminds each of us just how good we can be.

Elizabeth was only 23 years old but her competitive spirit and kind-hearted ways touched the lives of all that knew her. She was blessed with a wonderful family—younger sister, Olivia, loving parents, stepparents, grandparents, great-grandparents and many aunts, uncles, and cousins—and countless numbers of friends and comrades.

She was also loved by SGT Jayson Johnson, who was stationed with Elizabeth at Hill Air Force Base in Utah. They had recently purchased a house together and Jayson had made plans to visit Elizabeth's father to seek his permission to ask for Elizabeth's hand in marriage. The sadness of his loss cannot be overstated.

Elizabeth was a 2001 graduate of Padua Academy in Wilmington. She was a natural athlete with a competitive spirit and she excelled at volleyball, basketball and softball. She briefly attended the University of Arizona before enlisting in the Air Force in March of 2003. On February 24, 2004, she graduated from Eglin AFB-Naval Tech Explosive Ordinance Disposal School. She was proud of her training and gladly told inquiring strangers that the ''Bomb Squad'' sweatshirt she often wore was indeed the real thing.

Elizabeth volunteered to go to Iraq before she was officially called and was deployed on September 27, 2006. Her grandfather recalled her saying, ''If I saved one life, it was worth it.'' An Air Force official told the Loncki family that each day her team went out, they probably saved scores of lives. She will always be remembered as a hero who put the safety of others before herself.

On January 7, 2007, Elizabeth made the ultimate sacrifice near Al Mahmudiyah, Iraq, when a car bomb her team was working on exploded while they were trying to disarm it. TSgt Timothy Weiner of Tamarac, FL, and SrA Daniel B. Miller, Jr., of Galesburg, IL also gave their lives while trying to save others on that fateful day. All three were members of the 775th Civil Engineer Squadron at Hill Air Force Base.

Elizabeth was one of the few women who dared to serve as a bomb disposal technician. Her family recently shared a story from a sergeant major who had helped train Elizabeth. I think this goes to the heart of the person she was and what she believed in. I'd like to share a bit of that. He said, ''Elizabeth was an ultimate troop. I am an old Special Forces guy and have been through a lot of action. I have served in three wars. I had the privilege of being in Elizabeth's company. She was involved in extreme combat training and the highest danger. She saved a lot—I repeat—a lot of lives. . . Bar none, she was one of the finest people I have ever trained. I have two boys in the military and have lost troops under my command in the Special Forces and I have never worked with a finer person.''

On January 13, 2007, I attended Senior Airman Loncki's funeral at St. Peter the Apostle Church in New Castle where Elizabeth had been an active member.

Following the service, Elizabeth was laid to rest with full military honors in

the Delaware Veterans Memorial Cemetery. The outpouring of love and support from the many people who gathered for her burial serve as a testament to the positive impact that Elizabeth had on all of those who were blessed to know her.

For her service, Airman Loncki received numerous recognitions during her Air Force career: Air Force Training Ribbon, Global War on Terrorism Service Medal, Iraq Campaign Medal, National Defense Service Medal, Air Force Good Conduct Medal, and the Air Force Outstanding Unit Award. The Purple Heart and the Bronze Star with Valor Device were awarded posthumously on January 9, 2007.

As I listened to Elizabeth's friends and family speak about the type of person she was, I couldn't help but think about the heavy toll that this conflict has taken on our country. Elizabeth had originally planned for a career in the Air Force but she had begun to express doubts about our role in Iraq. She told her grandmother that the people of Iraq ''don't want us over there'' and had asked her father, ''if people don't want us to help, what do we do?''

If I could talk to Elizabeth, I would tell her that she epitomized what is best in this world. I would tell her that if the day ever comes when the Iraqi people decide to put aside their hatred and come together as a nation—and that day cannot come soon enough—it will be the heroic actions of people like her that made this possible.

Next week in this Chamber I believe we are going to debate a resolution, and the resolution is about what course we should take in Iraq. I think the President and those who don't share his proposal for a surge of our troops share the same goal. The goal is this: How do we convince the Iraqi people to take charge of their lives? How do we convince them to assume responsibility for their country? How do we and others help to convince them to find a way to share power, share the wealth of their country, and to stop killing each other?

The President believes the best way to do it is to send more troops to Baghdad and to other parts of the country. Those of us who disagree, including some of the President's own military leaders with whom I met in Iraq last year, think that maybe the best way to convince them to make the tough choices in Iraq is to make it clear that we are not there forever, that this is not an engagement without an end in sight, and that we have expectations for them to stand and deliver for their own country.

I close simply by saying that sometimes we think these debates are just debates that we have in our Nation's Capitol, and there is a country on the other side of the world, with people we don't know, who are doing things we, frankly, don't understand. But it is also important for us to remember people such as Elizabeth Loncki who are willing to risk it all to try to help them, and our obligation is to do our dead level best to make sure they and we get to the right place.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey is recognized.

IRAQ

Mr. LAUTENBERG. Madam President, these have been some terrible days for our country. Last Saturday, we lost 27 American men and women in Iraq, making it the third deadliest day for our country and our forces since this war began. A Blackhawk went down northeast of Baghdad; all 12 of the troops aboard were killed. Men with grenades, mortars, and assault rifles attacked a building guarded by American and Iraqi forces in Karbala. Five American troops were killed that day. Coalition forces made a push against insurgents. Five more troops were killed and 59 Iraqis along with them. In Anbar Province, four soldiers and a marine were killed.

Despite the President's handpicked Iraqi Study Group's bipartisan call for a new course, he has not listened. Despite the advice of GEN John Abizaid, a distinguished military leader and former Chief of Staff to Colin Powell, who called for a new course, despite the bipartisan calls of my colleagues who have called for a new course, despite the American people who last November called for a new course, and despite the rising death toll, the President has decided to escalate this conflict. He wants to send 21,500 more troops into the crossfire of a civil war.

Even more disturbing is the behavior and the rhetoric of the Vice President. I don't know how many of my colleagues had a chance to watch the Vice President's interview with Wolf Blitzer this week on CNN's ''The Situation Room.'' But I encourage my colleagues who have not seen it to watch it. It is up on Youtube. You have to see it to believe it. In that interview, Vice President CHENEY boasted of ''enormous successes in Iraq.'' He also rejected the idea that Iraq is in a ''terrible situation.'' Imagine him dismissing that.

The interview was so incredible that the Washington Post discussed it on its front page on Thursday. The Vice President blamed everybody but himself for any troubles in Iraq.

As far as the Vice President was concerned, it was all the media's fault. What did he say of us, the Congress? He said we were helping the terrorists. Vice President CHENEY's boasting of the Iraq successes was on the front page of the Washington Post that day. The story is incredible. It says on the front page of Thursday's paper: ''Defending Iraq war, defiant Cheney cites enormous successes.'' He says that the media is so eager to write off this effort or to declare it a failure. It goes on to say that there are problems in Iraq, but he said it's not a terrible situation.

Not a terrible situation. Describe that to the families who lost someone in the last few weeks in Iraq.

He said—this is the Vice President of the United States—he has a responsibility to help the President and to help communicate with the Congress. He doesn't. He sits here often, but he doesn't. He said that despite that, the congressional opposition won't stop us from sending 20,500 more troops; it will only validate the course we are on.

Imagine. The story inside the paper was a very different one. The story told in these two pages in Thursday's Washington Post is 99 faces, 99 more families who are going to mourn, 99 more children who will not see their father or their mother again, 99 parents who lost a child. And he says it is not a terrible situation? It is a disgrace.

This doesn't look like the face of enormous success. No, it doesn't. On those two pages alone is a total of 99 men and women who will never see their friends and family on American soil again. Madam President, 3,063 American troops have died in Iraq; 74 of them had ties to my State of New Jersey. And we have seen over 23,000 with injuries, many severe, over 700 have lost limbs and many suffering from traumatic brain injury.

Of the almost 600,000 people—584,000 to be precise—who have served in Iraq and Afghanistan, over 30,000 of them have PTSD, post-traumatic stress syndrome; 30,000 countless brain injuries besides that.

The administration's troop increase is not simply a surge. What they did is they searched the word files, probably went to the computer and to the dictionaries to try to find a word that would evade the truth of what this is about. Surge is a euphemism for escalation of our involvement in this war.

When we hear the Vice President talking about enormous successes, it makes one wonder if the President and Vice President have been shielded from reality by their handlers. We see it in the continuation of the policy that says don't take any pictures of the flag-draped coffins when the remains of our soldiers are returned to the United States of America; don't do that. It is against the rules. Can you imagine that? That sign of honor to the deceased shielded from the view of the public because underneath that flag lies the remains of some young person.

That is the way they see things, and now we are told to expect another $100 billion request from the administration to fund this war. When does it end?

I am a proud cosponsor of legislation that is authored by my colleague Senator BIDEN. Senator HAGEL served valiantly in Vietnam. He knows what war is like. Senator LEVIN and Senator SNOWE—all denounce this dangerous increase. This resolution, which easily passed the Foreign Relations Committee, is clear in stating that the Bush surge is not in the national interests. It is certainly not in the interests of the families who have sons or daughters serving there. It puts the Senate on record as being against a growing military conflict that will hurt our

long-term goals abroad and our security at home.

Similar to the young men and women serving today, I was proud to wear the uniform of my country in World War II in Europe. Those who are serving are obeying the orders of their Commander in Chief, and they do it fully and bravely.

In that war, World War II, the mission was clear: Defeat the enemies who attacked us. While the battles and the casualties were in far-off places, the brunt of the war's burden was borne by the families at home.

We started this fight because we were told things that proved not to be true. We believed in our leaders, and we thought they were telling us the truth. What else would we think? The President, the Vice President, then the chief of the military, Colin Powell, and others—we had faith in their belief. We had faith in the mission. Many of us doubted. I was out of the Senate for a 2-year period, and that is when that decision was made, but I would have believed it, coming from those illustrious positions with people who were known for substance because of the fact that they had achieved those positions. We had faith, but the mission in Iraq was surrounded in a fog.

It is time to redefine this mission in Iraq, a mission that includes bringing our troops home. The Iraqis say they want us to leave. Members of Congress and military leaders want us to leave, and the American people, in a broad consensus, want us to leave. Bring home those troops, they say.

Outside my office, I continue to pay my respects to these soldiers. I have a display called The Faces of the Fallen, all who have perished in this war up to a date that we can get the latest pictures, such as those we see displayed in the Washington Post. The display gives us a face to the names of the soldiers who have lost their lives in Iraq and Afghanistan. Visitors come by. Some of them are families and friends. Visitors search the photos daily for people they know, love and miss and they write notes in a book we have provided. Everyone who signs that book ''God bless these people,'' honors them for their service, even though there is a question about whether they ought to be serving there now.

Until President Bush listens, until Vice President CHENEY realizes this is more than a bunch of victories, that successes are there, until that language is wiped out of their daily statements, we are going to have to keep adding faces to that display of fallen heroes memorial. And I am going to have to say to people who come into my office in New Jersey, particularly, who have sons and daughters serving there—one woman tells me about her son who was wounded, got the Purple Heart, and they are sending him back to combat or the woman who comes in crying so bitterly that you can barely hear her talk. She screamed at me at first when I called her when the notice of her son's death was given. She asked the question: My son was a second lieutenant. He loved being in the military. He was a trained artillery officer. What in the world were they asking him to do when they asked him to defuse roadside bombs? He lost his life defusing a bomb.

No, Madam President, if the message can't get through to the White House and the leadership, what faith can we have in the decisions made in this country today? It is discouraging. The world doesn't believe us. The people in our country don't believe us, in huge numbers. Yes, there are those who serve bravely and constantly. They do what they are told. That is what one does in the military. But while we think of sending people there who have already had, some of them, two tours of duty and they are being sent for a third tour of duty, it is impossible to imagine that their consciences don't keep them awake at night, but apparently they don't.

I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Madam President, today is the fifth day of the debate on the minimum wage. Some of the days have been days that people have not talked a lot or offered a lot of amendments, but that is not the fault of the majority. It is not the fault of the minority. For whatever reason, they didn't offer them.

The question always arises as to when enough is enough. Have there been opportunities in this legislation before the Senate dealing with minimum wage, raising the minimum wage for the first time in 10 years? I know the Senate is not accustomed to the open process we have had on this legislation and on the legislation dealing with ethics in lobbying, but this is something we are going to get used to. My Members would rather not have had the votes we had this past week. They were tough votes. None of them related to minimum wage. That is the Senate, an open process. But someone has to make a decision at some time that enough is enough, and I think I have made that decision. I am going to file a motion to stop debate on this issue and move forward on this much needed legislation.

Ten years was a long time ago. During that period of time, the cost of food has gone up about 25 percent, the cost of health care about 45 percent, housing about 30 percent, gasoline about 135 percent, congressional pay during that same period of time has increased by $30,000. Ten years ago, Newt Gingrich was Speaker of the House, not NANCY PELOSI; Bill Clinton was starting his second term as President of the United States; the old movie ''Titanic'' was being released; a stamp to mail a letter was 32 cents.

Today, different than 10 years ago, the pay of the average chief executive is 821 times that of a minimum wage worker. The chief executive officer for one of these companies could go to work on Monday and by noon have made as much money as minimum wage workers, working their hearts out for a year, would get.

Yesterday and the day before, we voted on all kinds of amendments, amendments that totaled—I roughed them out—calling for tax cuts of about $350 billion. Madam President, how much more is it going to take in the way of tax cuts to get the minority to vote for a minimum wage bill? None of the tax cuts are paid for—$350 billion. That is a lot of money. If you took one-dollar bills and laid them end to end from my home in Searchlight, NV, to Washington, DC, it would take 14,000 lines of dollar bills to amount to $350 billion—14,000.

We have voted on health savings accounts, tax breaks for teachers, and Social Security tax breaks. My favorite was a $2.10 suggestion in legislation offered by one of the Republican Senators. You don't use the $2.10 to increase the wages of a minimum wage worker, but they could do other things with it—buy health care, for example. But it is so interesting; every one of these amendments that were offered were offered by someone who has no desire of voting for a minimum wage. It is an effort to divert attention from the real issue before this body, which is raising the minimum wage.

Every one of these amendments we voted on is important. I am not, in any way, indicating that people do not have the right to offer amendments. They can offer them on any subject they wish. That is what this Senate is all about. But I think it is about time a decision is made whether we are going to give the poorest of the poor who are working, not on welfare, the opportunity to keep working and not have to go to welfare.

Sixty percent of the people who draw minimum wage are women, and for over half of those women, that is the only money they get for themselves and their families. People think that minimum wage is for a bunch of kids flipping hamburgers at McDonald's, but that is not the way it is. About 3 weeks ago, Business Week had a very good piece on the minimum wage. What this piece said is that raising the minimum wage raises the boat for everybody.

I hope my friends on the other side of the aisle will allow this legislation to go forward, to stop talking about it and vote on it. It is important that we do that. Ten years is too long.

We have had a lot of amendments. Is this enough? When is enough? Could we have worked longer hours? Perhaps so. All I know is Wednesday we worked very hard to try to get some of the people in the minority to agree to votes—and we couldn't get that done—on their amendments, not our amendments their amendments.

We have a lot of important things to do and I understand that. I sure hope we can move beyond minimum wage to other issues.

CLOTURE MOTION

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

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

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the Reid (for Baucus) substitute amendment No. 100 to Calendar No. 5, H.R. 2, providing for an increase in the Federal minimum wage.

Ted Kennedy, Barbara A. Mikulski, Daniel K. Inouye, Byron L. Dorgan, Jeff Bingaman, Frank R. Lautenberg, Jack Reed, Barbara Boxer, Daniel K. Akaka, Max Baucus, Patty Murray, Maria Cantwell, Tom Harkin, Robert Menendez, Tom Carper, Harry Reid, Charles E. Schumer, Richard Durbin.

CLOTURE MOTION

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

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

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close the debate on Calendar No. 5, H.R. 2, as amended, providing for an increase in the Federal minimum wage.

Ted Kennedy, Barbara A. Mikulski, Daniel K. Inouye, Byron L. Dorgan, Jeff Bingaman, Frank R. Lautenberg, Jack Reed, Barbara Boxer, Daniel K. Akaka, Max Baucus, Patty Murray, Maria Cantwell, Tom Harkin, Robert Menendez, Tom Carper, Harry Reid, Charles E. Schumer, Richard Durbin.

Mr. REID. Madam President, I have other business to conduct on another matter. It is my understanding the distinguished Republican leader wishes to speak at this time.

The PRESIDING OFFICER. The minority leader is recognized.

AMENDMENT NO. 210

Mr. McCONNELL. I call for the regular order with respect to the Kyl amendment No. 210.

The PRESIDING OFFICER. That amendment is pending.

Mr. McCONNELL. I ask the amendment be divided as indicated by the copy at the desk.

The PRESIDING OFFICER. The amendment will be divided.

Mr. McCONNELL. Madam President, the Republican majority in the previous Congress was prepared to raise the minimum wage. In fact, the House of Representatives passed an increase in the minimum wage and the Senate tried to pass an increase in the minimum wage. The difficulty was that Democrats ended up blocking passage because they did not like the fact that the minimum wage was attached to other provisions last year. The minimum wage was attached to some very significant provisions—tax extenders, modification of the death tax—and our good friends on the other side didn't like the way it was packaged and therefore prevented its passage.

The last time the minimum wage passed, back in 1996, and President Clinton signed it, he praised the minimum wage, particularly because it was packaged with tax relief and regulatory relief for small businesses. So it has been the practice of the Congress, under both Republicans and Democrats, for a minimum wage to be passed in conjunction with other matters. In fact, my good friend, the majority leader, has advocated that and supported the package that came out of the Finance Committee, even though every Member on the other side of the aisle voted, in effect—by voting to invoke cloture—voted in effect for a clean minimum wage yesterday.

With regard to how much time we have taken on this bill, we didn't have any votes last Monday, and we are not having any votes today on minimum wage, even though we did vote to confirm General Petraeus, which we certainly should have done. We have not had that much time on the bill.

I think my good friends on the other side of the aisle are having a hard time adjusting to being in the majority in the Senate. The price you pay for being in the majority in the Senate is, in order to complete bills, the minority gets votes. I remember my good friend and colleague, the Democratic whip, saying the Senate is not the House. Our new occupant of the chair, in his first couple of weeks in the Senate, is learning already that the Senate is not the House.

In the Senate, virtually every bill has numerous amendments. The majorities are always frustrated because minorities get their votes before moving to final passage. I have said to my friend the majority leader on several occasions over the last few hours that I was hoping that we could have some more amendments on this minimum wage bill before moving to its inevitable conclusion. It will end up similar to the ethics bill last year, passing with an overwhelming bipartisan majority. But there are still some other important amendments that our side would like to offer, and we will be discussing those amendments and how our Members feel about that in the next few days.

At some point in the not too distant future, an increase in the minimum wage, in conjunction with tax relief for small business, will pass the Senate on a very large bipartisan basis.

I yield the floor.

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

Mr. REID. Mr. President, we all have memories. My memory is that during the time that Senator LOTT was the majority leader we had very few opportunities to amend bills because he, in the vernacular in the Senate, filled the tree and there weren't opportunities to do that. Senator Frist did not do that nearly as much as Senator LOTT when he was the leader, but certainly it was done a lot of times. We have chosen not to do that. We have chosen the amendment process. That is why I said earlier today: When is enough enough?

I have sent the cloture motions to the desk, and we will make that decision at noon on Tuesday.

While the distinguished Republican leader is on the floor, I will say a few more words on another subject.

The Republican leader and I have talked on several occasions about this Iraq situation. Anyone who reads the newspaper, listens to the radio or watches TV—we all know there are a number of resolutions around the Senate dealing with the escalation of the war in Iraq. The leader and I have talked about them.

We have pending in the Senate now, S. Con. Res. 2, which is a bipartisan resolution. Upon disposition of the minimum wage bill—and I have spoken to the leader, Senator McCONNELL—he is unable to clear consent to move S. Con. Res. 2 now. Members may not be available to clear it at the moment, and I understand that, so I am not going to put any unanimous consent request before the Senate because the distinguished Republican Senate leader has told me he is not able to do that. But in an effort to save time, I intend to move to proceed to the concurrent resolution today and file cloture on that motion. If on Monday the Republican leader is still not able to grant consent to proceed to it, we will be in a position, then, to look forward to the Tuesday vote. If he is able to give me consent to move forward to that, then we can vitiate the cloture motion.

Mr. President, I will be filing that motion on cloture today to proceed to a bipartisan resolution reported out by the Foreign Relations Committee earlier this week. We are moving forward to demand a new direction in Iraq, as we have spoken about a number times. Senator LAUTENBERG finished a speech on that today. We hope Republican leadership will join with us to fully debate this issue, permit votes on amendments, and ensure an up-or-down vote on the President's plan. Our troops and the American people deserve no less.

BIPARTISAN CONCURRENT RESOLUTION ON IRAQ—MOTION TO PROCEED

CLOTURE MOTION

Mr. REID. Mr. President, at this time, I move to proceed to consideration of S. Con. Res. 2. I send a cloture motion to the desk.

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

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby