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No. 88

## House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, June 5, 2007, at 2 p.m.

## Senate

MONDAY, JUNE 4, 2007

The Senate met at 2:30 p.m. and was called to order by the Honorable JIM WEBB, a Senator from the State of Virginia.

### PRAYER

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

Let us pray.

Eternal Lord God, our shelter in the time of storm, as we return to the business of freedom, use the Members of this body to accomplish Your will. Strengthen them to never abandon the struggle, and inspire them to endure to the end. Help them to press forward to the goal of Your ideal for humanity. May they never take the easy path and so leave the right road. Remind them that perspiration is usually the price of worthy things and that without the cross, there is rarely a crown. Keep and sustain our lawmakers by Your grace.

We pray in Your great Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable JIM WEBB led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, June 4, 2007.

### To the Senate:

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

ROBERT C. BYRD,  
*President pro tempore.*

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

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### SCHEDULE

Mr. REID. Mr. President, the Senate will be in a period for the transaction of morning business until 3:30 p.m. today. The time is divided between the two parties. Following the period for morning business, the Senate will resume consideration of S. 1348, the immigration legislation. There will be no rollcall votes today.

I will meet with the distinguished Republican leader this afternoon and talk about when, if at all, we should file cloture on this immigration bill. We have 14 amendments pending. We need to dispose of those amendments, or most of them, before we move on to other amendments. The managers will be working this afternoon to come up with a package we can start voting on tomorrow. There are important amend-

ments on which people who favor the immigration bill and oppose the immigration bill will want to move forward. They are key amendments, and we need to get them scheduled and disposed of, and the managers need to get that done as quickly as possible.

We had a good debate on this matter the last week we were in session. Everyone has been home, and they have been barraged on all sides of this issue. There are people who think it is the best thing in the world, and there are people who think it is the worst thing in the world. We are going to continue to work on this legislation and see if we can satisfy people so they think it is good legislation and we are working out of a necessity to solve some major problems in America today as relates to legislation dealing with immigration.

I will be happy to yield to my distinguished Republican friend.

### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

### IMMIGRATION

Mr. MCCONNELL. Mr. President, I welcome all of our colleagues back and the staff who are in the room and others.

As the majority leader indicated, we are in the middle of a big, challenging, contentious issue. There are many amendments pending. In fact, over 80

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



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are filed at the desk. A lot of work has been done over the recess in terms of some of those amendments, and it is my hope that some of them can be disposed of without rollcall votes. It is also my hope that during today's session, the managers will be prepared to set up votes on the pending amendments so we can continue to make progress on the bill tomorrow.

This is a very significant piece of legislation, as we all know. We need to have the maximum opportunity for the largest number of amendments to be considered before we entertain the notion of shutting down debate on this important measure. It is quite possibly the most significant measure we will be dealing with this Congress, and we need to make sure all Senators feel that they have had an opportunity to offer their amendments and that those amendments have had a shot at being considered.

I encourage people on both sides of the aisle to come on over. Let's make sure we have plenty of amendments in the queue and have a full day working on this bill beginning tomorrow.

The ACTING PRESIDENT pro tempore. The majority leader.

#### MEASURES PLACED ON THE CALENDAR—H.R. 2316 and H.R. 2317

Mr. REID. Mr. President, it is my understanding that there are two bills at the desk and they are both due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will report the bills by title for the second time.

The assistant legislative clerk read as follows:

A bill (H.R. 2316) to provide for more rigorous requirements with respect to disclosure and enforcement of lobbying laws and regulations, and for other purposes.

A bill (H.R. 2317) to amend the Lobbying and Disclosure Act of 1995 to require registered lobbyists to file quarterly reports on contributions bundled for certain recipients, and for other purposes.

Mr. REID. Mr. President, in order to place these bills on the calendar under the provisions of standing rule XIV, I object to further proceedings.

The ACTING PRESIDENT pro tempore. Objection is heard. The bills will be placed on the calendar under rule XIV.

Mr. REID. I note that these are the two bills the House has considered dealing with ethics reform. I have had a number of meetings with my distinguished Republican colleague, and we are in the process of figuring out a way we can get to conference with the House on these important issues.

#### MEMORIAL DAY RECESS

Mr. REID. Mr. President, I attended, as Senator ENSIGN and I do every Memorial Day, a service at the Southern Nevada Veterans Memorial Cemetery, which is located in Boulder City, NV. I am struck by two conversations I had.

One was with a World War II veteran by the name of Ken Brown. Basically, he has lost his hearing. He was a machine gunner on a destroyer. As you know, Mr. President, the noise on one of those ships was deafening, and he certainly was deafened in the process. But he told me—and this is the first time he has ever expressed anything other than total support for what President Bush has been doing as relates to the military—he told me in no uncertain terms that we Democrats were headed in the right direction; we had to stop what was going on in Iraq.

Then, a wonderful woman came up to visit with me. She visited me a year and a month ago here in my office. Her boy had been killed in Iraq. A year ago, I traveled with her and her husband after the ceremony in Memorial Cemetery in Boulder City out of the auditorium and out to one of the graves. There are 22,000 graves in that new cemetery in Boulder City. It is very new. There are 22,000 graves. One of those graves is her son, John Lukac, who was killed in Iraq. She is as sad today as she was a year ago. She asked me with tears in her eyes if there is some way I can get her to Iraq. She wants to go where her son was killed. We said: No, we don't want you to go to Iraq; you shouldn't go there. She is a wonderful woman, a wonderful mother. This is a wonderful family. Her husband is so gracious and nice.

I am grateful beyond words for the sacrifices of the men and women in uniform from Nevada and around the Nation who have done so much for our country and are serving in the military. We focus on those who have been injured and killed, and those are the people who have given a tremendous sacrifice. But there are other people who serve, and sometimes in not so glamorous positions, but it is as a result of their service that we are able to conduct military warfare as we need to. In this work period, we will continue to do everything we can to honor the sacrifices of these men and women with a responsible end to the Iraq war.

During the work period, I had a chance to visit with many Nevadans. No. 1 on their minds is the war, and No. 2 is the high gas prices. We are better now in Nevada. Gas prices keep going up. We are no longer No. 3 in the Nation. I guess that is some distinction. We have dropped down to 11 or somewhere in that area. And, of course, immigration reform is on everyone's mind. I assured them that these issues—the Iraq war, the situation with the gas prices and, of course, immigration—are on our radar screen. We are going to be working on those issues this work period.

On the first day of the 110th Congress, Democrats, because we won the majority, were able to introduce the first 10 bills, the first 10 priorities as we saw them. Last Friday, we concluded a 7-week work period, and we have taken action on 7 of these 10 priorities.

We passed the toughest ethics and lobbying reform in our Nation's history. We will soon go to conference with the House on that bill.

We passed a 10-year overdue minimum wage that the President has signed.

We attempted to give Medicare the power to negotiate lower drug prices. We were prevented from doing so because of a Republican filibuster.

We passed the recommendations of the bipartisan 9/11 Commission after almost 3 years of them being set aside. We expect to complete the conference on that legislation within the next couple of weeks and send it to the President.

Stem cell research, giving hope to millions of Americans, was again passed in this body, and we expect to send it to the President after conferring with the House, which we expect to do in the next couple of weeks, and we think in the Senate we are going to send a veto-proof bill to him.

In addition, we were able to pass what was not one of the top 10 priorities but something we have been trying to do for 3 years; that is, disaster relief for the struggling farmers and ranchers in this country.

We were able to send to the President something he signed dealing with giving the victims of Katrina the relief they deserve since the actual hurricane struck. The President has gone there lots of times but refused to cooperate with us in sending the money.

We were able to send a downpayment on SCHIP, which is helping to fund health care for children.

And, of course, we were able to send \$1 billion in homeland security. We fought with the President for years. I have to say, his people fought us to the very end. We were forced to take some of that money off homeland security. But with \$1 billion, we can at least go forward and do a better job of checking cargo containers coming into this country. We can do a better job of checking for nuclear weapons coming into this country, dirty bombs. We will do a better job of taking a look at what is happening with our rail safety.

So we are comfortable that we have done some good things. We passed a balanced budget that restores fiscal discipline and puts the middle class first—cutting their taxes while increasing investment in education, veterans care, and children's health care.

We began debate on the complex, crucial issue of immigration reform, which I spoke about a short time ago. This week, we are going to complete that legislation and hopefully bring to final passage a comprehensive bill that will strengthen our border security and bring 12 million undocumented Americans out of the shadows and help our economy move strongly.

In the days ahead, we will work to improve the bill to protect and strengthen family ties while improving the structure of the temporary worker program.

Following immigration, we will turn our attention to the 3 remaining bills from the original 10: an energy bill that will take crucial steps toward weaning our country of our addiction to foreign oil; we are going to reauthorize the Higher Education Act which will address skyrocketing costs of college; and a Defense authorization bill to make critical investments to address troop readiness problems in the military, and that debate will be led by the Presiding Officer.

Readiness will be led by the distinguished junior Senator from Virginia, someone who has experience in battle and more than just words. We look forward to following the distinguished Senator from Virginia in making sure our troops are ready, their rotations are right, they are trained right, and that they are not going back, as happened in Nevada 2 weeks ago when someone was going back for a fourth tour of duty and acknowledged to his family he was tired and knew he wouldn't come back. He had survived too many explosions to go back for another tour of duty and survive another explosion, and he was right. He is now dead.

We will also reconfigure our national security strategy to better meet the threats and challenges we face today that the President, we believe, is overlooking.

We have made great progress this year, especially when we have put our partisan differences aside to work toward common goals. But for all the good that has come in the shadow of President Bush's catastrophic Iraq war, we need to do so much more. Ending the war will continue to be our No. 1 priority every single day as the year continues.

The month of May 2007 was the third deadliest month in the war. It was close to being the deadliest, but they didn't break that record, thank goodness. But May was the third deadliest month in the entire 51 months of this war. June is off to a horrifying start. Sixteen Americans have been killed in the first 3 days of the month.

The President's troop escalation is now complete. Yet a New York Times article this morning reports that security goals are far, far, far short of the military's hopes, with just about one-third of Baghdad's neighborhoods in some semblance of order.

In the midst of this growing chaos, the Senate Intelligence Committee released a new bipartisan report just before the Memorial Day deadline. My good friend and colleague, Chairman JAY ROCKEFELLER, working with the vice chair of the committee, KIT BOND—and the Intelligence Committee has become a nonpartisan committee, as it was set up to do—they worked on a bipartisan basis, and the information they came up with is long overdue. Previously, there was not cooperation between the majority and the minority. The chairman of the committee basically stonewalled everything the

committee was trying to get done, and that is the reason we shut the Senate down. But that information has now come forward, and my colleague, Senator ROCKEFELLER, deserves enormous credit for putting together this crucially important report.

It further brings to light the administration's decision to go to war in Iraq regardless of the facts and warnings issued by the Intelligence Committee. The Intelligence Committee foretold much of the chaos we now face. They told the President, among other things, the following: that installing democracy would be a long, difficult, and probably turbulent challenge in Iraq, and that was an understatement; No. 2, that al-Qaida would try to take advantage of U.S. attention on postwar Iraq to reestablish its presence in Afghanistan, and they have done that; that Iraq was a deeply divided society that likely would engage in violent conflict unless an occupying power prevented it, and we have not prevented it; that the U.S. occupation of Iraq would result in a surge of political Islam and increased funding for terrorist groups, and that has proven to be true; that Iraq's neighbors would jockey for influence in Iraq, including fomenting strife among Iraq's sectarian groups, and that is true; that some elements in the Iranian Government could decide to try to counter aggressively the U.S. presence in Iraq or challenge U.S. goals, and they have done that; and, finally, that our action in Iraq would not cause other regional states to abandon their WMD programs or their desire to develop such programs, and that also has proven to be true.

Clearly, the intelligence community got it right, and their warnings were not issued in a vacuum. Perhaps the most striking finding of the report is that all the key administration players were made aware of these warnings—Doug Feith, Paul Wolfowitz, Steve Hadley, Scooter Libby, all key Bush officials at the National Security Council, the State Department, the Department of Defense, and the Vice President were all on the distribution list.

The Bush administration cannot hide behind ignorance. Whether out of hubris or incompetence, the President and his men willfully ignored the experts and sent our troops to battle unprepared for the consequences.

Some might say, what is past is past. If the President's prewar failure was a one-time event, we could maybe forget about it, even though that would be hard. But if President Bush's prewar failure was a one-time event, we could leave it to the historians to study and judge the tragedy of his incompetence. But even today, after almost 3,500 American deaths and more than 20,000 wounded, the President continues to cherry-pick facts in order to paint a rosy but very misleading picture of Iraq.

After tens of thousands of injuries to our troops, the President continues to ignore the advice of experts. After

nearly \$500 billion of America's treasure has been spent in Iraq—some say it is approaching \$1 trillion, but a vast amount of our treasury—he is still dreaming his way through this epic tragedy. The country's eyes are wide open, and it is time for the President to wake up.

I understand some Americans are frustrated that we here in Congress have not been able to move more quickly to end the war. Many who voted for change in November anticipated dramatic and immediate results in January. They did get some dramatic changes. This is what we have given them: more than 75 hearings on Iraq, the Walter Reed scandal brought to light and steps taken to make it right, a supplemental bill sent to the President that set a firm policy to responsibly end the war—only a small step but a step, a second supplemental that set benchmarks and voided the President's blank check—the first was vetoed, this was not.

Our resolve has never been stronger. With a razor-thin majority—and, remember, it is a razor-thin majority—an obstinate President, and a Republican minority that continues to bow to his will, we are nonetheless making real progress. However, under the Senate's rules and our Constitution, there is only so far a determined majority can go, especially with our 49–50 disadvantage, which is due to Senator JOHN-SON'S illness. We can only end this war if the President changes course, or more Republicans join with us to force him to do so.

When we take up the Defense authorization bill, we will not just work to correct the President's neglect of troop readiness and protection, we will give our Republican colleagues another opportunity to join us and bring a responsible end to this war. We will fight for that every day this year, as long as the President and a few allies left here in Congress continue to defy the reality the rest of us see clearly.

We owe it to the men and women serving overseas and serving at home, to families who await the return of those overseas, and all Americans who want the Iraq tragedy to finally end.

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#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

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#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business for up to 60 minutes, with Senators permitted to speak for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees.

## ORDER OF PROCEDURE

Mr. SESSIONS. Mr. President, I ask unanimous consent to speak in morning business for up to 15 minutes. I believe Senator BINGAMAN wants to speak after that.

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

## IRAQ AND IMMIGRATION

Mr. SESSIONS. Mr. President, I would just say to my friend, Senator REID, the able Democratic majority leader in the Senate, that I hope we don't continue in a debate about the Iraq situation in ways that are destructive to our Nation but that we can conduct the debate in a positive way.

For example, I know there has been an intelligence report that has been produced, but it also had within it projections of things of a positive nature, some of which occurred and some of which didn't. It had within it projections of things of a negative nature that did not occur. Even with regard to its prediction of violence and persistent violence and sectarian strife that could occur that report predicted it would be phasing down after 3 or 4 years. So predictions are predictions.

I don't think those possibilities were not discussed in the debate leading up to our giving authorization to the President to conduct this war. To suggest that this intelligence report was some sort of smoking gun that raised issues nobody had even discussed, and that somehow the President misled the public, is wrong and it hurts the President of the United States, whoever he or she may be; and who, right now, we assume will be traveling the world and meeting with leaders of foreign nations. To make those kind of accusations is not healthy, in my view, and not responsible.

Now, we had a vote week before last, fortunately, to provide funding through the emergency supplemental for our soldiers, sailor, airmen and marines in Iraq. That was too long in my view, but we did it. And we voted to send General Petraeus to execute the surge that the President has called for, and that was the funding that we approved week before last to fund that surge. He is to give us a report in September on how the situation is in Iraq, and we are all watching with a great deal of anxiety because we are concerned about what is happening in Iraq. We know the United States has only limited ability to affect what we would like to occur there. We have done a great deal to help that nation establish itself, and we want to continue to utilize our resources wisely, but this was a surge and we need to evaluate the situation in September.

What I would urge my colleagues on the other side to do, even though they may be concerned about it, in the debate on the Defense authorization bill, and perhaps the Defense appropriations

bill that will occur later on this summer, we ought not to utilize rhetoric and language that undermines what our soldiers are doing right now, what we directed them to do, and what we have funded them to do, and that is to help create stability and more security for the people of Iraq. We ought not to debate in such a way that it makes it harder for them to succeed.

Don't we all want that to occur? Don't we all want to see a stable, decent Iraq occur? They have had elections, but they are having a very difficult time bringing that country together in a stable fashion, as we all know. So I would encourage my colleagues, in the course of the debate, that we conduct ourselves in such a way that we don't place at greater risk our soldiers and that we don't make our foreign policy that we have in a bipartisan way authorized more difficult to achieve and provide any ability for the enemy to think that they are able to prevail by lack of resolve on our part.

I want to spend a few minutes talking about the immigration bill that is before us. I think it is a critically important piece of legislation. The American people are concerned about it. They are following it quite closely. They know we have a difficult time in Iraq, and they do not expect an easy solution there. They know we have difficulties with energy prices and other difficulties, and they want us to do what we can in that regard.

With regard to immigration, they are rightly of the view that we can do something about it. We can create a lawful system of immigration that serves our national interest if we desire to do so. If we, as a Congress and the executive branch, want this to happen, we can make it happen. Don't let anybody suggest otherwise. It is not impossible. It is absolutely possible, and we ought to be working on that. That is what they have asked us to do, and I hope we will.

Let me just mention the debate so far has been sporadic and desultory. Members have not had a chance to be very engaged in the matter. We were off last week for Memorial Day, but the week before that we were in debate on the bill. The week before that, the old bill, last year's failed bill, was introduced and sat on the calendar until Tuesday morning of the week before the recess. They then plopped down a complete substitute, a completely new bill last Tuesday.

On Monday, we talked about immigration. I talked about it at some length, but there were no Senators here, really. The only vote we had was on the motion to proceed to the new bill. We had a mere six roll call votes last week, and we didn't do anything Friday even though we were in session. A few hardy souls, myself included, came down and spoke, but nobody was here to really listen. There were no votes, and most Senators had already gone home for the recess.

Here we are again, now on the Monday after recess, with very few Senators here and no votes scheduled for today. All of these days though, even though we did not do anything, are going to be counted, you see, as time we spend analyzing and amending the immigration bill that is before us.

I suggest that at this painfully slow pace of amendments, the bill can't be done this week, that we need a great deal more time on this bill before final passage.

The way the bill was brought up was that our colleague, Senator REID, under rule XIV, just introduced it and immediately brought it up. It did not go to committee. It was brought straight to the floor. It really had only been written over the weekend, and, bam, here it was on the floor. Senator REID really wanted to pass it the first week it was on the floor, but there was a lot of push-back on that, and now we are into this week of debate.

I see from his comments today that the majority leader seems to think the bill can pass this week. I suggest it cannot. There is no way it can be done in a week. I think 100 amendments have been filed. To get one brought up, though, is not easy. You have to basically get the consent of the majority leader to get an amendment brought up and made pending. So there are not nearly so many pending as there are problems that need to be fixed.

There are flaws in the legislation. I am going to talk about those at some length. I will be talking about at least 20 serious flaws in this legislation, but I do not want that to suggest that flaws alone are the only problems with the legislation. In this bill, we do not have a principled approach to the future flow of immigrants into America, that is not a loophole, that is a major flaw. We have not thought through philosophically what we want to do about immigration. We have not made the real commitment I had hoped we would to a more merit-based, skill-based immigration system. I am concerned about all of that. I think the American people are too.

The administration and Senator KENNEDY and the others who promoted the legislation talked about some principles as a part of talking points they handed out as the foundation for immigration legislation they would be offering. I first say to my colleagues, the bill does not meet the promises contained in those talking points and those principles. It just simply does not. If it did, we would be in much better shape than we are today, because many of those principles were sound. It contains, as I will note, a host of fundamental, serious defects and flaws that make the legislation not one that ought to be passed now.

Finally, I still do not believe the White House and the Congress have heard the American people. They still think we can pass a piece of legislation here on the floor of the Congress, and we can push it through and get it off

our plate, and it will be some years before the American people find out this will not work either, anymore than it did in 1986, and it will be up to the next President, or the next President, and they will be the ones who will have to answer for it, but we will not pay a price. That is just the way they think it is going to be.

Although I believe the American people deeply and strongly and intelligently are committed to a lawful immigration system that is compassionate and will work, I am not sure the leadership in the Congress is, or the White House. Indeed, we have not had a President committed to enforcement of immigration laws in the last 40 years.

Those are the fundamental questions I have.

Let me talk about some of the loopholes. With regard to the trigger, in 1986, amnesty was given. No one disputed it. They said it would be the last amnesty we ever had and that enforcement would occur. Promises were made about enforcement. Those promises for enforcement in the future were never kept. That was the problem. We had 3 million people claim amnesty in 1986; today we have, they say, 12 million prepared to claim amnesty in the United States today. What happened? The promised enforcement did not occur, so more people came illegally.

Some will say you cannot really enforce immigration law. Of course you can enforce immigration law; we just have not been willing to do the things necessary to do that. I reject that concept. But this time bill supporters are saying if we give amnesty, we are going to try to ensure the enforcement does occur and we are going to do that by having a trigger mechanism. This enforcement mechanism will say if you do not comply with the requirements of Border Patrol agents and fencing and other matters, if you do not comply with those, Mr. President, the amnesty does not occur.

That idea made some sense. People believed that was a good idea. I think I originally suggested it in committee last year. Senator ISAKSON offered a full amendment on the floor in the last year's debate—that amendment was defeated, so last year's bill did not include a guarantee to have any enforcement first. Why would the trigger fail last year? Why would it fail? Does that suggest some people are not serious about enforcement? I think it does.

But look at this trigger this year. The guys who were promoting the bill last year opposed a trigger, no trigger they said—but this year they say we will accept one, they are telling the American people not to worry we are going to have a trigger this bill.

I want to briefly mention some things about it. The amnesty benefits simply do not wait, under this trigger, for the enforcement to occur. After the filing of an application by a person here illegally, under this legislation, and waiting for only 24 hours, illegal

aliens will immediately receive probationary benefits. They will be lawfully in the United States, complete with the ability to legally live and work in the United States, to travel outside the United States and to return, and to have their own Social Security card. That is what happens within 24 hours.

Astonishingly, if the trigger requirements are never met—that is these requirements that are supposed to be met first—and green card applications or permanent residents' applications are never approved by the Department of Homeland Security, the probationary benefits granted to the illegal alien population never expire, the cards issued to the population are never revoked, and they will be able to stay in the country indefinitely, forever maybe. After this bill passes, the Department of Homeland Security has 180 days to begin accepting Z visa amnesty applications. They will accept them for 1 year and can extend to accept them for another year and so forth.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. SESSIONS. I ask unanimous consent for 1 additional minute.

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

Mr. SESSIONS. I say to my colleague Senator BINGAMAN, there is not 30 minutes but an hour equally divided. I will be pleased to yield to the Senator at this time and thank him for his amendment to contain the guest worker—the temporary worker program that was in the bill as introduced earlier, before we recessed. His amendment, as he knows—although I am not sure a lot of people know—brought the new temporary guest worker program from 400,000 a year to 200,000 a year. Some think that is all it is. But if you read the bill carefully, you knew it was 400,000 for the first year and they got to stay for 2 years; another 400,000 for the second year with an accelerator clause in it, and for both years a certain number got to bring in family members, so in 2 years there would have been almost a million people in the country under that new temporary worker program—far more than it appeared on the surface. I am glad the amendment of Senator BINGAMAN was agreed to. I think it brought the numbers more in line.

I am pleased to yield the floor at this time.

The ACTING PRESIDENT pro tempore. The Senator from New Mexico is recognized.

#### IMMIGRATION REFORM

Mr. BINGAMAN. Mr. President, first, I thank my colleague from Alabama for his strong words and strong support for the amendments we offered a few weeks ago on the guest worker program. Let me thank my colleague from Alabama for his support particularly for that amendment 2 weeks ago.

I want to take a few minutes in morning business today, before the Senate gets into its busiest period of the week—which we all know begins on Tuesday, usually—to talk about two other amendments I have filed to this bill, and I hope I will have a chance to have the Senate vote on before the bill is completed.

Let me first talk about one of those amendments that is addressing a provision in the immigration bill that I think is impractical and I don't think makes any sense, the provision I am trying to correct.

Before addressing the specific provision, let me once again put this in context. This bill, the underlying legislation, calls for three so-called temporary worker programs. There is an agricultural temporary worker program, and I am not suggesting any change to that program. That is part of the underlying bill. There is a seasonal temporary worker program, where people can come in for up to 10 months and then have to leave the country for 2 months and then come back the next year. That one I do have a second amendment on, which I want to talk about in a minute. Then there is the new temporary worker program that was the subject of my amendment 2 weeks ago.

Let me briefly describe how this third so-called temporary worker program works. It contemplates a new guest worker program. It says guest workers would be permitted to come to this country and work for 2 years. At the end of the 2 years, they have to leave the country for a year. Then that same worker could come back for another 2 years and then leave the country again for another year; then come back and work 2 more years and then have to leave the country permanently. So over a period of, I guess it would be 9 years—during that period the worker could be here up to 6 years, but there would have to be two periods of a year each during which the worker was outside the country.

My amendment, which is cosponsored by Senator OBAMA, would remove the requirement that guest workers leave the United States before they renew their visas to work under this program. It would not modify the total period they could stay here, which would still be limited to 6 years. It would not change the terms of their visa. But the amendment I am offering would provide that guest workers would be given a 2-year visa they could then renew twice and do their full 6 years of work and then their visa would no longer permit them to stay.

Requiring these workers to leave the country for a lengthy period of time between each 2-year work period is a problem for several reasons. It is bad for the employers, first. It is also bad for American workers who might also want to have some of these jobs—and these are generally construction type jobs. These are not agricultural jobs. These are not jobs for teenagers in seasonal employment.

Obviously, another problem with this provision is it is extremely difficult and costly to enforce. I doubt seriously if we have the capacity to enforce it at this point. It increases dramatically the likelihood that individuals are going to overstay their visas.

First, let me talk about the employers. It would be very costly and burdensome to require that employers rehire and retrain new workers every 2 years. Employers are not going to give an employee a 1-year vacation. When one of these so-called guest workers leaves the job in order to comply with this provision of law, the employer will have no choice but to find somebody else to bring on. The 1-year leave provision would be especially harmful to small businesses, and it would cause enormous instability in the workforce if they actually depended upon guest workers for some of that work.

Governor Napolitano from Arizona recently wrote a column in the *New York Times*. Let me quote a couple of sentences from that column.

She says:

The proposed notion that temporary workers stay here for two years, return home for a year, then repeat that strange cycle two more times makes no sense. No employer can afford this schedule, hiring and training, only to have a worker who soon will leave. It will only encourage employers and workers to find new ways to break the rules.

Now, that was on June 1 in the *New York Times*. In my view, Governor Napolitano is absolutely correct. The current bill is also bad for American workers. American workers will be forced to compete with a constant flow of guest workers who would always be at the low end of the salary scale by virtue of the fact that they would have to leave every 2 years.

So if guest workers are kicked out of the country every 2 years, wages cannot increase, there will always be a justification to pay those workers the lowest possible wage. The requirement that these guest workers leave the country every 2 years would also result in an increase in the number of individuals who overstay their visas in order to avoid having to leave the United States for that lengthy period of time. It would also create additional costs in terms of tracking those individuals and ensuring that they, in fact, do leave the country. These costs, of course, would have to be borne by the taxpayer. It also assumes that we even have the administrative capacity to track all these people. Here we are talking about at least 1.2 million so-called guest workers under only this program. I am not talking about the other two so-called temporary guest worker programs. But under this so-called temporary guest worker program, we are talking about 1.2 million workers.

So we are saying that we would then have administrative responsibilities somewhere lodged in the Federal Government to keep track of the comings and goings of these workers every year.

I have real doubts about our ability to do that. Obviously, that is an assumption. It is assumed, as part of the underlying bill, that we do have the ability to do that. So if the program is designed in a manner that is bad for employers, it is bad for employees, it is difficult and costly to implement, it will lead to an increase in the number of individuals who overstay their visas, then obviously the question arises: What is the justification for keeping this provision in the bill?

I think, unfortunately, the only justification I have been able to find is that it is being kept in the bill in order to fit this political mantra that we have been hearing now for months about "temporary means temporary," rather than to implement any sound policy.

When you look at these guest worker programs, unlike the other existing guest worker programs, such as the H-2B seasonal program for non-agricultural workers, the H-2A agricultural program, which were designed to fill jobs that, in fact, are of a temporary nature, the new Y-1 program, which we are talking about here, is designed to fill jobs throughout the economy that are permanent jobs. These are jobs in the construction industry, primarily. The 2-1-2 requirement, which is in the underlying bill, artificially tries to turn these workers into temporary workers by kicking them out of the country every 2 years, even though they will be filling jobs that are not temporary, they are permanent jobs.

Last year's immigration bill, S. 2611, allowed new guest workers to stay in the United States for a period of 3 years to renew that visa for a total of 6 years. There was no requirement that the individuals leave the country before they renewed that visa. I think that type of framework is much more sensible.

One of the primary goals of comprehensive immigration reform is to create a new and workable system that would ensure that we are not in the situation we are in now once again 20 years from now. I do not believe the current framework of this so-called temporary worker program advances that goal.

Let me also take a moment to address concerns that the adoption of this amendment will somehow kill the immigration bill. During debate on the immigration bill, questions keep arising about whether a particular amendment being offered by one Senator or another is consistent with the so-called "grand bargain" that has been reached.

I commend the Senators who worked tirelessly to come up with an agreement on this difficult issue. This agreement was reached between a handful of Senators. That should not be considered, in my view, a substitute for deliberation by the full Senate. One of the first amendments I offered was the one the Senator from Alabama referred to, an amendment that reduced the num-

ber of guest workers under this program to 200,000 per year—the number of new guest workers, I should say.

Despite the fact that amendment was adopted by or supported by 74 Senators, I have heard repeated questions about whether this was a deal killer. It is interesting to me that a measure which garners the support of three-quarters of the Senate somehow is considered a threat to the prospects of passing the legislation. Frankly, I believe we are focused on the wrong set of issues. We ought to be trying to concentrate on getting a bill that has the broadest bipartisan support in the Senate. I think that each of those amendments, the one I offered 2 weeks ago and this amendment I have been talking about, will help us to achieve that. I urge my colleagues to carefully consider the consequences of leaving the existing procedures in place for Y-1 guest workers.

I strongly believe that if we keep this provision in its current form, we are going to create an expensive and unworkable program for employers, a system that harms American workers, and an incentive for guest workers to overstay their visas. For that reason, I hope, when the opportunity comes for a vote, my colleagues will support our amendment.

Mr. President, how much time remains?

The ACTING PRESIDENT pro tempore. The majority has 18 minutes.

Mr. BINGAMAN. Mr. President, I would then continue to speak as in morning business for another few minutes to talk about another amendment.

I have also today filed an amendment on another part of the bill. The second amendment is aimed at addressing a different issue related to the Y-2 temporary worker program. Now, the Y-2 program is a temporary worker program, and it revises and incorporates the existing H-2B seasonal non-agricultural program.

As I mentioned earlier, this amendment would address the problem of people whom we bring into the country for up to 10 months, allow them to work here, whether they are working at resorts or working at some kind of seasonal employment, nonagricultural seasonal employment, and then we require them to go home for 2 months. Then they can do that each year.

As Senators have discussed this program, and as it has been discussed in the press, its been stated that the underlying substitute amendment provides for an annual allocation of visas from 100,000 initially to up to 200,000 each year, depending upon the market demand.

I have a chart I can put up that I think will describe what the Y-2 guest worker program—if, in fact, the 15 percent increase is triggered in the years, the first 4 years of the program, and how you get from 100,000 up to 200,000.

Well, that is the description. This chart is a fair description of this program as it has been reported in the

paper. However, before the substitute amendment was filed, the underlying bill—I call it a substitute amendment because that is the technical, correct name for it—a provision was handwritten into the bill that provides that in any year from now on, the returning Y-2 workers who are present in the United States in any of the preceding 3 fiscal years would not count against the cap.

So the whole idea of 200,000 is not right. The yellow represents the 200,000, the increase from 100,000 to 200,000. But the red on the chart represents the potential pool of returning workers. You can see this is taken from an analysis that was done for me by the Congressional Research Service. We asked them to please look at the provision and give us their analysis of what is the size of the group that could come in under this program with this provision in it.

They said: Well, it could be up to about 1.6, 1.7 million people over 10 years; they would be eligible to come in every year. Now, that is not cumulative, that is every year that many people would be able to come in.

The impact of this little-noticed provision is quite profound. Obviously, this is the high end of the approximation because we would not expect that every single worker who came here to work for 10 months during 1 year, or for some period during 1 year, would choose to come back the next year. But I think a reasonably high percentage of them might choose to come back.

Today, we have about 135,000. This year, in 2007, we have about 135,000 workers in the country or connected in this country this year under this seasonal temporary worker program. I have no problem seeing that increased to 200,000. That is what the initial draft of the bill contemplated. I do have a problem when it might increase by well over a million. I think that is not what many Members of the Senate understand is going to happen under this bill. I do not think it is what should happen under this bill. I think it is reasonable to require that the numerical limitation already in the bill actually means something; that is, the 200,000 limit.

The amendment I am offering does not eliminate the returning worker provisions, not by any means. It says: If you want to change the number from the current law, which is 66,000 up to 100,000, fine. If you want to then say it can grow from 100,000 to 200,000 per year, fine. But let's not also say that anyone who has worked here in any of the 3 preceding years can come in on top of that because that is when your numbers get totally out of control.

The amendment is aimed at ensuring the bill does what I believe a majority of Senators believe it does; that is, it would allow the issuance of up to 200,000 Y-2 visas each year for these seasonal workers. I think that is something which I can support as a matter of policy.

Again, my amendment merely brings the underlying language of the bill into line with what I believe most Senators think the bill now provides; that is, keeps it under 200,000.

That is a description of the two amendments I have filed today. I think they are both meritorious amendments. I urge my colleagues to look at them, to consider them. I hope very much that I have an opportunity to get votes on those amendments this week before we conclude action on the bill because I think both amendments would improve the bill and make it much better public policy.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I thank the Senator for his work on this. It is obvious he has read the legislation and attempted to see what it actually means, which is a good thing, and done too little in this Senate, but it is important especially in this legislation where it is so critical.

Let me say what I understood the whole deal was supposed about. It was put very simply to me how we were going to have a new immigration system, in this new legislation that was going to be better than last year's bill. The way I understood it, from the talking points that were suggested and floated around and that we were briefed with, there would be a temporary worker program that would actually be temporary. To me that means a person would come for less than a year but could come back repeatedly after that, as long as their employer is happy and they have work to come to and they have not gotten in any trouble. And, they would not bring their families with them.

That is what I thought we were talking about. Then we were told that there would be a separate second flow for people who enter America permanently, coming into America to go on a citizenship track. And we were told that track would be evaluated using a different system, it would be more skill based.

In other words, a person would apply, and they would compete for the slots based on the skills they had and that we have in the United States. So I am concerned and share the concern of Senator BINGAMAN that the temporary worker program which allows 2 years' entry, then says go home and come back 1 year from now for another 2 years and then go home for a year, and come back for the final 2 years and never come back again seems less workable than the temporary seasonal worker program we have today. I am concerned about that.

Remember, we are still going to have the constant flow of people who come in on the citizenship track and get a green card and become permanent citizens. They will also be workers, their family members will also be workers. We are not stopping that. But this bill

creates a separate temporary worker program. I believe a system of temporary workers needs to work, needs to make sense, needs to be consistent with common sense, and ought to be in a way that is practical. I am not sure the legislation as introduced does that.

Senator GRASSLEY spoke before we recessed and asked this question: Why is it nobody has said this time, as they did in 1986, that there would be no more amnesties? He said he was here in 1986. He remembered what they said. It was admitted that they were having amnesty and they made a promise we wouldn't have amnesty anymore. People said: If we do it this one time, we won't do it again. He asked why we weren't hearing it said again. Of course, he answered his own question. The answer is, because bill sponsors can not make that promise. How can we say we are not going to have it anymore, after having said we would not do it again, and doing it again, and presumably we would be doing it again after that?

I mentioned the enforcement trigger. This was designed to make sure if we give amnesty, enforcement would occur. We put some things in the trigger that had to be done before some of the benefits of this program would accrue, but a lot of things were left out, and the things left out were quite troubling. They make you wonder how serious we are about creating a lawful system in the future, for example. The enforcement trigger that has the requirements that must be met before the new temporary worker program begins does not require the exit portion of the US-VISIT system, that is the biometric border check-in, checkout system first required by the Congress in 1996, be working. That is a cause for concern because it is already well past the year 2005, when this bill required that the U.S. visa exit system be in effect.

In other words, in 1996, we said: OK, we are passing a law, and we are going to have an exit-entry visa system at the border that will clock you in when you come in with a biometric card, and it will clock you out when you go out, just as you do when you are working at a job. Just like a lot of employment agencies and businesses have those kind of things. OK? It was due to be completed in 2005. Without the U.S. visa exit portion, the United States has no method to ensure that the workers or their visiting families, who are allowed under certain circumstances to visit them, do not overstay their visas.

Senator BINGAMAN has been talking about his concern over the temporary worker program. Let me ask this: How do we know they are going to go home when their time is expired if the exit portion of the US-VISIT system is not up and working? We don't know. It is a fundamental loophole of monumental proportions, and I am surprised it is not in there. Once again, it suggests those promoting this legislation may not be serious about creating an immigration system that works. They may



like a system that allows virtually anyone determined to come here to come here.

There is another matter I wanted to mention in the trigger requirement. If it is not in the trigger, there is no way to say the bills sponsor really intend for it to happen. The example of the U.S. VISIT system indicates something about the nature of the Senate. Remember, in 1996, this Senate passed legislation that required the US-VISIT exit system be in effect by 2005. Then 2005 came and went. That did not occur. What does that mean? It means you can pass any law here and say you are going to do something in the future, but if you don't fund it or future Congresses don't fund it or future Presidents don't fight for it, it may not ever occur. That is all I am saying. That is why the American people need to be concerned about amnesty coming before all of the needed enforcement items.

Another matter that involves what we are doing here involves having enough bedspace to end catch and release at the border. We passed a law in 2004 that requires 43,000 beds to be in place by the end of 2007. This is to end the catch-and-release section of the bill. Those beds have not been completed. In this legislation, it only required 27,000 beds. We had already required 43,000, but as I said, we are going to have to have 27,500. Then Senator GREGG offered an amendment to increase that to 31,500. We passed legislation in 2004, as part of the Terrorism Prevention Act of 2004, to require much more bed space than this, and they have not been completed. Because we pass legislation doesn't mean it is going to happen.

There is another loophole I will mention. I have 25. I should have added the problem Senator BINGAMAN just mentioned. I could have added many more than 25. Let's look at No. 4. Aliens who broke into this country a mere 5 months ago are provided permanent legal status in our country and are treated better than foreign nationals who legally applied to come to the United States more than 2 years ago. Aliens who can prove they were here illegally in the United States on January 1 of this year are immediately eligible to apply from inside the United States for amnesty benefits, while foreign nationals who filed applications to come to the United States after May 1 of 2005, over 2 years ago, must start the application process all over again from their home countries.

The bill sponsors continue to claim this bill is necessary because illegal aliens have deep roots in the United States and are, therefore, impossible to remove. They claim that they have families here. They have been working here for many years. They can't be asked to leave. There is some truth in some of those situations, for sure, but it simply is not true in all cases. It is simply not true in many cases. The young man who ran past the National

Guard out at the border somewhere last December is going to be given amnesty here in this country.

The American people want us to treat the illegal alien population compassionately, I do believe, but there is no reason to lump all illegal aliens, regardless of when and how they got here or how deep their roots are, into the same amnesty program. Last year's Senate bill would have given illegal aliens amnesty if they could prove they had been in the United States since January 7, 2004. A lot of people want us to believe that this is a tougher bill than last year's bill. At least last year they said you had to have been in the country by January 7, 2004. This year the bill expanded the amnesty window by 3 years to 2007. Under this year's bill, illegal aliens who have rushed across the border in the last few years, including those who came 5 months ago, will be given all the amnesty benefits as those who have been living here for decades, have U.S. citizens in schools, and have been good workers.

The January 7, 2004 date, why was that date selected last year as a cutoff date? It was important because that was when President Bush first gave his speech saying we needed a lawful system of comprehensive reform of immigration in America. We knew that when he gave that speech—and he was talking about amnesty for people here illegally—that that would encourage more people to try to come into the country so they could be provided amnesty too. So they cut off the dates and said: If you came in after the President's speech, you can't get the advantage of the amnesty. That makes sense, I think.

Then even more significantly, last year, in May 2006, President Bush announced the beginning of Operation Jump Start. Do you remember that? That was the program to put the National Guard at the border. He called out the National Guard. So this bill says if you ignored our announcement that we are going to make a lawful system of comprehensive reform, if you ignored the announcement that the border is closed, if you ignored and ran past the National Guard we put on the border to create a lawful system there, as long as you got here by December 31 of last year, you get to apply for full amnesty. You are home free. You are in.

I don't think that is required. I don't think that is good policy.

The ACTING PRESIDENT pro tempore. The time of the minority has expired.

Mr. SESSIONS. I ask unanimous consent to speak for 2 additional minutes.

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

Mr. SESSIONS. The bill's drafters say amnesty applicants will be at the back of the line and will not be treated preferentially to those who have followed the law. That is not true in a number of cases and in this case. The

bill allows the illegal aliens who got here 5 months ago to cut in line in front of people in the family green card backlog who filed their applications after May 1, 2005, 2 years after. Illegal aliens who came to the United States 5 months ago will get probationary Z visa status 1 day after filing a Z visa application. I suppose those who followed the law, who made their application properly, who waited in line may wonder why they didn't come illegally also. Isn't that the message we are sending? So this provision in the bill does not restore respect for the rule of law. It erodes it. At a minimum, no illegal alien should be treated better than a foreign national who applied to come legally. The amnesty date should be moved back to May 1, 2005. I will have an amendment to that effect.

I see my colleague here, Senator DORGAN. I appreciate his insight into these issues and his willingness to ask some tough questions about the system and the bill before us and to point out some of the weaknesses in it. That has been helpful to the debate.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I ask unanimous consent that I be allowed to speak in morning business for such time as I may consume, and to the extent that exceeds the limit of the majority in morning business, I would ask that the minority be accorded the same amount of time if they so desire.

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

Mr. SESSIONS. I am not sure I quite understand that.

Mr. DORGAN. How much morning business remains on our side?

The ACTING PRESIDENT pro tempore. There is 11½ minutes.

Mr. DORGAN. Mr. President, I ask to be recognized in morning business for as much time as I may consume. My understanding is we will be going to the bill as soon as I finish speaking.

Mr. SESSIONS. I wondered if the Senator was going to continue and how long he might speak.

Mr. DORGAN. It is my intention to speak for perhaps 20 minutes.

Mr. SESSIONS. I have no objection, Mr. President.

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

Mr. DORGAN. Mr. President, this issue of immigration is a very passionate issue and raises the passions in this country in a significant way. I understand all of that. I have described often on the floor of the Senate the circumstances of what has brought us to this point.

This country we live in is a remarkable country. If you have a globe in front of you, and spin the globe, and take a look at all the land that exists on your globe, you will see there is just one little spot called the United States of America, but it is a very different spot than much of the rest of the world.



We have raised incomes in this country, expanded the middle class, created a standard and a scale of living that is pretty unusual and pretty remarkable. Because of that, because we have dramatically expanded the middle class and have created a country that is very different than many other countries on this Earth, there are many who live on this planet who want to come here.

Last week, I described being in a helicopter, flying between Honduras and Nicaragua, up in the mountainous jungle areas some long while ago, and we ran out of gas. I discovered on a helicopter when you run out of gas, you are going to be landing very soon. We were not hurt, of course, but the red lights and the alarm bells were ringing and going off, and our pilots put us down in a clearing.

While we were there, I heard from some campesinos who came up to see who had landed in these helicopters. Through an interpreter, I visited with the campesinos. I heard from them what I have heard in virtually every part of the world in which I have traveled. I spoke with a young woman in her early twenties. She had three children with her. I asked her—after we visited—through an interpreter: What do you want for you and your children?

She said: Oh, I want to come to the United States of America.

That is not unusual. I have heard that all over the world: I want to come to the United States of America. I asked her why.

She said: Well, there is opportunity there—an opportunity for a better life for me and my children.

We have built something quite unusual in this country, and many from around this planet would like to come here. I understand that. Let me give you an example of why.

If you live in China, the average hourly wage for factory workers is 33 cents an hour. If you are in Bangladesh, 33 cents an hour is the average annual hourly wage, if you can find a factory job. If you are in Nicaragua, 37 cents an hour is the average annual hourly wage. In India, 11 cents an hour is the average wage. In Haiti, it is 30 cents an hour, if you can find a job. In Russia, it is 51 cents an hour. I could go on.

But my point is, there are people living in countries where, if they can find a job, they are going to be paid 30 cents an hour, 20 cents an hour, 11 cents an hour, and they take a look at this country, and they evaluate: Perhaps I need to go to the United States and be a part of that great country.

Well, because so many want to come here, we have immigration laws and quotas. We actually allow into this country, under legal quotas, a good many immigrants every single year. Well over 1 million people come into this country every single year legally as part of our immigration quota system. We have quotas for various countries and regions of the world, and we accept legal immigration from those

countries. We would have had last year over 2 million people come into this country legally, with both agricultural workers and also under the legal immigration system.

But think for a moment if we decided to do it differently, after what we have spent well over the last century building in this country to expand opportunity, expand the middle class, and create an economy that is the wonder of the world—the real economic engine of the world is this economic engine of ours. Think of the consequences if, in fact, we said this: We have a new policy on immigration. Our policy is that anybody in this world who wants to come here—to stay here, to live here, to work here, to be part of the American experience—come right ahead, with no restrictions. Come into this country and be a part of our great Nation.

If we said that, if, in fact, that were our country's policy, we would be literally overrun by those who wish to come to be a part of this American experience—an America with opportunity, an America that offers hope to people living in squalid poverty, people working for 11 cents an hour. We would be overrun. As a result, what we do have is a series of immigration laws that provide for legal immigration. It restricts numbers who come in, but we still have a pretty substantial number who come in legally into this country.

Now, we are told we have a new immigration proposal put together by a group of Senators in the Senate with, I understand, the assistance of the White House—or at least the involvement of the White House—and brought to the floor of the Senate saying: Here is a new plan. It is 20 years after the last plan, which was in 1986. It was called Simpson-Mazzoli. It was the immigration plan of 1986. That was a plan that, back then, promised it would end the problem of illegal immigration by choking off the demand for illegal labor through tough enforcement and guest worker programs and also through amnesty of people who were then in the country at that point in time.

Let me read some quotes for what was done in 1986. Here are quotes in the CONGRESSIONAL RECORD. Quote:

The guts of immigration reform are here. All of it. Employer sanctions, increased enforcement, worker authorization system, verification systems, and legalization is [all] there. . . .

That is what was promised 20 years ago. One Senator said:

This bill also . . . should help the Immigration and Naturalization Service to increase Border Patrol personnel by 50 percent.

Border enforcement, employer sanctions—well, they said: We are going to ramp up border security, provide employer sanctions, so you don't have the lure of a job and, therefore, we, at the same time, will provide amnesty—this is 1986—to about 1 million illegal immigrants. When amnesty was in fact granted following that, it turns out

there were 3 million or so. Everyone was pretty stunned to learn there was so little control over the borders then. But now, today—fast-forward 20 years—we have a bill on the floor of the Senate that promises almost exactly the same thing: tougher border enforcement, employer sanctions, guest workers, temporary workers—except now, 20 years later, after we solved the problem 20 years ago, we have 12 million—it is estimated 12 million—people who came here without legal authorization. We do not know that for sure. We think it is somewhere around 12 million people. So we have “comprehensive immigration reform.”

Well, let me go back for a moment and show you that this issue of border enforcement and employer sanctions is all a matter of enforcement and will. I have just taken the period from 1999 to 2004. The current administration, as you can see, has had almost no work-site enforcement. In fact, in 2004 there were three cases in the entire Nation brought against employers who hired illegal aliens. Think of that. In the year 2000 there were 213 cases out of all of this country; out of the millions and millions of employers in this country, there were 213 cases. In 2004, it dropped to three, which meant there was no enforcement at all—no will, no interest, nothing.

Is it surprising, then, that the employers in this country would decide: Why don't I just risk it, just hire illegal aliens because nobody is checking?

Here on this chart are the fines that have been levied with respect to employer sanctions. As you can see, \$118,000 for the entire country. You can see what has happened under this administration. They apparently decided: We are not going to enforce this at all. The result is a dramatic increase across the border of illegal immigrants.

Now, I know some do not like the term, and I do not mean the term as a pejorative term, but it is what it is. We have immigrants who come into this country—some legally and some illegally. That is just a fact. So there has been virtually no enforcement by this administration or really any administration, although the previous administration did much better.

But now we are told this new plan has an ability to solve this problem. We are going to have employer sanctions, we are going to have border enforcement—sound familiar? Yes, it was 20 years ago that was promised—and we are going to have temporary workers. They now call them guest workers, but they are temporary workers.

Last week I was interested that some of my colleagues, when they defeated an amendment I had by a one-vote margin—an amendment I had that would deal with the temporary worker issue. First, I wanted to abolish it. That lost by a broader margin. Then I wanted to at least subset it, and that lost by one vote. Incidentally, there was a lot of arm twisting to get that

vote. I have not seen any casts or anything on arms, but I know there was a lot of arm twisting.

We were told during the debate on the guest worker provision the following: The manager of the bill and the manager on the minority side said the same thing. They said: Look, if you do not have a temporary worker provision to allow those who are not now in this country—even as we legalize 12 million who are here with a work permit immediately—if you do not allow millions more to come in—600,000 a year; now 200,000 a year—if you do not allow additional people to come into this country, they will come anyway. They will come as illegals across the border.

So I asked the question: Wait a second. You are saying we have to have a temporary worker program to bring people into this country who are not now here and declare them legal to take American jobs because if we don't have a temporary worker program, they will come anyway? I thought you said you had border enforcement. What you appear to be saying is, you do not have border enforcement, so for those who would come illegally, let's just see if we can label them as legal under temporary workers.

You cannot have it both ways. There either is border enforcement or there is not. You cannot say to me we must put in a temporary worker program because if it is not there we will have illegal immigration, and then in the next breath—while thumbing your suspenders—say, and by the way, we really have effective border control. If you have effective border control, why then would you have illegal immigration that necessitates you to say there are millions who live outside this country who now must be allowed in? That is on top of the 12 million people who, under this underlying bill, will be declared legal, to have legal status.

Anyone who came across by December 31 of last year—across an ocean or across a river or across any border—anyone who entered this country by December 31 of last year would be told: You now have legal status in this country and will be able to work.

My colleague, a while ago, asked a very important question: What about the people in other parts of the world who thought this was all on the level and there was an immigration system and they applied through the quota system and have waited now 8 years to see if they would be allowed to come to this country and they are near the top of the list, but now they discover something that makes them feel as if they made a big mistake? What they discovered is, while they waited all of those years to get toward the top of the list under the legal immigration system we have, with the quotas we have, they should have snuck across the border on December 31 because those who did will have been declared, by this piece of legislation, as legal. And those who went through the process and have waited years—7 years, 8 years—and are near

the top of the list are told: You are just out of luck.

That does not make any sense to me. It just does not make any sense. Let me describe some quotes from the week before last.

... this legislation has tough border security and tough interior enforcement provisions.

Even if you have a secure border—we are hopeful of having secure borders—it won't stop illegal immigration.

That is from a Senator on the floor of the Senate 2 weeks ago in support of this bill.

The fact of the matter is, some workers will come here illegally, or legally, one way or the other they come in.

That is where the temporary worker program comes in... if we eliminate this program, you will have those individuals that will crawl across the desert... or you can say, come through the front door and you will be given the opportunity to work...

That is unbelievable. This is from the architects of the proposal before the Senate who come here boasting it has real security on America's borders, and then say: By the way, if we do not allow—in addition to legalizing 12 million people who came here illegally—a substantial additional number of people who do not now live here to come and take American jobs, they will come anyway because they will come as illegal immigrants—which suggests to me, at least, there is not meaningful border protection or border security in this legislation.

Let me describe for a moment the guest worker provision. These are temporary workers—I do not know why you call them guests—but these are temporary workers who would come in and take jobs at the low end of the economic scale and, by and large, put downward pressure on income for American workers. But here is how it would work.

It seems to me, you could not sit down and think of what kind of an approach we could use to put together a guest worker provision and come up with this sort of Rube Goldberg scheme. There is just no way you could possibly put this together and believe it to be serious. Here is what they say. In the case of the original proposal, which was 600,000 a year, and now it is going to be 200,000 a year, it will amount to 1.2 million over the first 10 years, and here is what they say: You can come for the first 2 years; you can bring your family if you come for the first 2 years. Then you have to go home for a year and take your family with you, then come back for 2 more years. Then you leave again. If you never brought your family to begin with, you can then come back for 2 more years. So you can be here for a total of 6 years and you can only have your family here for 2 years and you all have to leave this country twice. That is unbelievable. Who on Earth can sit in a room and construct that sort of nonsense?

Aside from the fact that we shouldn't have that provision in the bill, we are

told, this is the way it will work. How many believe you will have 1,200,000 people come for 2 years, with their families, if they wish, and then all of them will go home? Let's assume they all went home, they get to go home for a year and come back for 2 years and then again go home for a year and then come back for 2 years, how many of you believe they are all going to leave? They are not.

Let me emphasize that the guest worker program has nothing to do with agricultural work. These are non-agricultural workers. These will be in manufacturing and in other areas.

Also, the guest worker program applies in sectors of our economy where the vast majority of the jobs are done by U.S. citizens. That is a fact. They say this is necessary because you can't find U.S. workers to take these jobs. That is not the case. These jobs are not picking strawberries. Those jobs are in the agricultural worker provisions. But these temporary workers are in construction, manufacturing, transportation, all of which have a wide majority of U.S. workers—80, 90 percent of the workers are U.S. workers. So don't tell me you can't find U.S. workers to fill these jobs. In all of these cases—construction, transportation, manufacturing—80 to 90 percent of them are already U.S. workers.

What does immigration do to American workers? One of the points I have made is this is a way of putting downward pressure on wages in our country. This is from Professor George Borjas, John F. Kennedy School of Government at Harvard. He says, on average, the impact of 1980 through 2000 immigration on U.S. wages, on average, it has reduced wages by about 3.7 percent. I don't think there is much question that if you bring in a lot of people through the back door to compete for low-wage jobs, you are going to put downward pressure on wages. That is a fact.

Here is an example of my concern and one of the things that persuades me we ought to do better. Hurricane Katrina hit on the gulf coast and we had a lot of cleanup to do. When Hurricane Katrina devastated that gulf coast, FEMA and others began to let contracts to try to see how we could create this cleanup, and here is what happened October 22, 2005: Sam Smith was an electrician. He lost his house. He lost a lot during the hurricane. His house was in the ninth ward. It was destroyed by Hurricane Katrina. He was an electrician, age 55, who returned to the city for the cleanup, the promise of a \$22-an-hour wage, and guaranteed work for 1 year, a qualified electrician. He lost his job within 3 weeks—within 3 weeks. Let me show you why these folks—Sam Smith lost his house, lost his job, and here is who the subcontractor brings in. Take a look at the barracks: Illegal workers brought in living in these squalid conditions. Can you get them to work for less? Sure, you can. Is it the right thing to do? No,

of course, it is not because an American worker who lost his house and then lost his job—Sam Smith—deserves better. But that is a small example of what we face with respect to the downward pressure on income for those who work at the bottom of the economic ladder.

Now, the Wall Street Journal ran a very interesting story in January of this year. It showed that in an area where there is a sudden drop in the availability of illegal immigrants, the wages for U.S. workers then rise. There was a series of raids by Federal immigration agents in Stillmore, GA, and this is again quoting from the Wall Street Journal:

A local poultry processing company called Crider Inc. lost 75 percent of its 900 member work force when they were found to be illegal aliens—

Illegal workers. The company apparently, according to the story, had a pretty good idea that a good number of its workers had been illegal.

One worker—

It says in the story—

arrived at the plant in 2004. As she filled out an application, she tried to use the Social Security number, a tax payer identification number that started with the numeral 9. The company clerk stopped her and said valid Social Security numbers never begin with a 9.

The clerk kept saying: Maybe you want to put down a 4 or a 6. So the illegal immigrant wrote down a 6, and of course the application was accepted.

After the raid, almost 75 percent of the workers were determined to have been illegal immigrants and the company decided it needed to find workers, so they decided to raise wages. An advertisement in the weekly newspaper titled "Increased Wages" at Crider, starting at \$7 to \$9 an hour. That was more than a dollar an hour above what the company had paid many immigrant workers. It began offering free transportation from nearby towns, free rooms in company-owned dormitories near the plant, and for the first time in years, the company aggressively sought workers from the area State-funded employment office, which is a key avenue for low-skilled workers to find jobs.

Continuing again to describe the Wall Street Journal article, it said: Hundreds of local workers, many of them minorities, accepted the higher wages and were happy to take these jobs. Pretty soon this Georgia company was apparently hiring back some additional illegal immigrant workers who had been previously caught up in the raid. They turned to a "temporary labor provider" who began to provide the company with the same illegal immigrant workers who had been caught in the first raid. So the immigration officials conducted a second raid and the company then finally agreed to stop working with temporary labor.

The point of this story is very simple: If you have substantial amounts of illegal immigrant labor coming in, it puts downward pressure on wages.

Eliminate that illegal labor from the marketplace, and what happens is you raise wages at the bottom of the economic ladder.

Robert Samuelson wrote an editorial in the Washington Post some while ago. He said: It is simply a myth that the U.S. economy needs more poor immigrants. He pointed out that in March the unemployment rate for college graduates in this country was 1.8 percent. The unemployment rate for the 13 million U.S. workers without a high school diploma is over 7 percent. Those 13 million U.S. workers without a high school diploma compete directly with the immigrant workers who come here illegally and who do not have a high school diploma. That is what puts downward pressure on wages in this country.

This is, as I indicated earlier, a very difficult issue, filled with passion, and I understand that. I think there are a lot of immigrant families living in this country, perhaps many who came here without legal authorization, and many came here 5 years ago, 10, 15 years ago, 20 years ago. They have lived model lives. They have gone to school here. They have gotten jobs. I understand all that. I think we should deal with that in a sensitive way. There are many who should not be expelled from this country. We are not going to round up 12 million people and deport them. We are not going to do that. So we need to find a way to deal appropriately with these issues. But that appropriate way does not say anyone who came across illegally into this country on December 31 of last year is deemed to have come here legally. That is not the right approach. You can't do that.

Second, you should not be oblivious to the needs in this country of the low-income workers. We have a whole lot of people today who got up this morning who are going to work hard all day long and come home with very little to show for it, in many cases two and three jobs. You know the people. They are the ones who know about being second. The people who know about secondhand, second mortgage, second job, second shift. They are always in second place. They are the ones who have the least opportunity in this country to get a decent wage because their productivity goes up and their wage does not. As long as there are employers who are able to bring in across the border—a border that leaks like a sieve when it comes to illegal immigrants—as long as there are employers who are willing to put downward pressure on income for American workers, we are going to see people at the bottom of the economic ladder in this country continuing to struggle. That is a fact.

The question is: Are we going to do something about it? When we deal with immigration, we ought to do 2 things. First and foremost, we ought to have a bill on the floor of the Senate that deals with border security. You can't deal with this issue without stopping illegal immigration. After all, we allow

nearly a couple million people in this country every single year under a legal system. But if you don't stop at the border this unbelievable avalanche of illegal immigrants, you don't have any hope of dealing with this issue. First and foremost, you have to deal with border security. That ought to be the bill on the floor of the Senate. Then, after we have dealt with border security, we ought to deal with the question of the 12 million people who are here without legal authorization. I would be the first to join those who say let's be sensitive and let's be thoughtful about that. We are not going to round up 12 million people. There are some who have been here a long while and raised families here who have contributed to this country and we need to understand that. That is a different issue than the issue of border security. If we don't do border security and do it right, this is another way to say: Let's provide amnesty this time for 12 million people; we did it for 3 million people 12 years ago. By the way, let's meet again. In fact, let's set a date right now. We will meet again in 10 years, if, in fact, those who wrote this bill were telling me what they believe 2 weeks ago and that is if you don't have a temporary worker program, you are going to have people come here illegally anyway. What that means is they don't have real border security or the least bit of confidence in the border security and their bill. That is a fact.

There is a generous amount of discussion on the floor of this Senate about issues that are completely devoid of the well-being and the best interests of people in this country who work very hard and show very little for it. I would love to see a long discussion on the floor of this Senate about international trade and the \$830 billion trade deficit, and American companies being given a tax break by this Congress and previous Congresses, American companies who shut their manufacturing plant, fire all their workers, and ship their jobs to Chinese or Bangladesh or Sri Lanka or Indonesia. They actually get a tax break for doing it. I have tried four times to shut it down. I have been unsuccessful. I would love to have a debate about that. In fact, it is the same coin, just the reverse side. Shipping American jobs overseas is the reverse side of the coin of bringing cheap labor through the back door. That is a fact.

I understand where the impulse comes from. It comes from many large enterprises, many big businesses who have convinced this Congress—or too many in this Congress—that you can't fill jobs with Americans, you have to bring in people from across the border or from around the world. There aren't enough Americans to assume these jobs.

I don't believe that. I believe as long as you keep a constant supply of cheap labor coming into this country, you keep downward pressure on wages, and the person across the convenience store counter, the person who made the bed

in your hotel room where you stayed last night, the person who works in all of those jobs at the lower end of the economic ladder, they will never, ever see a better income.

It took us nearly 10 years to pass an increase in the minimum wage in this Congress. One of the reasons for that is the same influence in this Chamber that exists in support of this bill. The biggest businesses in this country didn't want an increase in the minimum wage and they blocked it for nearly 10 years. The biggest interests in this country that want to shift jobs overseas, want to continue to bring cheap labor through the back door, and that is the genesis of this kind of legislation.

I am not averse to resolving the status of the 12 million who are here without legal authorization, but I wouldn't do it this way. I certainly wouldn't point to December 31 and say: By the way, if you got here last December 31, good for you, we declare you to be legal. That is a thoughtless approach, not a thoughtful approach, to dealing with these issues.

Mr. President, one final point: It is the case that I come to the floor of the Senate on this issue concerned about a lot of people in this country who work hard and get little for it. We have seen a dramatic increase in the largesse of this country going to the top 1 percent of the income in this country—the top 1 percent, I should say, of the people who earn income in this country have seen dramatic increases in their income. Yet the bottom 20, bottom 40 percent, in many cases, have seen that they have not been able to increase their income at all.

I think an aggressive debate about how we improve the lot of all Americans would be helpful. But we don't improve the lot of Americans who have done the work they wanted to do, to go find a job and get educated, we don't do their bidding and help them by deciding we are going to keep downward pressure on their wages. This is exactly the wrong approach.

I know the Chair and the ranking member are here. They wish to get to the bill. I know there will be many amendments this week. Let me say this. I would be very interested in voting for a piece of legislation that I thought was on the level, that will provide real border security. That is the first and most important need in dealing with immigration. But 2 weeks ago, the very people who wrote this bill said if we don't have temporary workers coming in under the temporary worker program, they will come in illegally anyway.

I think that unmasks the fallacy of this bill. There is not border protection here that will work. There has not been a will to enforce it in the past. This legislation will continue to put downward pressure on the income for American workers. That is exactly the wrong thing for us to do.

I yield the floor.

## COMPREHENSIVE IMMIGRATION REFORM ACT OF 2007

The PRESIDING OFFICER (Mr. DURBIN). Under the previous order, the Senate will resume consideration of S. 1348, which the clerk will report.

The bill clerk read as follows:

A bill (S. 1348) to provide for comprehensive immigration reform, and for other purposes.

Pending:

Reid (for Kennedy-Specter) amendment No. 1150, in the nature of a substitute.

Grassley-DeMint amendment No. 1166 (to amendment No. 1150), to clarify that the revocation of an alien's visa or other documentation is not subject to judicial review.

Cornyn modified amendment No. 1184 (to amendment No. 1150), to establish a permanent bar for gang members, terrorists, and other criminals.

Dodd-Menendez amendment No. 1199 (to amendment No. 1150), to increase the number of green cards for parents of U.S. citizens, to extend the duration of the new parent visitor visa, and to make penalties imposed on individuals who overstay such visas applicable only to such individuals.

Menendez amendment No. 1194 (to Amendment No. 1150), to modify the deadline for the family backlog reduction.

McConnell amendment No. 1170 (to amendment No. 1150), to amend the Help America Vote Act of 2002 to require individuals voting in person to present photo identification.

Feingold amendment No. 1176 (to amendment No. 1150), to establish commissions to review the facts and circumstances surrounding injustices suffered by European Americans, European Latin Americans, and Jewish refugees during World War II.

Durbin-Grassley amendment No. 1231 (to amendment No. 1150), to ensure that employers make efforts to recruit American workers.

Sessions amendment No. 1234 (to amendment No. 1150), to save American taxpayers up to \$24 billion in the 10 years after passage of this act, by preventing the earned-income tax credit, which is, according to the Congressional Research Service, the largest antipoverty entitlement program of the Federal Government, from being claimed by Y temporary workers or illegal aliens given status by this act until they adjust to legal permanent resident status.

Sessions amendment No. 1235 (to amendment No. 1150), to save American taxpayers up to \$24 billion in the 10 years after passage of this act, by preventing the earned-income tax credit, which is, according to the Congressional Research Service, the largest antipoverty entitlement program of the Federal Government, from being claimed by Y temporary workers or illegal aliens given status by this act until they adjust to legal permanent resident status.

Lieberman amendment No. 1191 (to amendment No. 1150), to provide safeguards against faulty asylum procedures and to improve conditions of detention.

Cornyn (for Allard) amendment No. 1189 (to amendment No. 1150), to eliminate the preference given to people who entered the United States illegally over people seeking to enter the country legally in the merit-based evaluation system for visas.

Cornyn amendment No. 1250 (to amendment No. 1150), to address documentation of employment and to make an amendment with respect to mandatory disclosure of information.

Salazar (for Clinton) modified amendment No. 1183 (to amendment No. 1150), to reclassify the spouses and minor children of lawful permanent residents as immediate relatives.

Salazar (for Obama-Menendez) amendment No. 1202 (to Amendment No. 1150), to provide a date on which the authority of the section relating to the increasing of American competitiveness through a merit-based evaluation system for immigrants shall be terminated.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. KYL. Mr. President, the Senator from Colorado is here. He and I are in the unenviable position on a Monday evening of managing this bill for a little while. Senator SALAZAR will speak on behalf of the majority. I do think it is the majority's desire that no amendments be laid down this evening. We would like to get Members to come to the floor first thing tomorrow morning to begin laying down amendments, and we will work out an order for the amendments, voice votes and rollcall votes, and advise Members of when those will occur tomorrow. We hope to do that later this evening.

We wish to encourage our colleagues to bring their amendments to the floor and get them pending after this evening, so that we can work as much as possible this week in getting the bill concluded.

I have several things I would like to say in response to the Senator from North Dakota.

Let me yield at this point to the Senator from California.

Mr. SALAZAR. Mr. President, as we resume the immigration reform debate in the Senate this week, I am mindful of the fact that we have indeed come a very long way and that this Senate has spent a significant amount of time dealing with the issue of immigration. Last year, we were on the issue of immigration for over a month. This year, through the dialog and discussion of immigration, we have been working on this for the last several months. We were on the bill through last week and will continue to work on it this week. Hopefully, at the end of the week, we will be able to act on comprehensive immigration reform for our country.

As I have often said, from my point of view, this is an issue of national security. It would be an abdication on the part of the Senate in Washington today if we were not able to move forward with comprehensive immigration reform. Since in the days after 9/11, it has become clearer and clearer to us that we need to secure the borders. Our legislation does, in fact, secure the borders.

Secondly, the legislation makes sure that we move forward to enforce the laws of America. The legislation we have proposed is a tough law-and-order piece of legislation that will make sure we have the resources, that the United States doesn't look away from the enforcement of our laws, and that we enforce them.

Third, our legislation also deals with the economic realities that are so much of the immigration debate, the components of the economic realities relating to the guest worker program, as well as the agricultural job workers,

as well as other provisions of the bill that speak to the economic realities our country faces. I hope we will be able to move forward to the conclusion of this legislation this week.

I note there was progress made on the legislation during the last week. We disposed of 13 of the 107 amendments that were filed. Seven of them were disposed of by rollcall vote and six by voice votes with unanimous consent. At this point, we have 14 amendments that are pending and that we will vote on. Some of them we hope to begin voting on tomorrow morning and work our way through some of the more difficult amendments in the afternoon.

Let me also say at this point that as the President of the United States has spoken out around the country on the issue of immigration reform, he has taken a lot of heat for his position. A lot of people, both Democrats and Republicans, have taken a lot of heat on what we are trying to do with immigration reform. I think it is a responsibility of the Members of the Senate, the Members of the House of Representatives, and the President to do what is right for the country. There are some who, frankly, will argue that we ought not to do anything, that the answer to dealing with immigration reform is simply to not do anything for a year, 2, 3 or 4 years and to do what they call an enforcement-only approach. We know, from a realistic point of view, that will not work; we will not be able to secure our borders or to enforce our laws within our country, and we would not be able to deal with the reality of the 12 million undocumented workers who toil in America today.

So the comprehensive, bipartisan approach we have brought forward for consideration by the Senate is our best attempt at coming up with something that makes sense for comprehensive immigration legal reform in our country. I appreciate Senator KYL and his leadership, the leadership of many on the Republican side of the aisle as well as those on the Democratic side, who have said we are going to get the solution.

For those who say there is no solution to this issue or that we can wait 4 years to resolve it, they are wrong. We have it within our capacity and within the courage of the Members of this Chamber to get to a good conclusion on immigration for the United States.

I yield the floor for my friend from Arizona.

Mr. KYL. Mr. President, I compliment the Senator from Colorado, who frequently during the very difficult negotiations over the last several months was able, because of his legal skills and sunny personality, to bring contending factions together. I could not agree with him more that, as responsible public servants, we cannot allow this problem to continue to fester. Surely, working together in a bipartisan way, committed to fairness, justice, and a solution, we can come up

with a resolution of the problem that will work, as well as anything might work.

Our colleague from North Dakota said a moment ago that he disagreed with this bill and that we need to find a way, and he described pretty much what we are trying to find a way to do. He is right. Well, we have tried to find a way. It is just that not everybody agrees with exactly what we have come up with. One of the reasons for that is that if you are not part of the process of trying to reach a bipartisan consensus, you may have the idea you can get most of what you want without conceding anything to people who have a different point of view. The reality is that this is one of the most contentious, complex, emotional issues of our time, and no one is going to get 100 percent of what they think is the right solution. We are alleging we have to recognize that there are other points of view and that in order for us to be able to politically reach a decision, we might have to be supporting something that none of us like 100 percent, and that is certainly the case with me.

I wish to explain this evening a couple of things that came from my discussions with constituents during the time of the Memorial Day recess and why I agree with the Senator from Colorado that this is the time to try to tackle this very tough issue. I was asked by a reporter why I was doing this, especially since I voted against the bill last year. The answer is that last year I didn't have an opportunity to participate in the construction of the legislation the Senate voted on. By the time it came to the Senate floor, the die was essentially cast. We had several amendments we offered; some were accepted and some were defeated. It was not possible at that point to substantially change the legislation. I thought it was a bad bill and I voted against it.

It is also true that the situation in the United States, and in my State in particular, is getting worse every day. If you represent a State such as Arizona, on the border with Mexico, you simply cannot continue to ignore the problem, hoping it will go away or some magical solution will be developed that everyone can support. You realize you are going to have to get in there, fight like heck to do the best you can, and get the problems resolved, even though the solution is not going to be perfect from anyone's perspective.

Here is what is happening every day: Thousands and thousands more illegal immigrants are pouring across the border. We wish to stop that. We have crime and violence increasing at an unprecedented rate, much of it due to illegal immigration. The drug smugglers are using the illegal immigrants as decoys to try to get the agents to chase the illegal immigrants so they can bring the drugs across. Because the Border Patrol is getting much more effective at controlling the border now,

the violence is increasing because the people smuggling immigrants and drugs are finding their territory is now being contested by the Border Patrol. They are fighting back. They are fighting back with weapons, including large caliber weapons. This violence is a scourge not just at the border but on our society as a whole. We had a shoot-out on the freeway between Tucson and Phoenix, where two rival gangs were fighting over a load of illegal immigrants. Why? Because those illegal immigrants represented more potential income for whoever controlled them. They are essentially kidnapped and ransomed, and their families back in El Salvador, Mexico, or wherever they are from, are contacted and are told if they want their relatives to be freed, they have to pay additional money. As a result, a lot of money is paid and there is a lot of violence. The harm perpetrated on the immigrants—and, frankly, the harm perpetrated by some of the coyotes and smugglers and other criminals crossing the border—is infecting our State to an unacceptable degree.

Last year, over 10 percent of the illegal immigrants coming across the border from Mexico were criminals, people wanted for serious crimes. These are not just nice people wanting to work in the U.S., though that is far and away the majority of them. It is a national security problem. We don't know how many of these people may have terrorist inclinations. Many come from countries that are on the terrorist list. Again, between 10 and 13 percent, approximately, we know to be criminals. As a result, we have to do something about the problem.

I was mentioning to a reporter this morning—she said: What differentiates Arizona from a Midwestern or an Eastern State? Well, two things. The violence associated with this, first, has a deleterious effect, all the way from the people the violence is perpetrated on, to the court system which cannot handle it, to the jail system, to the social network that has to be established; all of this is enormously expensive and disruptive.

Secondly, I said, you have the problem of the environmental degradation, with thousands of people—millions over the years—crossing through into our State, and the impact on the desert environment has been dramatic. We have national monuments, parks, game refuges, military bases, Indian reservations, as well as private land and national forests right on the border.

With this many people coming across with very little regard for the impact on the environment, they have left thousands of tons of trash. They have cut fences. They have let water run. They have let animals run loose. They have threatened, in some cases, to hurt individuals. They have burned property. They have trashed the properties, as I have said, and they cut literally thousands of trails which will take thousands of years to revegetate. That is the least of the problems. But one

can see it in my State of Arizona, and I think anybody who says we shouldn't try to do something to stop that simply has no sense of responsibility, especially if they are in a position to do something about it, as we in the Senate are. That is what has motivated me to do something about this problem as best I can.

One can sit on the sidelines and complain about how bad the legislation is. One could say, as some of my colleagues have said, we need to find a way to do something to solve this or one can try to find a way and work with their colleagues on the other side of the aisle, do their best to come up with a consensus that has a chance of passing and being signed into law. That is what those of us who have worked on this legislation have tried to do. Is it perfect? No way. Are there many provisions in it I don't like? Absolutely. Or that my friend Senator SALAZAR doesn't like? Absolutely. But that is the nature of attempting to reach a bipartisan consensus.

I next wish to talk about what my constituents have told me in the last couple of weeks. It is very interesting that the same question keeps coming up over and over. In my campaign last year, it was the same question: Why do you think a new law will be enforced when the existing law is not being enforced? And that is a very good question because the truth is, neither the current administration nor the previous administration nor Congresses working with the administration nor the bureaucracies and people responsible for enforcing the law have done a good job of enforcing the law. One can argue that in some cases there hasn't even been a significant attempt to enforce the law. When we do attempt to enforce it, a lot of roadblocks are thrown in the way.

So it is a legitimate question: Why do we think this new law might be enforced when the current law is not being adequately enforced? Unless you can answer that question, you can't really support some new proposal, as we have here.

Before I answer the question, let me say something else. It is absolutely wrong to accuse the people who ask that question, who are skeptical of our ability to enforce a law and, therefore, skeptical of this new law, and call them bigots or restrictionists or nativists or leftwing or rightwing nuts or people who simply want to obstruct the process. The reality is, these are hard-working, tax-paying Americans who believe in the rule of law and are extraordinarily upset that their Government has let them down, and that is exactly what has happened—their Government has let them down. They have a right to be angry, and they have a right to ask the question: Why should we believe a new law is going to be enforced when the existing law is not being enforced?

Remember, I say to my colleagues, we work for them. They hired us. They

pay our salary, and they pay the President's salary and all of the people who work in the executive branch. They have a right to answers to these questions rather than having people suggest that because they may oppose what we are proposing, somehow or another we think less of them. I think a great deal of them, especially those people who disagree with me agreeably, such as one of my constituents with whom I spoke today. She said: I trust you, but I don't like this new bill which has been proposed. I appreciate the question she asked, which was the same one: How are you going to enforce it? So let me try to answer that question.

First of all, we understood that the experience of 20 years ago with the amnesty bill of 1986 demonstrated that unless we took enforcement seriously, we would end up with something unenforceable. So we tried to do that in this new legislation.

The first thing we did was to ensure that several new actions will be done for enforcement before any of the benefits accrue to people who are here illegally. That is a way of ensuring that at least some enforcement gets done. What did we do? We applied triggers. We said that until the following things are done, no temporary visa will be issued to an illegal immigrant in the United States. What are those things?

No. 1, we are going to increase the numbers of the Border Patrol. By the way, this isn't the end of it. We said 18,000, and an amendment has been adopted that says take it to 20,000, and that is great, and we will need more than that. Do you know what 20,000 Border Patrol agents represents, Mr. President? It is half the New York City Police Department. So if they have about 39,000 people on the New York City Police Department—and I don't know how many square miles that is, but we have 2,000 miles of border to Mexico, not to mention our northern border—I think one can appreciate probably 20,000 Border Patrol agents is not enough, but we at least get to that mark before any of those triggers are pulled.

We do the same thing with fencing. We have authorized 700 miles of fencing. We are going to have at least 371 of those miles completed before the trigger is pulled. We are going to have over 300 miles of vehicle barriers.

Incidentally, on fencing, there is a rumor, a myth out in the land that we only have 2 miles of fencing. We have over 80 miles of fencing, and it is being built several miles a day. I have seen it being built on the border near Yuma, AZ.

We will have something like 70 more radars, maybe more than that. I have forgotten the exact number. We will have four unmanned aerial vehicles. We have over 26,000 detention spaces, so there will be no more catch and release of people who are detained.

These are some of the items which will actually have to be done before the

trigger is pulled and a visa can be issued to an illegal immigrant, even a temporary visa.

In addition to that, we will have up and operating and ready to go the electronic employee verification system, or so-called EEVS. This was lacking in the bill in 1986. We had a requirement that employers check to verify the eligibility of employees. Mr. President, do you know what they had to check? A driver's license and Social Security card, which are counterfeitable and I think cost 30 to 35 bucks apiece, or about \$60 for the two of them, and employers can't hold them up to the light and say: This is a counterfeit and that one is real. We cannot expect employers to do that, as a result of which they suspect a lot of the people on their payroll are illegal immigrants, but they have the documents to prove they are legal, and the U.S. Government very seldom comes to audit them to check to see whether the people they hired are legal. Of course, we preclude them from asking insensitive questions that might violate their legal rights, such as: Are you an illegal immigrant? So employers are stuck in a catch-22 situation. That is the situation today.

For those who say we don't like the bill, I say, fine, do you want the situation where today we have a totally unenforceable employee verification system or would you like to see something like that which is in this bill put into place? It is very effective. It will require the Government to do the validating, not the employer.

The Government will have two different items to validate. No. 1, it is going to clean up the Social Security system and the database, and when an individual applies for a job, that database is going to be accessed with algorithms developed to ensure that not only do you ensure that the number which has been issued is a valid number issued to that person on that date but that it hasn't been used by somebody else for employment purposes or the individual hasn't died and so forth. So they can determine whether the Social Security eligibility is real.

Second, you can determine who the individual is. There is a variety of ways to do this. If you have a U.S. passport, that is the gold standard because the information is typed in and the real passport that was issued will then be displayed on the computer screen of the employer. All the employer has to do is match that with the passport the prospective employee has given them and determine if they are identical. If the photographs are identical, it looks like the individual in the photograph, that is him. If they are not, then that situation is noted and the individual cannot be employed. If it is a driver's license, a REAL ID Act driver's license, it is the same thing—the photograph has to match.

There is a system, in other words, that will be put into place that this time will not rely on the employer trying to determine the validity of the



document but, rather, having that document checked through the database of the U.S. Government or States in the case of driver's licenses or birth certificates, and the employer is able to verify that, in fact, is a proper document.

There are very difficult sanctions. If an employer violates this law more than once, it is a \$75,000 fine, as opposed to \$250 for a violation today. This is serious. And I think employers want a legal way that doesn't impose too big a burden on them to ensure the people they hire are, in fact, eligible to be hired. I think they will appreciate the speed and the ease with which this new system will allow them to determine eligibility of their employees. This will work so that the combination of strong border security and the inability to get a job if you are here illegally will reduce, we believe right down to the bare minimum, the number of people who shouldn't be here but are. That bare minimum, of course, is the criminal element—absconders, gang or terrorist members, and those people who have committed crimes. They are here today, and it is going to be much easier to find and catch them tomorrow if they are the ones on which we can concentrate. Instead of having to concentrate on 100 percent of the people who are here illegally, we can focus on that 15 percent or so we really want to catch. This is the second way in which we have anticipated we need to enforce the law.

Third, amazingly, in the 1986 law, you couldn't even prosecute someone for fraud if they told you they had been here for longer than 3 years or 5 years and it turns out they hadn't been. Last year, there was an attempt to amend the bill to at least allow people who made such fraudulent claims to be prosecuted, and that amendment failed. Needless to say, the ability to prosecute fraud is in this legislation.

There are many other ways in which we have sought to ensure this legislation, unlike the past, will be enforced.

I conclude this part of my remarks with this statement. Let me answer in another way the question about whether the law will be enforced. If you are unhappy with the status quo, if you don't like the way things are today, then why would you oppose a change that at least offers the prospect that the new law will be enforced when we know the old law is not being adequately enforced? If you say: Let's just enforce the current law, I ask you, with regard to the employee verification system I just discussed, how can you enforce a law that is inherently not enforceable? You can't prosecute for fraud, you can't check the status of prospective employees, you cannot hold an employer liable because you can't prove that person knowingly hired the illegal immigrant. You can't enforce the existing law at the workplace. We have to change the law. That is the whole point of this legislation. I think you have to argue that

the status quo is better than what this bill offers if you are going to oppose the bill.

Let me mention two other points since I see my colleague from New Mexico is in the Chamber. Like me, he appreciates the impact on our society of illegal immigrants who are imposing themselves, who are using social services, who are stressing our court system, and I appreciate the fact that the senior Senator from New Mexico has offered legislation to add judges so that we at least have enough judges to handle the cases that come before the courts.

A lot of our colleagues say that the problem with this legislation and the only reason they can't go along with it is that it represents amnesty. Of course, everybody has a different definition of what amnesty is. I don't think it is amnesty. It seems to me that arguing over whether something is amnesty or isn't amnesty is a dead-end argument.

The question is, What would you like to see done so it isn't what you don't like? I argue this: If merely allowing the illegal immigrants to stay here is amnesty, which is what a lot of my constituents have said they believe, then the status quo is amnesty because we are letting them stay here and we are not doing anything about it. So if your definition is the mere fact you allow them to stay here is amnesty, then I say, fine, you, too, are for amnesty. I am just trying to do something about it.

What are we trying to do about it? The first thing is that what we want to do is to ensure the people who came here illegally will appreciate that they did something wrong, they are going to have to pay a penalty for it, and for them to continue to stay, they are going to have to meet serious conditions of probation. They are going to have to say: I came here illegally; if you find I committed fraud or if you find I am ineligible for the benefits of this program in any way, I waive my right to contest that, in effect, and I am going to pay a fine, and I am going to be on probation, I am going to have to not violate the law, I am going to have to continue to work, if you are the head of the household. If you violate any of those conditions, you are going to have to go home, and so are your family members. If you want to stay here permanently, you are going to have to go home and apply like everyone else. You are going to have to get in line. You are going to have to pass an English test. And that is all simply to get a green card. After that, of course, if you want to be a citizen, you have to wait the 5 years and do the things necessary to become a citizen. That deals with the second point.

To me, one of the definitions of amnesty is this automatic path to citizenship. We have done away with that. In addition, we have established a merit-based system for green cards for those people who want them who are here illegally.

Finally, one of the benefits of amnesty is the ability to chain migrate your family. We have eliminated that in this legislation. You no longer have the right to chain migrate your family. By that, what we are talking about is to bring in the nonnuclear family, someone other than your spouse and minor children, simply because you are a green card holder or a U.S. citizen. We say: no longer. When this bill goes into effect, once the current backlog is cleared up, there will be no more chain migration of this nonnuclear family.

Incidentally, there was an error made in the description of our bill by one of our colleagues. The visa that will be issued to people illegally here today does not allow chain migration. In fact, it doesn't even allow the migration of your nuclear family, your spouse, or minor children, if they are in another country.

The last thing I want to talk about is the matter of the amendments we will have to deal with during the course of this next week. There will be a lot of amendments, some of which improve the bill. I know the Presiding Officer has an amendment which I think is a good amendment, and it doesn't in any way disrupt the basic agreement that was reached on a bipartisan basis but strengthens the bill. There will be many other amendments that either do or do not strengthen the bill, and we will have a chance to vote on them. We also understand there are some amendments which go right to the heart of the negotiation that occurred, to the agreements that were reached, and there are some Members in the Senate who, frankly, want to see them adopted because they do not want to see the bill passed. They know they are killer amendments, and they have been so dubbed, and I wish to illustrate what I mean.

We have a temporary worker program. We worked very hard to make sure it gave people an opportunity to come here temporarily to work and to return home. Any amendment that would allow them to morph into legal permanent residency and citizenship would convert that from a temporary worker program to a permanent worker program, and that would violate the basic understanding of the bill. We already have a permanent worker program.

Now, speaking of that, we were very careful to try to balance that permanent worker program, the so-called green card program, legal permanent residence, based on worker visas. We carefully calibrated that with family visas and the need for high skills versus low skills. We developed a merit-based system that establishes points for that and allocated the different visas for different groups. It would be a deal killer, a killer amendment, a breaking of the bipartisan agreement here if that is substantially altered. There is an amendment out there that would in fact substantially alter it by increasing by something



like 300,000 per year the number of green cards that would be provided for employers to dole out to their prospective employees, as a condition of employment, basically. This is not a green card applied for by the individual. This is a green card the employer applies for and says to a prospective employee from another country, if you will come work for me for 5 years and take substandard wages, I will give you a green card at the end of that 5-year period.

I remember studying in school the concept of indentured servitude. You come and work off your debt for 7 years and then you get to stay in the United States of America. It is not the same thing, but it is analogous. What we say here is we are going to make visas available for both the employee to apply for and the employer, and we are going to substantially increase the number of those visas. But we are not going to substantially increase it and then add another 300,000 on top of that. That would break the deal.

Moreover, that particular amendment goes right to the heart of some other reforms, reforms that I support, that the Presiding Officer supports, and would, frankly, undercut what we have tried to do here in terms of worker rights. To be real clear about it, we already have 150,000 green cards per year, most of which will go to skilled workers because of the merit-based system we have. In addition to that, we have created another 107,000 per year to clear up what we believe is a 5-year backlog for those high-skilled workers, those so-called H-1B workers, and we add another 240,000 at the end of 8 years when they are no longer needed for family purposes. We have a merit-based system, as I said, that will pretty much ensure these green cards go to the best and the brightest, the high-skilled people who will bring with them the kinds of things we need to compete in the global economy.

Another killer amendment has to do with the nonnuclear family migration, the so-called chain migration. We have decided that, even though some people would literally never get to this country with a family visa because the backlog is too long, we are going to allow about 4 million people to come into the country over an 8-year period. This is extraordinarily generous, and let me mention one country where I believe the backlog for our neighbor to the south, Mexico, is 176 years. You cannot argue that you have a reasonable expectation you are ever going to get a visa granted and get to the United States and have anything left of your life if the timelag before you could get it is 176 years. It is also long for many other countries. Nevertheless, we said if you had applied by May of 2005, you would be able to come into this country within an 8-year period. We had originally said 2004, because I believe in March of that year, the Department of Homeland Security sent a letter to everybody who was pending and said, look, we have stopped proc-

essing these applications because there is no reasonable expectation we are ever going to get to them. So if you applied after that date, especially if you are from one of these countries that has a long backlog, forget it, you are never going to make it here. Nevertheless, we said, we will allow you to come in during this 8-year period.

Well, there is an amendment that would move that date from May of 2005—remember, we moved it from March of 2004, in the spirit of compromise, to May of 2005—this amendment would move it 2 years forward to today, basically, for another over 650,000 applicants. These people have no reasonable expectation of ever coming into the country.

Finally, there is an amendment that deals with spouses and children. Both legal permanent residents and citizens are enabled to bring in spouses and legal children. If you are a legal permanent resident, there is a cap and there is some waiting period. It is not substantial, but it is a waiting period. This amendment would eliminate that difference between citizenship and legal permanent residence for the sake of bringing the nuclear family in. I think it is very important for us to retain the distinction. Citizenship has to mean something in this country, and one of the key things we think it means is being able to bring your spouse and minor children into the country when you want to do that.

My point in discussing these amendments is to make the point that as anxious as I am to solve this problem by getting legislation passed that we believe does offer the opportunity for enforcement to end illegal immigration, to end the employment of illegal immigrants, and to ensure that from now on people who are here are playing by our rules rather than someone else's rules, as much as we want to ensure this legislation can pass the Senate and the House and be signed by the President, we also appreciate the fact that it represents a consensus based upon an extraordinary amount of negotiation.

I go back to the point I made starting out. Nobody got 100 percent of what they wanted. We all made sacrifices in the sense that we agreed to things we didn't like. The end result was a bipartisan bill which I believe can pass. But if any of these other amendments are adopted, then many of us have made the commitment that we will no longer support the legislation. I certainly will not support the legislation, and I would do everything I could to get it defeated.

It seems to me unless there is a bipartisan consensus that represents a balanced bill that can pass both Houses and that the President will sign, we are simply engaging in an exercise in futility, and perhaps worse. So I want my colleagues to appreciate the fact that I am very anxious to support some of their amendments, that I will oppose others, but they need to come down

and get their amendments pending so we can get them voted on.

Again, there are some things which go right to the heart of this bargain, and many of the people who will support those amendments know that. I am sad to say one of the reasons they will be supported by some Members is precisely to kill the bill. I don't want to see the bill killed. I want to see the bill passed. As a result, I hope my colleagues will keep this in mind when we consider these various amendments.

Mr. President, I think there are other people here now who wish to speak to the bill, and I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I express my appreciation for the leadership Senator KYL has given to this Senate in so many different areas. I am normally one of his righthand guys, but on this deal, I can't be with him.

I don't agree that a small group of Senators can meet in closed meetings and reach a compromise nobody can amend. In fact, Senator BINGAMAN noted earlier today that he offered an amendment to change the temporary guest worker program. They said that amendment would be a deal breaker. But it passed with 74 votes. So we obviously ought to be able to amend this thing, and hopefully we will.

I will speak briefly, because my colleague from New Mexico, Senator DOMENICI, is here, and I will yield to him in a moment, but I will add a couple of things.

I do believe we need effective, comprehensive immigration reform legislation, and I support that. I was hopeful the legislation that was being discussed was based on the principles contained in the talking points utilized by members of the President's Cabinet and those Senators who were meeting to discuss the bill. Those principles struck me as being far preferable to last year's legislation, and I said publicly I was most intrigued by it.

I must say, however, that on reading the fine print in this legislation, I have concluded the legislation does not effectuate the promises and principles announced beforehand.

For example, they said this year we would have an effective trigger; trigger being proof that enforcement measures were in place before any amnesty would occur. That was defeated last year. The people this year assured us it would be in there. But reading the language on the trigger, it has very little teeth in it. It is trigger locked. It is not an effective trigger, and I have demonstrated that in earlier speeches.

They promised we would end chain migration and move to a merit system of immigration. However, for the next 8 years, the number of people entering under the chain-migration, nonskill-based status will increase dramatically, almost three times the current rate. Indeed, only after 8 years will the merit-based system have the kind of teeth I had hoped it would have immediately. But I would note that Senator

OBAMA has indicated he is filing an amendment to sunset the merit system and eliminate even that.

The temporary worker program gives me great concern because I am afraid it will not work. I also note it allows spouses and parents to visit. A spouse can visit a worker even if that spouse indicates they do not intend to stay in the country they are living in—the foreign country. So I am worried about how that will work. Who is going to apprehend those who don't return?

People who came into our country in the last 5 months, who got past the National Guard that President Bush called out, who got into our country December 31 of last year, will be given permanent status in this country. Those who are members of MS-13, an international gang, if they say they are a member of that gang but that they renounce the principles of that gang, will be able to stay and be given citizenship in the United States.

They said the bill would have greater emphasis on assimilation, because we all agree we need to do a better job of assimilating those who come to our country. I believe it is only mentioned once in the bill, and that is at page 300—something of the bill—almost the last page of the bill.

They said we would emphasize English much more. But under the bill, those who would be given amnesty won't have to produce any proof of English skills for 12 years.

They said there would not be a benefit of welfare. But the earned income tax credit will be given to people immediately upon their being given lawful status in the country; not a Z visa, even, but the probationary status. An average recipient of the earned income tax credit gets about \$1,800 a year, and that is not chickenfeed. It was designed to encourage work by working Americans, not to provide an incentive for people to come to our country illegally. The document that is required to enable you to prove you were here before January 1 of this year is simply an affidavit by someone. I submit that the Department of Homeland Security is not going to be able to check on those affidavits and we are going to have massive fraud. Indeed, most people, probably, who are working here today carry false documents of some kind or another. It certainly would not be difficult at all to obtain a false affidavit in that regard.

I have listed 20 loopholes or objections I have identified with the bill—actually, 25, and Senator BINGAMAN pointed out another one earlier today that we did not include in our list. There are many discrete, specific defects in the legislation. But the problem is that the defects and mindset behind the legislation indicate a lack of commitment to creating a lawfully enforceable system of immigration and indicate a lack of commitment to moving to a more skill-based system like Canada's—which system, I note to my colleagues, the Canadian system, was

favorably reviewed in a USA Today editorial yesterday. That absolutely should be a part of this legislation.

I salute my colleagues for working to move to a more merit-based system and for taking some steps that would be better from the enforcement side, but I have to say I believe it is not sufficient. I wish it were. It is not. We need immigration in America. We are a nation of immigrants. I do not oppose immigration. I just think we ought to create a system that serves our national interest, that allows talented people from around the world to apply and come here, those persons most likely to flourish in our system. It should serve our national interests and should be effective. I am afraid this bill is not.

I yield the floor.

The PRESIDING OFFICER (Mr. MENENDEZ). The Senator from New Mexico is recognized.

Mr. DOMENICI. Mr. President, I thank my good friend from Alabama for expediting his remarks. I did not get to hear all the speeches this afternoon, including the speech of my good friend Senator SALAZAR from my neighboring State of Colorado or even all of the speech made today by my very good friend from another of my adjoining States, Arizona, Senator KYL. But I heard a little bit of both of their remarks.

I came to the floor after hearing some of the speech of Senator KYL to tell him how I analyzed his work on this bill.

Senator KYL, I have known you ever since you have been in the Senate. As luck would have it, I can call you my junior. That is only because New Mexicans sent me up here a few years before Arizonans sent you. In no other respect would the use of that word be appropriate because you are a terrific Senator. It would have been a shame if you would have lost this opportunity, with your talent and your ability to convince people, to get the United States of America a new immigration bill.

I say to my junior friend from the State of Colorado, the same goes for you as far as your work on this bill. The same goes for Senator KENNEDY and the other Senators who were in the group who worked together on this bill. But since the two of you are here, I will use you as an example of all of those who decided they had enough and they were going to work until they had a bill.

Let me say that we are not elected to the Senate to handle easy problems, nor are we elected to the Senate to let other people handle problems and then argue that they didn't do it right, so we can be on the defensive all the time and argue against anybody who is trying to do something for the country. We were not elected for that. It happens that we have parties, so most of the time we choose up sides on bills and amendments.

Let me suggest to the American people who do not understand it—and I

don't say that in any pejorative sense—something good has transpired in the Senate with this bill. One of the worst problems we have is an immigration system that does not work. If there is anybody in the United States who believes the borders of this great, marvelous country are being policed so we can determine who comes in and who goes out—more significantly who comes in, of course—if they think we can do that, then they are living in another world. They are not talking about their home country because we have little border control yet. We know it in the State of Arizona, my State's neighbor, by just going out and looking. We know it in New Mexico because our Border Patrol agents tell us all the time that thousands of illegal immigrants have come across and thousands more are coming across and we can't stop them. That is because we do not have a comprehensive system, so we get them, they are sent home, and they come back. We arrest them inside the country, we tell them to come to court in 2 or 3 days, they never show up, and we never find them again.

The truth is, this great country has about reached a point where we have lost total control of our borders as to citizenry, occupancy, who raises their children here and what influence they have over our society. We have come very close to living under no border or immigration law.

For anybody who says to the Senate or to a Senator, either a media person or citizen, "we do not want this bill because we don't like this or that piece of it," let me ask them the question, Do you like what we have? Is that not the right question to ask, Senator? Do you like what we have? If you don't like what we are trying to do after months of work, do you really know what you are advocating for when you tell us don't do it and fax our offices and call us long distance? What you are asking us to do is do nothing.

We don't have anything effective. If you want us to not pass a law, you want us to do nothing and you want to leave us with nothing. You want to leave the people of the country open as to who can come to the U.S., how many can come, what they can do when they get here and what kind of opportunity we give them. Right now we do not know who they are, where they come from, or why we are doing what we are doing. That is exactly where we are today.

I say to Senators who will come here in the next few days and say: I looked at this bill with my staff, and they told me I had to have an amendment—I urge you be very serious about amendments. I know, better than most, you can make an argument that a few Senators, no matter how well motivated or how good they are, when they get together for months upon months and write a bill, they have not given everybody a chance, in the institution called the Senate, to participate. But I suggest if those people—led by Senator

KENNEDY, Senator KYL, Senator SPECTER and others—if they have produced something that is substantially better than our current laws, do you think there is anything else that is apt to make it through the Congress if this bill dies? Are we really going to go through this effort again next year? I think we are going to have to wait until there is a whole new group of Senators before we write another bill. So before you insist you are going to offer an amendment, even if it kills this bill, so you can exercise your senatorial rights, then I urge you give some serious thought to the proposition: Just so you can say you offered an amendment, do you want to kill a bill which is dramatically better than the laws we are living with, without question? Do you want to kill a bill about which many people who have analyzed it carefully say that if we provide sufficient resources, sufficient manpower, the strength we need and the law enforcement we need, it has a chance of securing our borders so people cannot come in unless they are supposed to?

What we are living under has no chance of providing the security we need. The laws cannot be enforced. The laws are not currently, with court interpretations and the like, endowed with the capacity to be enforced. The current law of the land cannot be enforced in a way that will sustain our borders. That is just not possible. So don't wish for us nothing. Don't say: Enforce our current law. There is no good law to be enforced. We have a bushel basket full of loopholes and of opportunities for people to obfuscate and get out of trouble through rules and regulations, so much so that our Border Patrol is so frustrated that they have been for years crying out to us to give them help. When they say help, they always say: Change the law. Fix the law so we can do what you want us to do. This is our chance to do that.

I went home for recess like most Senators. I did not travel overseas; I went home. I spoke at three editorial boards in three cities, and I then spoke to a couple of groups, such as the Hispano Chamber in Albuquerque, about 50 to 100 men or women were there. When I had time to answer questions on this bill and to explain its principal provisions, nobody stood up to challenge me, to say that it was bad, except one person who insisted that I was defining amnesty wrong. I ended up in an argument. Maybe I should not have done that, saying "it doesn't matter whether it is amnesty, here are the words describing what the bill does. Is there something wrong with this accumulation of words we put in the bill that says when somebody can stay here if they have worked for at least 13 years and then they apply for citizenship? Is there anything wrong with those words? If there is not, then we shouldn't worry about amnesty, whether we define it that way or not."

I believe there is no general amnesty in this bill. The minimum time you

must be here to become a citizen is 13 years under 2 different cards, a Z card and a green card. You must spend 13 years being a good resident—not counting how much time you spent here before getting a Z card—and paying fines along the way for violating the law, having to know sufficient English and sufficient civics. Is that amnesty? I thought amnesty was more like a gift. There is no gift here. You have to work and you have to learn and you have to pass an exam and you have to pay fines.

And the first thing undocumented workers have to do is get up from where they are, half incognito, and turn themselves in and have enough trust that the Federal Government is going to treat you right. That is the first thing the bill is going to do after securing the border. A lot of people are going to wonder about that. You are going to find out. We are going to put plenty of resources into that, going out and asking them to turn themselves in. Is that right? That is one of the first actions in this bill. Go to where they hide out, because they are illegal aliens, and ask them to come forward. They are not going to be illegal anymore. They are going to get a legal work card.

I worked on the immigration bill last year. It was not nearly as good as this bill. I have not worked as long as those who have worked the longest this year. I have worked long enough to be sure I have something here that I can tell my constituents is much better than what we have now. In fact, this bill has a real chance of controlling the borders. Once we have it passed, if we do not throw up our hands and abandon it but keep with it and enforce it and put the money into the equipment needed to do the work required, if we do all those things when we have this bill finished—and we are going to have to do that—we will have legislation we can be proud of. If we do that, I will be glad to say, in this year, in this month, I worked on and helped pass a bill in spite of many people being against it in the media—we passed something good for the American people from a set of facts that were difficult, from laws we had to amend, which had many special interests that made them difficult to change.

I will be saying in that month, this month, this year: We got it done. I will be very happy and very proud in the meantime, for those who are working on the bill—I have a lot of other things on other committees—but I stand ready to be of help wherever I can during the week. You can put me down as one who is ready to help.

Thank you very much.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. SALAZAR. Mr. President, first I want to make a comment about the process that has been underway on immigration. We sometimes think about what is the most important thing we

are given as Senators. What is the privilege we get to exercise on behalf of the American people in representing our States? We get to work on issues of enormous importance to civilization, to the United States, and to our respective States in this country. But one of the decisions that is made here by the majority leader is what kind of time is going to be allocated on what kinds of issues.

Well, this majority leader, Senator REID, said 2 months ago he would set aside May, some time in May, for us to deal with the issue of immigration. He did the right thing, because what he did is he held peoples' feet to the fire to deal with this issue that some people would rather not deal with at all. He said for us in the Senate, the 100 Members of this Chamber would be spending a significant amount of time in May and now into June dealing with this issue. But the amount of time we spent working on the issue of immigration goes far beyond the current effort we have on this bill.

Last year, through the Judiciary Committee hearing that lasted for weeks prior to a markup and then for almost a month here on the floor of the Senate, we labored hard day and night to come up with a comprehensive immigration reform package. When all was said and done, some 35 votes were cast on that legislation, and there were over 60 votes in the Senate to move forward with comprehensive immigration reform. That was a month of struggle in this Chamber, trying to come up with a solution to deal with the very significant challenges we face with immigration.

The group that has been working with Senator KENNEDY, Senator KYL, Senator SPECTER, the Presiding Officer, and others who have spent so much time in trying to come up with a comprehensive bill that would allow us to deal with this issue and move it forward worked very hard over the last several months. So we have been on this legislation for a very long time. We were on this legislation for all of last week. There were 13 amendments that were made to the legislation during the week we had on this legislation last week.

At this point there are 14 pending amendments. We hope we will begin to vote on those amendments tomorrow morning and will continue through the rest of the day and through the rest of the week. It is my hope at the end of the day we will have an immigration reform package that is adopted by the Senate, and will then move forward.

I wish to make a comment on one of the attacks that has been made on this legislation by many Members around the country where they said what we are trying to do is give people amnesty. Well, when I looked up the definition of amnesty in the Merriam Webster online dictionary, it says essentially amnesty is a pardon. Amnesty is a pardon.

This is not a pardon. What we are calling for in this legislation is a far

cry from a pardon. This is a probationary status people are being put in.

I come from a law enforcement background. I spent 6 years as attorney general. I helped put thousands and thousands of people behind bars. I prosecuted gangs and white-collar crime, and made sure that murderers were serving their time in the prisons of my State. That is a part of what I did as a prosecutor, as a member of law enforcement.

In law enforcement we say: If you do the crime, you got to do the time; you got to pay the fine. Well, what is it we are asking people here to do? We are asking them to do a tremendous amount of work and activity to demonstrate that they are, in fact, entitled at some point down the road to a green card.

The first thing you are asking people to do under the new program we are setting up is that they have to come out of the shadows into the sunlight of society, and to register with the Government. That is not a requirement we make of any citizen in the United States, but it is a requirement we are going to make to have undocumented workers here in America, that they have to register with the Government and they have to do that and then go into a probationary period that is going to last for a very long period of time.

At the time they register, they have to pay a fine. Now, it is not a \$5 fine, a \$25 fine, a little slap on the wrist. You are talking about an accumulation of fines and processing fees and impact fees that at the end of the day is probably going to be somewhere in the neighborhood of \$7,500 to \$8,000 per person.

At the time they pay their penalty, they have to pay \$1,000. After they pay their penalty of \$1,000, they have to pay \$1,500 dollars to get their Z card application, and then 3 years later they have to pay another \$1,500, at 8 years of going through this purgatory where we require them during those 8 years to take English classes, to make sure they stay out of trouble with the law, to make sure they are gainfully employed. If they survive that 8-year period of purgatory, at that period of time they have to pay an additional amount of money in order to get their green card.

When you add up all of that money they have to pay, you are talking about somewhere in the neighborhood of \$8,000. That is not amnesty. That is people having to pay a very significant fine and take on a very significant number of affirmative actions that ultimately, after waiting for a period of 8 years, might qualify them to get a green card.

For those who cry the word "amnesty" when we talk about immigration reform, they are continuing to play into the hands of those who want to make a political debate with no end. They believe if you label people who are for comprehensive immigration re-

form with the word "amnesty," somehow it will never get done. That is the do-nothing crowd. In fact, that is what happened in the House of Representatives last year, when in this body, in a bipartisan vote, Democrats and Republicans coming together, passed comprehensive immigration reform. The other body, the House of Representatives, then decided they did not want to take it up—not because of the national security issues that are at stake; not because of the economic security issues which might be dealt with in this legislation; not because of the human and moral issues which are at stake in the immigration reform debate, they did not want to take it up in the House of Representatives, the then Republican majority did not want to take it up in the House of Representatives simply because of the fact that they thought it was their trump card to keep the majority in the November elections.

So those who parade around the country with the shrill cry of "amnesty" are doing the American people a great disservice. What they are doing is they are playing politics and having politics trump the national interests. The national interests, which we are trying to serve in this legislation, to me are important, fundamental, simple, but they are interests which we cannot escape as the leaders of this country.

They are first securing our country. We came here as Members of the Senate because we want to protect America. We all say we want to protect America. Well, what more can we do to protect America than to make sure the borders of our country are, in fact, being secured? This legislation we now have in this Chamber will, in fact, secure our borders.

Those of us who come here to the Senate also say we need to do something to enforce our laws. One of the values we have as the people of America is we say we are a nation of laws.

What makes us different today than the circumstances we see happening in places such as Iraq, such as Lebanon, and other places? What makes us different here in the United States of America is we are a nation of laws. We enforce our laws. We pass laws here in the Senate, the House of Representatives, that are signed by the President, and then we have an executive branch that enforces the laws of America.

Well, they haven't been enforced very well. In fact, I think in the last several years we have seen the lowest number of enforcement cases that have been taken against employers who have hired people who were not authorized to be in this country.

What we have set up in this legislation is a program that will, in fact, make sure we are enforcing the laws of our Nation, and that that value of being a nation of laws is something we can celebrate.

Certainly the legislation before us as well deals with the reality of the 12

million undocumented workers who are here. We deal with the other issues that are part of the economic challenges we face in America. The 12 million people who are here working with undocumented status are providing very valuable assistance to the American people.

For every American who is watching the debate on immigration, they ought to ask themselves: Who is it that is cleaning your yard? Who are the landscapers of America today? Who is it that is working out in the meat-packing plants making sure you have the meat and produce that ends up on your table for your evening dinner? Who is it that is working out, in resort areas, making sure that not only your landscaping is being taken care of but the needs of your household are being taken care of? Who is out working in the homes of America making sure that the children of America are being taken care of? Who is it out there in America today making sure that the nurses' aides working in homes of Americans taking care of our elderly are there?

Many of them are the undocumented workers of America. Most of those people today live very much in the shadows of our society. They live in the shadows of our society. They often are subject to exploitation. Often when they come from whatever country, they are subject to the kind of exploitation that is very un-American. What we are trying to do is move our immigration system from a system that does not work, from a system that is a system of lawlessness, of broken borders, to a system that is a lawful and orderly program for immigration in our country.

At the end of the day, my hope is as we debate the issues on amendments the rest of the week, that we in this Chamber, in this Senate, will move forward and we will say we are going to move with an immigration reform legislation that will address the issues of national security, that will address the economic security issues here in our country, that realize the human and moral issues that are very much at stake.

Let me conclude, before I yield to my colleague from Arizona, by reminding people about the moral issues which are very much at the heart of this debate issue. Last year when we opened the debate on immigration reform in the Senate, Senator MCCAIN, who has been an advocate for comprehensive immigration reform, talked about the number of people who had died in the desert in his State. He said at the time there had been 400 people who died in 2004. I believe 600 people died in 2006. He said: These are not just statistics; those are people who were found dead in the desert.

If I remember correctly, he talked about a young mother who was found dead in the desert holding her child, who also died, in her arms.

In my own church in the State of Colorado, our archbishop, Archbishop

Chaput, has often spoken out about the moral issues which are at stake with respect to the immigration debate. He wrote a column that was widely published in the Catholic Register last year which he titled "Dying to Live." What he meant to say in that title, what he said in his article, is that people who are coming here to live the American dream were actually dying in our deserts as they came here to live the American dream.

It seems to me what we can do as a Senate, working with the House of Representatives, working with the President, is come up with a system of law and order that will give people an understanding of how our immigration system works, that will make sure our borders are secure, that will make sure we enforce our laws in the United States of America, and that will make sure we end the immorality that has been very much a part of our system of lawlessness and chaos we have made with immigration in our country.

I hope my Democratic and Republican colleagues will help us move forward as we address amendments through the rest of the week and to produce legislation that we can move forward to the House of Representatives.

I yield the floor.

The PRESIDING OFFICER (Mr. WHITEHOUSE). The Senator from Arizona.

Mr. KYL. Mr. President, I compliment the Senator from Colorado. He has correctly pointed out that there are moral, humanitarian, judicial, and fairness dimensions to this debate. The stories of people dying in the desert are well known to Arizonans because we are coming into the hot time of year. That is when it begins to hit home that there are people who, because of desperation on their part, seek to cross the desert, which is difficult under the best of circumstances, and they are frequently ill-prepared. The coyotes take advantage of them. They take their money and send them on their way without adequately preparing them to cross. The stories are heartbreaking, and there is a great deal of other crime—sexual assaults and other kinds of crime—that is perpetrated on people and has to stop. The best way to stop it is to get the border secure, find a legal way for people to come here, and help them to realize their dream.

People say we are a nation of immigrants. We are also a nation of laws. One thing that distinguishes us from other countries is that we have respect for law. I always use the example of the intersection on the street. When you have a green light and you drive through, you don't think about it. You know that because other people respect the law, you can drive through the intersection without worrying that someone else is going to run the red light and hit you. It is very rare that happens. Because we understand and respect law in our society, when we see law that is not enforced, we begin to

wonder whether we are a society of law, and some people decide it is OK for them to begin to break the law in little ways. It is corrosive, when you drive down the street you see people whom you presume to be illegal immigrants congregating around a hardware store, looking for work in the morning, or you hear stories about people being picked up.

It is, frankly, hard to fool the American people. They know there are millions of illegal immigrants employed in the country today, and they don't like it. They don't like the fact that we can't control the border. It is corrosive to respect for the rule of law.

They say: Gee, it is nice not to be able to pay your taxes. Maybe I would like not to pay my taxes, too.

You don't want American citizens beginning to think the Government doesn't care about enforcing the law and that they should begin to disrespect and therefore not abide by the law. Yet that is exactly the kind of attitude that crops up when the Government is not careful about enforcing the law in a fair and just way.

Unfortunately, we have a law today that is not easy to enforce. It requires employers' cooperation in ways that make it very difficult. One of the reasons we need to work our hardest to pass a new bill is so that we have a law that can be enforced. It will be up to us and to the administration, whatever administration is in power, to see to it that it is enforced, but at least it has to be something we can work with.

When those who say: Let's just let the situation be by enforcing the laws today, that is the answer to the problem, my response is, the law today is very difficult to enforce and, as a result, we have to change it. That is one of the reasons for adopting a new law. Getting back to respect for the rule of law and recognizing the humanitarian aspects of this are two of the things that are not discussed enough.

I appreciate the Senator from Colorado bringing them up.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I rise to respond to a couple of suggestions proffered before the Senate as it relates to those Senators who have amendments to offer to the comprehensive immigration reform legislation. I am compelled to do so because the way they are characterized ultimately determines what should be a clear process of what is the greatest marketplace of ideas, the Senate.

The first item that I have heard several times is the suggestion that certain amendments are killer amendments. When one of our colleagues, particularly those who were part of constructing the bargain, suggests that a certain amendment is a "killer amendment," a killer amendment where the intention, the purpose, the main goal is to kill the legislation before us because they don't like it and they don't want to see it pass, maybe

they are a part of the universe who believes we should just seek to deport everybody in the country, 12 million people, the greatest deportation in the history of mankind. Maybe it is those who believe we should spend \$250 billion in order to accomplish that. But, regardless, there is a universe of individuals that clearly does not like this bill or the idea of comprehensive immigration reform, and they seek to have amendments that would in essence destroy the essence of the legislation.

I am chagrined to hear my distinguished colleague from Arizona, in a listing of amendments, suggest that my amendments on family reunification are killer amendments. I didn't know that family reunification rose to the level of being a killer amendment because unlike some of our colleagues who last year opposed comprehensive immigration reform, I was here advocating for and casting votes for final passage of a comprehensive immigration reform bill. Yet some who come to the floor now and suggest that certain amendments are killer amendments weren't there last year for comprehensive immigration reform. I do want to see comprehensive immigration reform. I worked for it last year and voted for last year's version. I spent countless hours in negotiation sessions this year to try to achieve a bill that I could support.

It is still my fervent hope that we will pass a comprehensive bill, one that is tough but also smart; one that provides security at our borders north and south because it is amazing to me how in this entire debate we never hear about security at our northern border. Yet last year approximately 50,000 people came across the northern border. I guess we are not worried about those people. But we do focus a lot on the southern border. We forget that the millennium bomber came through the northern border. There must be something about that northern border that is OK. The southern border is a little bit of a problem. I don't know what it is, whether there are different people crossing those different types of borders, but they are still crossing in an undocumented fashion. So I am for security at the northern and southern borders.

I am also one who understands, in terms of the comprehensive nature of this bill, the economic realities of our country; that it helps fuel our economy and drives it forward, and also to stop human trafficking, the use of people enslaved for certain purposes and exploitation. I want to know who is in America to pursue the American dream versus who is here to destroy it. That is real security.

In the pursuit, I heard a lot about the rule of law. I am for the rule of law. But how does the rule of law get promoted when we say to a U.S. citizen who has applied for their family member waiting abroad, waiting their time, following the rules, obeying the rule of law, that, in fact, they have an inferior

right to someone who did not follow the rules, who did not obey the law, and who ultimately will receive a benefit superior to that U.S. citizen who is claiming their family member and waiting under the law and pursuing the law. I think it sends the wrong message about what the rule of law is all about.

Our amendment very simply says a U.S. citizen claiming their family member waiting under the legal process, waiting abroad, that their right should not be snuffed out like that under this bill in May of 2005, when those who have crossed the borders of our country through a process that is unchecked, undocumented, get a benefit January 2007. Break the law, you get a benefit January 2007; follow the law, the rule of law, obey it, your right is snuffed out in May of 2005. I think if we want to send a message about the rule of law, what we want to do is ensure that we put on an equal footing the right of a U.S. citizen claiming their family member, obeying the law, to give them the same opportunity as those who have not. That is what our amendment is all about. Killer amendment? Family reunification, rule of law, following the rules, a killer amendment?

I have heard a lot about family values in my 15 years in the Congress. It is interesting. The voices of family values don't have the same values when it comes to this issue. Clearly, this vote will be a test of those who say they are for strengthening families, for bringing families together, for understanding the very essence of how strong families make for strong communities, of how we want to bring families together. Family reunification is at the core of the amendment I have offered before the Senate and that I believe we will be voting on tomorrow.

I believe it is a false choice to suggest that this legislation cannot move forward and that, in fact, we will have a killer amendment simply because we want to give a universe of people who have obeyed the law, followed the rules, sons and daughters, mothers and fathers, children of U.S. citizens, a chance over time to be able to come in. It seems to me that is a false choice.

It is also a false choice, under the new point system that is being devised for future immigration, that this new point system, in which there is 100 points maximum score, well, yes, we need new workers who will be highly skilled. I believe we can reconcile that need. I am hoping that we will actually do a much better job of educating Americans who will be able to be the engineers, the scientists, the researchers, and developers; those in the new technologies who will fuel America's prosperity. But while we move toward making that a reality, sure I am for saying that, OK, we are going to subscribe a series of points toward those people who have the skills. But must it be largely at the exclusion of family reunification? Is there no significant value to the idea that when you have

someone come that their family members are ultimately a significant part of the strength and vitality of the country, of the success of those individuals on behalf of the country?

Servicemembers, who are not United States citizens or were not United States citizens, in different branches of the Armed Forces of the United States, who were worthy of wearing the uniform of the United States, worthy of fighting for the United States, worthy of being injured and shedding blood on behalf of the United States, but not worthy—not worthy—of being able to claim their family members? Is that what our values have come to?

I believe under both our amendment that offers the opportunity for U.S. citizens to claim their family members and Senator CLINTON's amendment, which I have cosponsored with her, to have U.S. permanent residents to be able to claim their family members, if you are worthy to fight, then you are worthy to claim your family members.

It seems to me, isn't family worth 10 or 15 points in the 100-point system—and not with a barrier that says: Well, you get some points only if you reach a certain numeric number, and then the family is worth something. No. Families are worth something, it seems to me, from the very beginning, the very get-go.

In the 100-point system, 10 or 15 points is not worth going toward family? I think it is. If you are worthy of serving, you are worthy of claiming your family members.

Here is someone who served his country exceptionally well, I believe: Colin Powell. He served his country both as Chairman of the Joint Chiefs of Staff and as Secretary of State. Under this system we are debating in the Senate, his parents would not have made it to America and he would not have served the country as well as he did. We are talking about the future Colin Powells, as we debate this legislation today.

GEN David Petraeus is right now leading our efforts in Iraq—a different challenge. Under this legislation, his parents would have likely not have made it to this country and his service would not have been realized. We are talking about the future General Petraeuses.

Under this bill, the person who discovered the polio vaccine, Jonas Salk, and eradicated polio—his parents would not have made it to this country and we would not have been the beneficiaries of his genius. He would not qualify with that high-tech percentage and certainly would have gotten very little for family reunification as it is presently constructed. If he happened to be among those family members now being claimed by a U.S. citizen after May 1, 2005, he would be out of luck, his right to be here would have been gone, and we would have lost one of the great scientists of our time.

Thomas Edison. His is the effort that in fact has made this Chamber light up, our homes light up, our businesses

light up. I am particularly proud of Thomas Edison, of Menlo Park, New Jersey. Under this bill—if we do not change it by that which are being described as killer amendments—we would not have had a Thomas Edison because his parents would not have qualified under this bill.

Bob Hope. He went across the globe making sure our service men and women—who were giving of their all—were entertained. He brought laughter to us. He brought laughter to them in some of the most difficult theaters in the world. Under this bill, it is likely we would not have had Bob Hope as a national treasure.

So it seems to me when I listen to the suggestion that amendments on family reunification, particularly those upholding the right of a United States citizen today, who has filed for his family member—and where that right has been snuffed out, yet someone who crossed the border illegally and did not wait their turn, follow the rules, and obey the law has a better position—that is not about the rule of law.

The second set of propositions I want to talk about—and I spent a lot of time with these Senators, and I appreciate enormously the work they did. I really do. I think there are many aspects of this bill that are very good. Certainly, the security aspect is out there, big time. There are a lot of elements of the security aspect of this bill.

There are aspects that certainly recognize the economic future of our country. There is certainly finding a pathway to earned legalization—and it is earned legalization. It is not amnesty. Amnesty is something for nothing. This is certainly not something for nothing. As a matter of fact, under this bill, if you happen to have a family of four in an undocumented status, by the time the process is finished, it costs you nearly \$29,000, \$30,000.

I was looking at the Federal Criminal Code. You can commit crimes on narcotics trafficking, you can commit crimes on possession of weapons, you can commit a series of crimes that have, as a maximum fine, \$5,000. This is a civil penalty, and yet we are going to have people doing some of the harder jobs in America and their families of four paying about \$29,000. That is not amnesty.

But even though I respect the incredible work of those 12 Senators who finally agreed to move forward with the bill we are debating today, 12 is not 100. It is not even a majority. No one has a monopoly on how to best provide for comprehensive immigration reform. Proponents say this now: that family reunification amendments are killer amendments or that any set of amendments may be killer amendments. But at the end of the day, when it does not go to the heart of security, does not go to the heart of employment verification, does not go to the heart of Border Patrol, does not go to the heart of employment verification, does not



go to the heart of even a new system for determining who comes into the country under a new point system, does not go to the heart of violating the rule of law—but, in my mind, promotes the rule of law—I find it difficult that anyone can say those are killer amendments.

They may suggest it now in this context, but I am sure there will be a future piece of legislation in which they will be arguing on the other side, saying that as well intentioned as 12 Senators may be, it is not, in fact, even a majority of the Senate; it certainly is not 100.

This is the Senate. It represents, collectively, 300 million Americans. That means all of us come together on behalf of the Nation's collective will, its collective purpose, and its collective common good.

Now, in that respect, the bottom line is, when you have amendments that do not go to the heart of security, employment verification, Border Patrol, that do not go to the heart of the ability to follow the rule of law, that do not go to the heart of the very essence of worker protections, that do not go to the heart of employment verification, do not go to the heart of the undoing of the balance in the earned legalization system—my God, we are talking about people who are waiting under the law to come to the country in a legal process.

So I have to take strong umbrage to the suggestion that there is somehow a monopoly on how to provide for comprehensive immigration reform, and particularly when amendments that are being offered by some of us on family reunification are suggested to be killer amendments.

I want to see comprehensive immigration reform pass. A killer amendment is offered by someone who wants to see it not pass. I did not dedicate all this time and effort to try to change one of the Nation's critical challenges in a way that can be tough, can be strong, can be smart, can provide for our security, can fuel our economy, and, at the same time, end human trafficking, exploitation, and bring people out of the shadows into the light—to know who is here to pursue the American dream versus those who are here to destroy it—I did not spend all that time to try to kill legislation. I am seeking to improve it.

I hope our colleagues, who travel across the country and talk about family values, are going to join us tomorrow on that amendment. This institution is the greatest marketplace of ideas. That is what the Senate is about. It is in the clash of ideas that we hopefully come together and provide some of the best possible solutions to some of our greatest challenges.

I hope the amendments we are offering in that respect are not categorized as killer amendments but they are categorized as ideas within this marketplace to improve this legislation in a way we can all be proud of.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. SALAZAR. Mr. President, I commend my good friend, the Senator from New Jersey, BOB MENENDEZ. Since he has been in the Senate, he has brought a passion and a voice of reason to so many issues. It is a delight to have his voice heard in the Senate.

In every way, each of the 100 Members of this Senate brings our own personal history and our own personal perspectives to this debate on immigration. The Senator from New Jersey brings a tremendous sense of practical experience and personal knowledge, and a sense of how immigration has affected his family and his parents and his community in a way, perhaps, that is very unique in this Chamber. His contributions to the whole debate on immigration reform—not only here in the Senate this year but throughout his entire history in public service—are something we all very much appreciate. We hope to be able to work with him as we move forward and try to get to a final conclusion on this bill. His comments are comments which are not only eloquent, they are comments which are very much heartfelt by me and others in this Chamber.

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

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

Mr. SALAZAR. Mr. President, we continue to make significant progress as we move forward to getting to some final votes on this legislation.

Last week, we disposed of 13 amendments. In comparison, last year, there were approximately 35 amendments throughout the entire debate on comprehensive immigration reform. So last week we accomplished disposing of 13 significant amendments to the immigration reform legislation before us.

The unanimous consent request I will propound in a second will add an additional four amendments to this legislation.

AMENDMENTS NOS. 1167; 1163; 1238; AND 1166, AS MODIFIED

With that, Mr. President, I ask unanimous consent that it be in order to consider en bloc the following amendments, that they be considered and agreed to en bloc, and that the motions to reconsider be laid upon the table en bloc: Cantwell amendment No. 1167; Alexander amendment No. 1163; Cornyn amendment No. 1238; and Grassley amendment No. 1166, as modified with the changes at the desk.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendments were agreed to, as follows:

AMENDMENT NO. 1167

(Purpose: To authorize the Attorney General to carry out a program, known as the Northern Border Prosecution Initiative, to provide funds to northern border States to reimburse county and municipal governments for costs associated with certain criminal activities, and for other purposes)

At the appropriate place, insert the following:

**SEC. \_\_\_\_ NORTHERN BORDER PROSECUTION REIMBURSEMENT.**

(a) **SHORT TITLE.**—This section may be cited as the “Northern Border Prosecution Initiative Reimbursement Act”.

(b) **NORTHERN BORDER PROSECUTION INITIATIVE.**—

(1) **INITIATIVE REQUIRED.**—From amounts made available to carry out this section, the Attorney General, acting through the Director of the Bureau of Justice Assistance of the Office of Justice Programs, shall carry out a program, to be known as the Northern Border Prosecution Initiative, to provide funds to reimburse eligible northern border entities for costs incurred by those entities for handling case dispositions of criminal cases that are federally initiated but federally declined-referred. This program shall be modeled after the Southwestern Border Prosecution Initiative and shall serve as a partner program to that initiative to reimburse local jurisdictions for processing Federal cases.

(2) **PROVISION AND ALLOCATION OF FUNDS.**—Funds provided under the program shall be provided in the form of direct reimbursements and shall be allocated in a manner consistent with the manner under which funds are allocated under the Southwestern Border Prosecution Initiative.

(3) **USE OF FUNDS.**—Funds provided to an eligible northern border entity may be used by the entity for any lawful purpose, including the following purposes:

- (A) Prosecution and related costs.
- (B) Court costs.
- (C) Costs of courtroom technology.
- (D) Costs of constructing holding spaces.
- (E) Costs of administrative staff.
- (F) Costs of defense counsel for indigent defendants.
- (G) Detention costs, including pre-trial and post-trial detention.

(4) **DEFINITIONS.**—In this section:

(A) The term “eligible northern border entity” means—

(i) any of the following States: Alaska, Idaho, Maine, Michigan, Minnesota, Montana, New Hampshire, New York, North Dakota, Ohio, Pennsylvania, Vermont, Washington, and Wisconsin; or

(ii) any unit of local government within a State referred to in clause (i).

(B) The term “federally initiated” means, with respect to a criminal case, that the case results from a criminal investigation or an arrest involving Federal law enforcement authorities for a potential violation of Federal criminal law, including investigations resulting from multi-jurisdictional task forces.

(C) The term “federally declined-referred” means, with respect to a criminal case, that a decision has been made in that case by a United States Attorney or a Federal law enforcement agency during a Federal investigation to no longer pursue Federal criminal charges against a defendant and to refer the investigation to a State or local jurisdiction for possible prosecution. The term includes a decision made on an individualized case-by-case basis as well as a decision made pursuant to a general policy or practice or pursuant to prosecutorial discretion.

(D) The term “case disposition”, for purposes of the Northern Border Prosecution



Initiative, refers to the time between a suspect's arrest and the resolution of the criminal charges through a county or State judicial or prosecutorial process. Disposition does not include incarceration time for sentenced offenders, or time spent by prosecutors on judicial appeals.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$28,000,000 for fiscal year 2008 and such sums as may be necessary for each succeeding fiscal year.

AMENDMENT NO. 1163

(Purpose: To establish an award to recognize companies for extraordinary efforts in English literacy and civics)

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . PRESIDENTIAL AWARD FOR BUSINESS LEADERSHIP IN PROMOTING AMERICAN CITIZENSHIP.**

(a) **ESTABLISHMENT.**—There is established the Presidential Award for Business Leadership in Promoting American Citizenship, which shall be awarded to companies and other organizations that make extraordinary efforts in assisting their employees and members to learn English and increase their understanding of American history and civics.

(b) **SELECTION AND PRESENTATION OF AWARD.**—

(1) **SELECTION.**—The President, upon recommendations from the Secretary, the Secretary of Labor, and the Secretary of Education, shall periodically award the Citizenship Education Award to large and small companies and other organizations described in subsection (a).

(2) **PRESENTATION.**—The presentation of the award shall be made by the President, or designee of the President, in conjunction with an appropriate ceremony.

AMENDMENT NO. 1238

(Purpose: To increased the authorization of appropriations for the Border Relief Grant Program)

On page 26, line 27, strike "\$50,000,000" and insert "\$100,000,000".

AMENDMENT NO. 1166, AS MODIFIED

(Purpose: To clarify that the revocation of an alien's visa or other documentation is not subject to judicial review)

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . JUDICIAL REVIEW OF VISA REVOCATION.**

(a) **IN GENERAL.**—Section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)) is amended by striking "There shall be no means of judicial review" and all that follows and inserting the following: "Notwithstanding any other provision of law, including section 2241 of title 28, United States Code, any other habeas corpus provision, and sections 1361 and 1651 of such title, a revocation under this subsection may not be reviewed by any court, and no court shall have jurisdiction to hear any claim arising from, or any challenge to, such a revocation, provided that the revocation is executed by the Secretary."

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall—

(1) take effect on the date of the enactment of this Act; and

(2) apply to all revocations made on or after such date.

Mr. SALAZAR. Mr. President, I would note that with the adoption of those 4 amendments, when you add them to the 13 amendments that were added to this legislation last week, we have now acted on 17 amendments that

have been proposed to the Senate. We have a number of other amendments that are pending, and we encourage our colleagues to come forward with other amendments they may also have. We are also ready to move forward to schedule votes on additional amendments beginning tomorrow morning.

Mr. President, I ask unanimous consent that on Tuesday, June 5, when the Senate resumes consideration of S. 1348, the immigration legislation, that the time until 11:50 a.m. be for debate with respect to the Allard amendment No. 1189 and the Durbin amendment No. 1231, with the time to run concurrently on both amendments and divided as follows: 10 minutes each, the majority and Republican managers or their designees and Senators Allard and Durbin; that no amendments be in order to either amendment prior to the vote; that the amendments be voted on in the order listed here; that upon disposition of the Durbin amendment, the Senate stand in recess until 2:15 p.m. in order to accommodate the respective party conference work periods; that there be 2 minutes of debate equally divided prior to the second vote and that the second vote be 10 minutes in duration, with no further intervening action or debate.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. SALAZAR. Mr. President, let me make a closing comment prior to adjourning the Senate for the day.

We begin our work on immigration reform legislation in this time after the work period for Memorial Day. We have a lot of work ahead of us in this week ahead. It is my hope we will be able to work together to get to a position where we will have a final vote in the Senate this week on immigration reform legislation.

We will hear, as this week continues, many personal stories about immigration, how the families of some Members of the Senate came into this country from different places. You will hear the stories which often tell us of immigration which has made us a rich country. I am sure we will hear the story of Senator DOMENICI and his parents and how his parents and his grandparents came to this country as immigrants—illegally at one point—and became part of the American dream. You will hear lots of those dreams told here as we deal with the issue of immigration reform.

For me, the issue of immigration is an important one for a lot of different reasons. Today, it is a very important issue for us because of the national security issues which are at stake. Unless we are able to fix our broken borders, I don't think any of us can say we are truly advancing the ball of national security for our country. The Presiding Officer knows well that as attorney general, the members of the law enforcement community hold ourselves up with pride to say we are different from other countries around the world

because we honor the fact that we are a nation of laws and we uphold those laws in our country. That is integral to making this the great democracy we have in our country. So it is very important for us to move forward because we need to uphold those values which are so fundamental—the value of national security, the value of upholding a nation of laws. Those are fundamental values.

For me, the issue of immigration reform also has some history in my whole family because my family did not immigrate to this country as is often thought about with respect to many of the immigrants we have here in the United States, families who came here in the last generation or the last 100 years. My family settled the city of Santa Fe, NM, in 1598. That was some 409 years ago. It was a time when, for the next 250 years following 1598, the part of the Southwest which is now northern New Mexico and southern Colorado was in the hands of the Spanish Government through 1821 and under the sovereignty of Mexico from 1821 until 1848. So for 250 years, my family farmed and ranched on the banks of the Rio Grande River in northern New Mexico and the southern part of Colorado and were very much a fabric of that landscape of the Southwest, very much a fabric of those non-Native American settlers who came and who found the great American dream to be a true dream in the United States in later years.

In 1848, the treaty between the United States and Mexico was signed and Mexico ceded the northern part of its territory to the United States of America. At that time, those generations who came before me and my family were given a choice—a choice to become American citizens under article 10 of the Treaty of Guadalupe Hidalgo or, in the alternative, they could move some several hundred miles to the south to what had been a new border that had been created, now several hundred miles along the Rio Grande River, about 400 miles to the south of Santa Fe, NM, some 500 miles to the south of where our current ranch resides.

At that time, my family, like many families of the day and in other generations as well, made the decision that they would stay. They would stay because they knew that this land was their land and those communities were their communities, that those landscapes were their landscapes and that they would make it their home.

So for the generations in southern Colorado and northern New Mexico since 1848 until today, they continued to contribute greatly to the American dream in many different ways.

In my own case, many members of my family have served in the U.S. military and have contributed greatly to the American dream. My own mother and father came here to Washington in the early years of World War II. My mother worked in the War Department

at the age of 19, coming from a village in northern New Mexico, and spending 5 years working in the War Department as part of that "greatest generation" which gave back so much to America to give us the kind of greatness we have had for the last 60-plus years here in the United States. My father became a soldier in the Army. He retired as a staff sergeant after having served his time in the U.S. Army.

There were other members of my family. My uncle Leandro, who is my mother's brother, 2 years older than my mother, gave his life in the soils of Europe defending this country's efforts in World War II as the United States of America saved this world from the hands of the Nazis and the hands of the fascists who would have turned civilization back to a place none of us ever wanted to go back to.

So today, as we stand here on the floor of the U.S. Senate debating what we should do with the immigration laws of this country, it is important to remember that this country has indeed come a long way, that we are, in fact, an America in progress, that the America in progress we have seen for centuries and for generations is one we must build upon. For us here in the Senate to simply accept what some would suggest—and that is that we do nothing with this issue of immigration—is, in my view, a dishonor to our country and to the responsibilities we have. It is an abdication of duty, for those of us who have taken the oath of office to uphold the laws of the United States and the Constitution of our country to make this country greater than it is today, for us to simply say that this issue of immigration is too tough for us to deal with and that all we ought to do is somehow ignore it or figure out ways of sidestepping it and go on to work on other issues.

I so much admire Senator HARRY REID because he has said to the Nation that he would hold the feet of the Senate to the fire as we deal with the issue of immigration. It may not be a comfortable issue for most people to deal with. It is a contentious issue. The phone calls and e-mails—and I am sure every Senator, both Democratic and Republican, has had their phones ringing off the hook for the last several weeks as we have dealt with this issue. Through the courage of Senator REID, he has said we will move forward with this issue, and we are dealing with the issue. Through the courage of other Senators, both Democrats and Republicans, we have said this is an issue we can tackle. Yes, there are tough amendments, and we are working our way through those tough amendments, trying to make this immigration legislation which is on the floor better legislation, perhaps, than what was introduced here at the beginning of last week, and we are making progress.

As I said, I think there are now 21 amendments which have been made to the legislation. There will be others we will make as the week goes on. But at

the end of the day, America's greatness really depends upon chambers like this Chamber here, which holds the keys to the democracy of our country, and debating those issues which are difficult and getting us to a point of a conclusion to deal with these issues which are so fundamental to the 21st century of America. When we deal with this issue, what we will have done is we will have found solutions to the issue of a broken border that has been broken for a very long time. When we effectively deal with this issue, we will deal with the reality of the economic demands of the United States of America and how we treat people with the kind of humanity and morality we would expect of others.

It is true that when one looks back at the immigration history of this country, there have been chapters in that immigration history which have been very difficult and very painful for those involved.

From 1942 until 1964, there was a chapter in our immigration laws called the national Mexican immigration program, or the Bracero Program, in which people were brought into this country because there was a need for labor, and we had many of our men and women in uniform serving in faraway places, as those in my family were serving at that particular time, but because there was a need for labor in our factories and on our farms, people were brought to this country under a program. But it was a program that did not have worker protections, and the consequence of that program was that there were many people who suffered and who lived through a tremendous amount of pain because they did not have the protection of the laws of the United States of America.

Today, in the legislation we have brought forward, we have included the worker protections that will ensure these people are protected. At the same time, the legislation we brought forward recognizes the importance of the American worker because even under the temporary guest worker program, which is a controversial issue being debated on this floor, what we have said in that part of the legislation is that a job has to be advertised first to the American worker and that if an American anywhere is willing and ready to take that job, it will not be available to somebody who would come in under the temporary guest worker program.

So the economic issues, the national security issues, the human and moral issues which are at stake in this debate are some of the most important issues we face. I am hopeful that colleagues, working together in the Senate for the remainder of this week, will be able to come to a successful conclusion with respect to immigration reform legislation.

Mr. President, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### MORNING BUSINESS

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

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

#### SEQUENTIAL REFERRAL REQUEST

Mr. LEVIN. Mr. President, I ask unanimous consent to have printed in the RECORD a letter from Majority Leader HARRY REID dated June 4, 2007.

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

U.S. SENATE,  
COMMITTEE ON ARMED SERVICES,  
Washington, DC, June 4, 2007.

Hon. HARRY REID,  
Majority Leader, U.S. Senate,  
Washington, DC.

DEAR SENATOR REID: Pursuant to paragraph 3(b) of S. Res. 400 of the 94th Congress, as amended by S. Res. 445 of the 108th Congress, I request that S. 1538, the Intelligence Authorization Act for Fiscal Year 2008, as filed by the Select Committee on Intelligence on May 31, 2007, be sequentially referred to the Committee on Armed Services for a period of 10 days. This request is without prejudice to any request for an additional extension of five days, as provided for under the resolution.

S. Res. 400, as amended by S. Res. 445 of the 108th Congress, makes the running of the period for sequential referrals of proposed legislation contingent upon the receipt of that legislation "in its entirety and including annexes" by the standing committee to which it is referred. Past intelligence authorization bills have included an unclassified portion and one or more classified annexes.

I request that I be consulted with regard to any unanimous consent or time agreements regarding this bill.

Thank you for your assistance.

Sincerely,

CARL LEVIN,  
Chairman.

#### REPORT FILING

Mr. ROCKEFELLER. Mr. President I ask unanimous consent that a letter dated May 25, 2007, to Senator BYRD be printed in the RECORD.

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

U.S. SENATE,  
SELECT COMMITTEE ON INTELLIGENCE,  
Washington, DC, May 25, 2007.

Hon. ROBERT C. BYRD,  
President Pro Tempore,  
U.S. Senate, Washington, DC.

DEAR MR. PRESIDENT: On behalf of all members of the Select Committee on Intelligence, we are filing the Committee's report on the "Prewar Intelligence Assessments About Postwar Iraq." The report was approved by a majority vote of the Committee at a meeting held on May 8, 2007.

Senate Resolution 400 of the 94th Congress (1976) charges the Committee with the duty

to oversee and make continuing studies of the intelligence activities and programs of the United States Government, and to report to the Senate concerning those activities. Pursuant to this charge, the Committee undertook a multi-faceted review in February 2004 of issues related to intelligence produced prior to the Iraq war.

The report is in both classified and unclassified form. The classified report is available to members in the Committee's secure spaces. The classified report is also being provided to appropriately cleared officials of the Executive Branch. The unclassified report, which we are hereby transmitting, includes the Committee's conclusions and the additional views of Committee members.

Sincerely,

JOHN D. ROCKEFELLER IV,  
*Chairman.*

CHRISTOPHER S. BOND,  
*Vice Chairman.*

#### SUPPLEMENTAL APPROPRIATIONS

Mr. KYL. Mr. President, on May 24, I voted for H.R. 2206, but I am disappointed that it took so long to complete work on this legislation, while we have troops deployed and under fire fighting against an enemy that, as few others have in history, seeks our total destruction.

For 108 days, the majority held up vital funding for our troops' equipment and training. All this time, the majority was playing politics with this funding, even sending to the President a bill that they knew would be vetoed. And this is not my analysis; we know this through the Democrats' own words. Senator HARRY REID, the Democratic leader in the Senate, said, "We are going to pick up Senate seats as a result of this war." And "well, it doesn't matter what resolution we move forward to. You know, I can count. I don't know if we'll get 60 votes. But I'll tell you one thing, there are 21 Republicans up for reelection this time."

So, with that in mind, we finally received the final version of the security supplemental at 8 p.m., the last night before the Memorial Day work period. While Democrats finally decided to listen to our generals and not MoveOn.org and yielded to Republicans' demand to exclude an arbitrary withdrawal date, this bill still has serious flaws. A policy that would potentially restrict the very economic reconstruction funds that are necessary to achieve the political and diplomatic solution General Petraeus says we need represents bad public policy, to say the least.

What's more, I am disappointed to see, yet again, that the majority would use the needs of our troops as leverage to include extraneous, and in many cases ill-conceived, spending and policy provisions. Among these are a raise in the federal minimum wage to \$7.25 an hour; \$22 million in Corps of Engineers funding specifically earmarked for Long Island and Westchester County, and certain areas of New Jersey; \$40 million in agriculture assistance specifically earmarked for certain areas of

Kansas affected by the recent tornadoes; \$10 million for radios for the Capitol Police; several new provisions to give certain labor unions and Continental and American Airlines relief from their employer pension plan contribution obligations; and a provision that mandates that the Secretary of Health and Human Services approve a state's request to extend a waiver for the Pharmacy Plus program, making Wisconsin the only state to benefit from this provision.

The delay in passage of the security supplemental caused by the majority party created significant disruptions for the Department of Defense and for our men and women deployed in the war against terrorists.

Since the emergency request was submitted by the President, the Department of Defense has realigned significant funds internally and submitted to Congress approximately six reprogramming requests driven by the delays in the supplemental.

Secretary Gates stated in an April 11 letter to the Senate Appropriations Committee, "[i]t is a simple fact of life that if the . . . [supplemental] is not enacted soon, the Army faces a real and serious funding problem that will require increasingly disruptive and costly measures to be initiated—measures that will, inevitably, negatively impact readiness and Army personnel and their families."

Then, Secretary Gates in a May 9 letter to Senator MCCAIN wrote:

[I]n submitting the FY07 supplemental request in early February, the Department planned on these funds becoming available by not later than mid-April. Accordingly, starting in mid-April, the Department began a series of actions to mitigate the impact of the delay in the supplemental on our deployed forces by slowing down spending in less critical accounts. In addition, funds budgeted for fourth quarter Army operations and personnel costs have been or are in the process of being moved forward and expended to partially make up the shortfall.

These actions have resulted in the Army having to take a series of steps including deferring repair of equipment and restraining supply purchases. In short, these steps, while necessary to account for the delay in the supplemental, have already caused disruptions within the Department.

Mr. President, here are just a few specific examples of disruptions that have occurred within the Army:

Facility maintenance and purchases for barracks, mold abatement projects, and dining facilities has been deferred. As a result, there is a risk of troops returning from combat tours to sub-standard barracks and facilities that had been scheduled for renovation or updates while soldiers were deployed.

Orders of supplies have been reduced. Deferring orders for major repair parts and unit level maintenance items creates system lag and an accumulation of backlogged orders waiting to be placed. Units can sustain operations for only a limited time by consuming existing inventory.

In his May 9 letter to Senator MCCAIN, Secretary Gates also made clear that these disruptions would have effects on the war effort:

[T]he lack of timely supplemental funds has limited the Department's ability to prop-

erly contract for the reconstitution of equipment for both the active and reserve forces. This situation increases the readiness risk of our military with each passing day should the nation require the use of these forces prior to the equipment becoming available. In other cases, the funding delay negatively impacts our forces in the field by needlessly delaying the accelerated fielding of new force protection capabilities such as the Mine Resistant Ambush Protected (MRAP) vehicle and counter-IED technologies developed and acquired by the Joint IED Defeat Organization (JIEDDO). Finally, the ongoing delay resulted in the depletion of funds necessary to accelerate the training of Iraqi security forces.

Multinational Force-Iraq spokesman, Army Maj. Gen. William Caldwell, on April 4 said, "At the current moment, because of this lack of funding, MNSTC-I—Multi-National Security Transition Command-Iraq—is unable to continue at the pace they were in the developmental process of the Iraqi security forces . . . It is starting to have some impact today, and will only have more of an impact over time."

While I firmly believe that the manner in which Democrats managed this legislation reveals their misplaced priorities, it is absolutely necessary that we get this funding to the men and women on the front line without further delay. That is why I voted for this supplemental. Having forced our troops to wait 108 days for this needed funding, there is no other choice but to accept this legislative blackmail.

I would also like to speak to a larger point, Mr. President. My friends on the other side of this issue in both houses talk about a failed strategy, and about a war that is lost. How do they know the Petraeus strategy has failed? It isn't even in place yet. The fifth brigade of the surge isn't there yet, and the fourth has only just arrived.

Even commentators like Joel Klein of Time magazine, no friend of this administration or this policy, have been forced to admit that progress is being made. While pointing out the many struggles that remain, Mr. Klein said:

There is good news from Iraq, believe it or not. It comes from the most unlikely place: Anbar province, home of the Sunni insurgency. The level of violence has plummeted in recent weeks. An alliance of U.S. troops and local tribes has been very effective in moving against the al-Qaeda foreign fighters. A senior U.S. military official told me—confirming reports from several other sources—that there have been "a couple of days recently during which there were zero effective attacks and less than 10 attacks overall in the province (keep in mind that an attack can be as little as one round fired). This is a result of sheiks stepping up and opposing AQI [al-Qaeda in Iraq] and volunteering their young men to serve in the police and army units there." The success in Anbar has led sheiks in at least two other Sunni-dominated provinces, Nineveh and Salahaddin, to ask for similar alliances against the foreign fighters. And, as Time's Bobby Ghosh has reported, an influential leader of the Sunni insurgency, Harith al-Dari, has turned against al-Qaeda as well. It is possible that al-Qaeda is being rejected like a mismatched liver transplant by the body of the Iraqi insurgency.

What is now happening is an attempt to reconsider the vote of four years ago

when, by large bipartisan majorities in both chambers, we authorized this war. In an effort to appease far left-wing groups, some are attempting to distance themselves from their votes to authorize this policy, and from their own statements acknowledging what the intelligence information told us: Saddam Hussein posed a grave threat to America's national security.

What they're not doing is talking about the consequences of defeat. It is clear from respected national security figures like General Anthony Zinni that "This is no Vietnam or Somalia or those places where you can walk away. If we just pull out, we will find ourselves back in short order."

Additionally, even the Brookings Institution released a study that argues:

Iraq appears to have many of the conditions most conducive to spillover because there is a high degree of foreign "interest" in Iraq. Ethnic, tribal, and religious groups within Iraq are equally prevalent in neighboring countries and they share many of the same grievances. Iraq has a history of violence with its neighbors, which has fostered desires for vengeance and fomented constant clashes. Iraq also possesses resources that its neighbors covet—oil being the most obvious, but important religious shrines also figure in the mix. There is a high degree of commerce and communication between Iraq and its neighbors, and its borders are porous. All of this suggests that spillover from an Iraqi civil war would tend toward the more dangerous end of the spillover spectrum.

We cannot forget that Iran and Syria are fostering instability in Iraq. Al-Qaida and Hezbollah are both active there as well.

As I have mentioned before, but have not heard answered from the critics, we know that chaos in Iraq could draw in others in the region. For example, Saudi Arabian officials have threatened "massive intervention to stop Iranian-backed Shiite militias from butchering Iraqi Sunnis." A Kurdish secession would likely cause Turkish intervention.

Does anyone in Congress disagree that failing in Iraq would be a dramatic setback in the war against terrorists? Iraq must not be divorced from its context—the struggle between the forces of moderation and extremism in the Muslim world. After all, al-Qaida has been in Iraq since before the U.S. invaded and has dedicated itself to fomenting sectarian violence there. Osama bin Laden referred to Iraq as "capital of the Caliphate," arguing that "[t]he most . . . serious issue today for the whole world is this Third World War . . . [that] is raging in [Iraq]."

Terrorism expert Peter Bergen has told us that a:

[U.S. withdrawal] would fit all too neatly into Osama bin Laden's master narrative about American foreign policy. His theme is that America is a paper tiger that cannot tolerate body bags coming home; to back it up, he cites President Ronald Reagan's 1984 withdrawal of United States troops from Lebanon and President Bill Clinton's decision nearly a decade later to pull troops from Somalia. A unilateral pullout from Iraq

would only confirm this analysis of American weakness among his jihadist allies.

Failure in Iraq will encourage further attacks against the United States and provide a base from which to plan and train for attacks.

I will remind my friends who pushed so hard for this legislation, and who cheered for votes on an immediate withdrawal, and the passage of the first security supplemental which the President correctly vetoed, if you are going to advocate a strategy for failure or a precipitous withdrawal, you have the responsibility to tell the American people what the consequences would be, and to tell them how you would respond. These are the burdens of leadership.

#### HONORING SENATOR TED STEVENS

Mr. ALEXANDER. Mr. President, last August, TED STEVENS and DAN INOUE led a bipartisan group of Senators to China for a parliamentary visit. DAN, of course, was accorded great respect because of his winning the Congressional Medal of Honor during World War II. But it was TED STEVENS for whom the Chinese rolled out the red carpet. TED had flown with the Flying Tigers. He flew the first plane to land in Beijing after World War II ended, and the top Chinese leaders had not forgotten. They made more time for our delegation than they had for any other recent group of American visitors.

No one in our group, of course, was surprised to learn that TED STEVENS had flown risky missions and, for that bravery, earned the Distinguished Flying Cross. TED still has the cockiness, adventuresome spirit and attitude that distinguish most pilots. And he has the love of country that permeates those who fought in World War II. We see both qualities every day in the Senate.

For example, 2 years ago, when we were considering how to maneuver through five Senate committees legislation based on a National Academies report that would help America keep its brainpower advantage, TED was both unconcerned about committee prerogatives and impatient about getting the job done. "Let's form a select committee," he said many times. "You be the chairman of it." He said this even though he was then the most senior Republican in the Senate and I was nearly the most junior. The Senate never formed that select committee, but TED made sure the legislation passed because he thought it was important for our country.

I was Legislative Assistant to Senator Howard Baker in 1968 when TED was appointed to the Senate. He hasn't changed much in all that time, even though he is now the longest serving Republican Senator. In his first year, he was pushing amendments that would help Alaska Natives maintain their fishing rights. This year, he is still busy working on legislation cre-

ating additional rights for Alaska Natives. And in the 39 years between, he has snagged every dollar that comes within 50 feet for his Alaskan constituents—and some dollars that were farther away than that.

TED STEVENS is, I would say, above all, an institutionalist in the United States Senate. In other words, he sees a unique role in our democracy for the Senate, and he is one of a handful here who is determined to respect that role and make it work.

I suppose TED will have opposition when he runs for reelection in 2008. But, if he does, I wouldn't want to be that person. Last week, walking side by side with him to vote, I took the escalator when we got to the Capitol and TED literally ran up the stairs, two at a time.

It would be hard to identify a "More Valuable Player" in the U.S. Senate than TED STEVENS.

Mr. BUNNING. Mr. President, I would like to honor a colleague and a good friend, Senator TED STEVENS, for becoming the longest serving Republican Member of the Senate. I am honored to serve in the Senate with this great Republican.

TED STEVENS' career in public service began long before he became a U.S. Senator. He served in the U.S. Army Air Corps during WWII, practiced law in Alaska, worked in the Eisenhower administration, and served in the Alaska House of Representatives where he eventually became majority leader. He became U.S. Senator in 1968 and has served the State of Alaska in the Senate for over 39 years. His longstanding public service career truly demonstrates his devotion to this country.

Just like his famous Hulk tie, TED has a bullish tenacity that has made him one of the most effective Members in the Senate. He is a stalwart representative for his State of Alaska. Representing a State over 4,000 miles from the Nation's Capital, Senator STEVENS has sacrificed time with his six children and wife to serve in the Senate. Coming from a large family myself, I appreciate the strength and commitment his family has displayed over the years.

During my trips to Alaska, I always leave impressed by the spectacular landscape and TED STEVENS' hard work in his State. His work has helped many Alaskan towns receive clean running water and has enabled many children to receive a quality education. His persistence in the Senate also has provided Alaska with oil pipelines, which have brought tremendous revenue to Alaska and provided our Nation with a safe, domestic energy source.

TED STEVENS' work as a Senator has also gone beyond the borders of Alaska. During his 35-year tenure on the Appropriations Committee, he has tirelessly persevered to keep America ready and prepared. He has ensured our troops have the good equipment, training, and pay they deserve. His efforts

have also ensured funds for military research on some of our Nation's most pressing diseases.

I thank Senator TED STEVENS for his leadership and contributions to public service for the people of Alaska and all Americans. I honor him not only for his length of service but more importantly, his quality of service. I wish him and his loved ones the best of health for many years to come, and I congratulate him on his outstanding achievement.

Ms. COLLINS. Mr. President, it is a great pleasure to offer my heartfelt congratulations to Senator TED STEVENS on becoming the longest serving Republican in Senate history. While this is a milestone to celebrate, the true cause for celebration is not TED STEVENS' decades of service to his party or to this Chamber but his lifetime of service to our Nation.

It is a record of service that began long before TED STEVENS came to the Senate nearly four decades ago, long before his contributions in the Alaska Legislature in the earliest days of statehood, long before he helped establish our 49th State at the Department of the Interior during President Eisenhower's administration. At just 19 years of age, with his country under attack and freedom in jeopardy around the world, TED STEVENS joined the Army Air Corps in 1943, flying support missions for the legendary Flying Tigers. That courage to take the risks and that willingness to step forward to meet the challenges are the foundation of his character and of his service.

I have been privileged to work alongside this Senator on the Homeland Security Committee. On every issue we confront, TED STEVENS demonstrates great knowledge and a total commitment to protecting our Nation and our people.

Alaska and Maine are separated by a great many miles, but our two States have much in common, including spectacular scenery, and rugged, self-reliant people. Our States also share a connection to the sea that is central to our history and our future. From the Magnuson-Stevens Fisheries Conservation and Management Act of 1976 to his work to better protect marine mammals, TED STEVENS demonstrates again and again a deep commitment to the hard-working people who sustain countless coastal communities and an abiding respect for the natural resources that bless us all.

Mr. CRAPO. Mr. President, I would like to honor an esteemed colleague with whom I have had the privilege of serving in this body for the past 9 years.

As many others have already observed, Senator STEVENS is an institution in Alaska, the Senate, and in the United States. Our President pro tempore, already the longest serving Republican in the Senate, served our Nation heroically in World War II and worked previously in the Justice and Interior Departments. In the latter po-

sition, Senator STEVENS was an instrumental part of bringing statehood to Alaska—the State of Alaska literally is partly his creation.

Senator STEVENS and I share concerns about issues important to America but particular to the Pacific Northwest. Our States, with vast Federal land holdings, play a key role in energy resource exploration and development crucial to building viable and plentiful domestic energy supplies. We share views on ensuring local and State governments and communities have primacy in handling matters of direct impact on them. Both Idaho and Alaska are home to thriving indigenous populations, and we both work to ensure that they have their voices heard in Congress.

Idaho and Alaska have other similar Pacific Northwest resource and environmental issues. Senator STEVENS shares my care for and attention to these issues. He is an advocate for work to restore salmon fisheries and rural community development. I have had the pleasure to work with him on promoting the Pacific Northwest Salmon Recovery Fund and drinking water infrastructure needs for rural Alaska. He is a tireless defender of the interests of Alaskans and one of the greatest tourism promotion resources for the State.

I have always appreciated Senator STEVENS' strong voice and steady leadership in the Senate. He has demonstrated an unwavering commitment to our military and against terrorism. He understands the enemies we face here and abroad and has spent many decades standing strong for his convictions, relentlessly pursuing funding for a strong military to defend our country and our heritage of liberty and freedom.

I admire Senator STEVENS' strong history of bipartisanship highlighted by his long friendship with the senior Senator from Hawaii, Mr. INOUE. Their working and interpersonal relationship stands as a testament to what can be accomplished when we set party bickering aside and focus on our jobs to which we were elected—helping America remain the envy of the world.

We share an alma mater, and I am pleased to call him a colleague in the Senate. I am proud to honor the Senior Senator from Alaska, in his 39th year of public service as a Senator. Congratulations, and thank you for your service.

Mr. ENSIGN. Mr. President, I wish to honor Senator TED STEVENS of Alaska for becoming the longest serving Republican Member in the history of the U.S. Senate. Senator STEVENS is a true leader in the Senate. Whether he is making sure our soldiers have the best equipment in the field of battle or developing dynamic legislation to transform our Nation's communications laws, Senator STEVENS has always been a man of action.

Service to the United States and to his home State of Alaska has been Sen-

ator STEVENS' lifelong mission. To put his dedication to our country in perspective, Senator STEVENS has been a public servant for longer than I have been alive. At no stage of his career has he ever shied away from confronting the challenging issues of the day. In 1943, at the age of 19, he left college to answer the call of his country. Flying transport planes over the Himalayas in support of the Flying Tigers of the 14th Air Force, First Lieutenant STEVENS proved himself as a leader. In recognition for his service and bravery, he was awarded several medals, including two Distinguished Flying Crosses.

Following the war, TED STEVENS returned to college where he received degrees from UCLA and Harvard Law School. In 1953, he was appointed U.S. attorney for Fairbanks. Three years later, he moved to Washington, DC, to serve in the Department of the Interior for President Eisenhower. In 1964, TED STEVENS was elected to the Alaska House of Representatives, and during his second term in office, he became the majority leader. In 1968, he was appointed to fill Senator Bartlett's seat in the U.S. Senate. In 1972, he was elected to serve a full term in that seat, and, as we know, the rest is history.

During the last 39 years, Senator STEVENS has done more for the people of Alaska and the United States than most could fathom. Always willing to address challenging issues in a bipartisan fashion, Senator STEVENS stands by his principles and does what he thinks is right regardless of which side of the aisle agrees with him. He led the charge for Alaska's statehood and has made remarkable contributions to the health and safety of the United States. As a testament to their belief in TED STEVENS' leadership, the people of Alaska have elected, and reelected, Senator STEVENS—never by less than 67 percent of the vote in any election.

When I came to Washington in 1994, it did not take me long to learn who TED STEVENS was and to admire him as a leader. When I joined the Senate 7 years ago, my admiration for Senator STEVENS grew. Who couldn't admire a man who dons a Hulk tie when he prepares for large legislative battles? On a serious note, since 2001, Senator STEVENS and I have worked closely on a number of important issues. For example, in 2005 when Senator STEVENS became chairman of the Committee on Commerce, Science, and Transportation, he recognized the need to address how to maintain U.S. competitiveness in today's global economy. I was honored that he selected me to chair the Subcommittee on Technology, Innovation, and Competitiveness. Through the work of this subcommittee, Senator STEVENS, myself, and others developed bipartisan legislation to maintain and improve our country's innovation in the 21st century. This legislation, the America COMPETES Act, recently passed the

Senate by an overwhelming vote of 88 to 8. Senator STEVENS' leadership on competitiveness legislation serves as a good reminder of how he has addressed important issues in a forward-thinking manner throughout his six decades of public service.

Addressing the Nation's competitiveness is just one example of Senator STEVENS' innovative thinking. When he became chairman of the Committee on Commerce, Science, and Transportation, Senator STEVENS recognized that our communications laws were grossly outdated. Through a series of hearings, listening sessions, and a desire for bipartisan cooperation, Senator STEVENS developed a bill that would have encouraged competition in the communications market and fostered an environment conducive to future innovation. Although this bill did not become law, I am proud to have worked with Senator STEVENS on this important piece of legislation.

I greatly admire Senator STEVENS. He sets an example, for both Republicans and Democrats, of a successful Senator. He is a leader, a man of his word, and someone whom you know you can count on with nothing more than a handshake. I look forward to working with Senator STEVENS for many years to come and would like to congratulate him for a lifetime of accomplishments.

Mr. ENZI. Mr. President, it is a pleasure to be a part of this celebration of Senator TED STEVENS's service in the Senate. For those of us who know him, it is more than taking a moment to congratulate him as he becomes the longest serving Republican Senator in the history of the Senate. It is an opportunity to acknowledge all he has done to stand up for the State of Alaska. It is also a chance to take note of the example he provides of leadership and the way he has always put the needs of the people of Alaska at the very top of his work agenda in the Senate. That is why, in 2000, TED was named the Alaskan of the Century.

TED is a remarkable guy, and I don't think any Senator is more tied to the day-to-day life of the States we represent and the hearts of the people back home than he is. There are a lot of reasons for that, not the least of which is the certainty Alaskans have that the needs of their State are in good hands because TED STEVENS is championing their cause.

TED is one of our great environmentalists and it is a philosophy he puts into practice every day in thought, word, and deed. Whenever I think of him, I think of all he has done and continues to do to protect and preserve the natural beauty of Alaska. It is a wonderful State that I have been privileged to visit at TED's invitation. I have always said that God saved some of his best handiwork for Wyoming. Having seen Alaska, I think he did a good job there too.

If you ask me and those who have come to know him through the years,

we will tell you that TED is a man of action. He says what he means and he means what he says. He works hard for the things he believes in, and in the end, I don't think anyone is better at getting results. That is because TED knows it is a lot more important to get things done than to get them said. You won't find him content to just give speeches. After all is said, and said with great force, TED puts his time and effort where his mouth is as he rolls up his sleeves and gets to work.

TED not only knows and loves the terrain of Alaska, he loves showing it off too. That is why he puts so much of himself into promoting the Kenai Tournament. This great Alaskan tournament gives all who take part a chance to enjoy the fantastic fishing of Alaska, but it is also a great fundraiser that helps provide the funds that are needed to restore and improve the habitat of the salmon in Alaska.

Here in the Senate, TED has also worked quietly on many bills that were drafted to preserve wild salmon. Whether it is protecting his home State on the floor or promoting it here and back home, TED STEVENS is the voice of Alaska.

Another thing Wyoming and Alaska share is our rural environment. TED understands the unique needs of rural life better than any Senator I know, and he has been a tireless worker on transportation and communication issues. He worked hard to preserve universal service so people in both our States would have phone service at a reasonable rate. That effort meant a great deal not only to the people of our States but to those who live in other rural areas across the United States as well.

As I have come to know TED, I have developed a great appreciation for his ability to pick up on the nuances and details of the issues we take up on the Senate floor. He is a fast study, and he is not afraid of any issue, no matter how complicated and complex it is.

Another thing we all think of whenever we think of TED is that distinctive voice of his. His voice has the same power that his words bring to the debate, and it is that unique way of speaking of his that gets everyone's attention and usually their agreement too.

Through his years in the Senate, TED has compiled an incredible record for the people of his State. He has won the hearts of Alaskans, and on election day, people from all over the State make it a point to vote for him. He is not just their Senator, he is also a bit of a superhero, too.

Speaking of superheroes, which are near and dear to TED's heart, in the comics, whenever Dr. Banner faces a difficult challenge that requires superpowers, he turns into the Incredible Hulk. On the Senate floor, if the Incredible Hulk faced a challenge that required superpowers of persuasion and reason, he would probably turn into TED STEVENS.

Congratulations, TED. We are proud of the record you have established in the Senate. Thank you for your leadership, the unique strengths and abilities you bring to our work, and most of all, thank you for the gift of your friendship.

Mr. GRAHAM. Mr. President, I am very pleased to help recognize Senator TED STEVENS as the longest-serving Republican in the history of the U.S. Senate. Senator STEVENS has represented the Last Frontier for nearly 40 years, during which he has become one of the most respected lawmakers and gentlemen in Congress. For a large majority of his time in Congress, Senator STEVENS served with my predecessor, the late Senator Strom Thurmond, the Senate's previous longest-serving Republican. Now that the record is broken, I am certain Senator Thurmond would be pleased to know his good friend, TED STEVENS, will carry on the great tradition of service to our Nation. I am honored to serve alongside Senator STEVENS and congratulate him on this momentous occasion.

Mrs. HUTCHISON. Mr. President, I wish today to congratulate Senator TED STEVENS on becoming the longest serving Republican Senator in U.S. history. Senator STEVENS has served in the Senate for over 38 years, and this milestone is a lasting tribute to his outstanding record for the people of Alaska and for the people of America. On a personal note, I have always enjoyed working with Senator STEVENS, and it has been a true privilege to collaborate with him on some of the most important issues facing our great Nation—including energy, healthcare, and national defense.

Senator STEVENS' service to the United States didn't begin when he stepped inside this Chamber; rather, his service began decades earlier—during some of the most harrowing days of World War II.

Senator STEVENS was part of the "greatest generation" who fought and won that global struggle for freedom—flying a C-47 in the China Burma India theater. Incredibly, over 1,000 of Senator STEVENS' fellow airmen died "flying the hump" and elsewhere in the Chinese Burma India theater—a sobering reminder of the high price of freedom. For his heroic efforts, Senator STEVENS later received two Distinguished Flying Crosses and two Air Medals, as well as the Yuan Hai medal awarded by the Republic of China.

After the war, Senator STEVENS completed his education at UCLA and Harvard Law School and then moved to Alaska, which was then a U.S. territory. In the city of Fairbanks, Senator STEVENS practiced law for several years, until he came to Washington, DC, to serve in the Eisenhower administration and also to lobby for Alaska's admittance into the Union—a mission that succeeded in 1959.

When Senator STEVENS returned to Alaska, he ran for—and won—a seat in the Alaska House of Representatives



and later became house majority leader. Then, in December 1968, Governor Walter J. Hickel appointed him to fill a vacancy in the U.S. Senate. In 1970, the voters of Alaska ratified that choice by electing Senator STEVENS to finish that term in a special election and then reelecting him six more times, always by overwhelming margins.

Senator STEVENS' achievements are legendary in this Chamber—including, but not limited to, chairman of the Senate Rules Committee, chairman of the Senate Appropriations Committee, and President pro tempore of the U.S. Senate—putting him third in line for the Presidency from January 2003 to January 2007. For his many decades of service, Senator STEVENS has received and accepted numerous honors—including having the Anchorage International Airport named after him. Our entire country has been enriched and improved by his hard work, dedication, and leadership.

I say this not as a distant observer but as an up-close witness to his achievements. Back in 1993, when I first arrived in the U.S. Senate, I was one of only seven female Senators, and if the Senate was a men's club, then the Appropriations Committee was its inner sanctum. There was not a single woman on the Defense Appropriations Subcommittee, but that is where I wanted to serve.

I explained to Senator STEVENS—who was then the ranking member of the committee—that Texas has more Army soldiers than any other State, more Air Force air men and women stationed in Texas than any other State, and our defense industry builds everything from fighter aircraft to Army trucks to artillery systems to sophisticated electronics equipment for the Pentagon. Therefore, it was absolutely essential that a Senator from Texas serve on that committee. After some careful thought, Senator STEVENS agreed and welcomed me to the committee. Since that time, he has been a valuable mentor to me—not to mention a passionate advocate for Alaska and America.

And when I say passion, I really do mean passion. Senator STEVENS has been known to show dramatic performances on the Senate floor, keeping wandering eyes focused on the urgent issues that need to be addressed. One day, during a markup in the Senate Appropriations Committee, Senator STEVENS, who chaired the committee at the time, grew very animated and laid down the law. When a frustrated senior Senator told Senator STEVENS that “there was no reason to lose your temper,” Senator STEVENS glared back and responded, “I never lose my temper. I always know exactly where I left it.”

But if Senator STEVENS has a temper, he also has a compassionate heart. I will never forget when a group of protestors gathered outside of the Appropriations Committee conference to demand increased funding for breast cancer research.

One particularly agitated advocate got in Senator STEVENS' face and said, “If men were dying of breast cancer, you wouldn't think twice about increasing the funding.” Needless to say, those words made quite an impact on Senator STEVENS but probably not what this advocate anticipated.

When Senator STEVENS walked back into the conference, he repeated the charge and then looked around at his mostly male colleagues. He knew that at least six of them suffered from prostate cancer. He also noticed that the bill they were considering didn't fund prostate cancer research. But thanks to the excellent suggestion of the woman in the hallway, he was going to advocate breast cancer research and prostate cancer research. Senator STEVENS was determined to become a leader on these issues, and over time, that is certainly what he has become.

For all of these reasons, and many more, it has been a true honor to serve with Senator STEVENS. I congratulate him once again on becoming the longest serving Republican Senator in U.S. history. I look forward to serving with him for years to come.

Mr. LUGAR. Mr. President, Senate colleagues of Senator TED STEVENS are grateful that a remarkable U.S. Senate historical landmark provides us an opportunity to honor one of the greatest Senators in history as he continues to supply vigorous and significant leadership for our country.

We recognize, today, that TED STEVENS has served longer than any other Republican Party Senator, and that record for longevity of service will continue to mount with each new day of Senate history.

I would like to believe that the early schooling of TED STEVENS at Public School No. 84 in Indianapolis was a strong foundation for his later success. I enjoyed School No. 84 for 2 years, a few years after TED had progressed.

Our lives came together again in 1976 when TED chaired the National Republican Senatorial Committee and I was the Indiana Republican candidate against a three-term incumbent.

Under TED's leadership, Jack Danforth, John Heinz, Jack Schmitt, Malcolm Wallop, Sam Hayakawa, John Chafee, ORRIN HATCH, and I were elected: a class of eight freshmen Republican Senators. The overall Senate count after the 1976 election was 61 Democrats, 38 Republicans, and Independent Senator Harry Byrd, thus highlighting TED's recruitment achievement.

But times changed, and Howard Baker became majority leader after the Republican majority was established in the 1980 election. When Howard retired 4 years later, five Republicans sought the majority leader position in an election procedure requiring the candidate with the lowest vote to retire after each ballot. Senators Jim McClure, PETE DOMENICI, and I retired in that order before Bob Dole, another Senate lion, defeated TED STEVENS in a close vote.

All of us rejoiced when the GOP won a Senate majority again and Senator STEVENS became President pro tempore of the Senate. In this role, he became even more vigorous in boosting the Senate's institutional role and in underlying the responsibilities of each Senator.

Throughout his unfailing attention to overall Senate duties, TED has been a Senator for Alaska on every day of every year. His legislative achievements that have boosted Alaska are legendary and continue during each appropriations cycle.

Alaskans recognized Senator STEVENS as the most prominent Alaskan of the 20th century in a poll taken in his State.

He also led Alaskan and U.S. Senate attention to the interests Alaska and the United States have in the Pacific Ocean and in prominent Pacific rim countries such as China, Japan, and Russia.

I have been privileged to attend Aspen Institute conferences with TED and to participate in legislative meetings with Chinese delegates that he has organized in Washington.

He has long been an advocate for health and physical fitness. This encourages his friends to observe that he has the opportunity to serve with us for many years to come.

I thank my good friend, Senator TED STEVENS, for his personal thoughtfulness and for so many great experiences, together, during his recordbreaking tenure in the Senate. I look forward to many new opportunities to be with him and to work with him for the benefit of our country.

Mr. SHELBY. Mr. President, I rise to honor a distinguished colleague, Senator TED STEVENS, who is celebrating a major milestone—today becoming the longest serving Republican in Senate history.

Appointed to the U.S. Senate in 1968 and elected to finish out the term 2 years later, STEVENS has since been reelected to the Senate six times, never receiving less than 67 percent of the vote in any election.

During his 38 years in the U.S. Senate, Senator STEVENS has been Chairman of four full committees and two select committees, assistant Republican whip, and the President Pro Tempore Emeritus.

As one of the most effective Senators, Senator STEVENS has been an ardent supporter of our national defense, serving as either chairman or ranking member of the Defense Appropriations Subcommittee since 1980. A champion of our Armed Forces, he has ensured that our servicemembers have the equipment, training, and pay necessary to be prepared to take on those who threaten our national security.

Mr. President, I congratulate Senator STEVENS on reaching this historic milestone today. I am honored to call Senator TED STEVENS my colleague but prouder to call him my friend.

Mr. VITTER. Mr. President, I rise today to acknowledge a man who has



dedicated almost 40 years of his life to the service of his constituency. Senator TED STEVENS was appointed to represent Alaska in the Senate in 1968 and has done so in a way that the citizens of his State have reelected him six times since. Senator STEVENS is currently the longest-serving Senator in the history of our party and a steadfast representative for Alaskan conservative values.

As a young man Senator STEVENS served his country honorably during World War II. A member of the Flying Tigers of the Army Air Corps' 14th Air Force, he is also twice a recipient of the Distinguished Flying Cross for his heroism in aerial combat. Senator STEVENS is in excellent company as the first recipient of the Distinguished Flying Cross was Captain Charles A. Lindbergh, who also set a few records in his own time.

I am especially thankful for the work Senator STEVENS has done to help aid the people of Louisiana. Through his position as Chairman in the last Congress and currently Vice-Chairman of the Senate Commerce, Science, and Transportation Committee he has worked tirelessly on important legislation to our State. Especially noteworthy are the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act, which included provisions dedicated to the aid of the fishing industry in Louisiana following Hurricanes Katrina and Rita, and his essential support of legislation to get Louisiana its fair share of Outer Continental Shelf oil and gas revenues.

It has been an extraordinary experience to work with as accomplished a legislator as Senator STEVENS in my time in the Senate. I thank him for his service to the citizens of this great country.

Mr. WARNER. Mr. President, I rise today to speak about my long-time great friend, advisor, and colleague, Senator TED STEVENS of Alaska, who just became the longest serving Republican Senator in the 218 year history of the United States Senate.

I have worked with Senator STEVENS on a wide array of matters, but none more closely than national security and defense issues. Senator STEVENS and Senator INOUE exemplify that extraordinary group of veterans, largely of World War II distinction and experience, that led the Senate I joined 28 years ago. They found the time to teach the new Senators, inspiring them to gain the experience to someday take their places of responsibility in the Senate. I owe a great deal of gratitude to that generation, and particularly to TED.

He has loyally served the men and women of the Armed Forces throughout his long Senate career, particularly through his leadership positions on the Senate Appropriations Committee.

My good friend has compiled a remarkable record on national security, ranging from complex issues of global strategy all the way down to the very

basic pay and quality of life issues for the men and women in uniform and their families. His own distinguished record in World War II as an aviator provides special insights into military matters.

Military matters, however, are not the only field in which the senior Senator from Alaska has invested his time and passion. Senator STEVENS has also fought hard to find ways to meet America's energy needs, offering the extraordinary resources of his own State to meet these demands. I think back time and time again when Senator STEVENS has taken to the Senate floor urging his colleagues to fully address America's demand for energy. Dressed in his trademark "Hulk" tie, he was a sight to behold and quite a force to reckon with. If only Congress had listened to Mr. STEVENS a decade or two ago, not just limited to Alaska issues, but towards a broad world view on energy, America might not be so dependent on foreign oil today.

Senator STEVENS truly loves Alaska. I remember one codel trip in particular. A few years back, Senator STEVENS had escorted a small group of Senators, making stops along the way, up to Prudhoe Bay, one of the closest points to the Arctic. Senator Symms, our former colleague from Idaho, and I decided we had enough learning for the day. So, unwisely, we chose to play hookie and dashed from the group for an impromptu plunge in the frigid waters of Prudhoe Bay while the other Senators looked on in disbelief. We were quite a sight as we crawled ashore frozen to the bone.

Despite this experience, I am proud to say that Senator STEVENS hasn't held my rowdiness against me, as he has invited me back to Alaska over the years.

TED STEVENS is not only a great champion for Alaska, American energy, and our Nation's armed forces, but he is also a champion of the Senate. One of the most lasting legacies he has had on this special body, and one of the legacies he has imparted on me, is his remarkable record of work with new senators from both sides of the aisle. Throughout many years, Senator STEVENS has voluntarily stepped forward to counsel new colleagues about the history and intricacies of the legislative process in the Senate.

I am particularly indebted to him for helping me. Therefore, Mr. President, it is my honor and privilege to today congratulate my good friend, Senator TED STEVENS, on becoming the longest serving Republican in the Senate. Carry on, dear friend.

#### TRIBUTE TO LYNN CLANCY

Mr. CONRAD. Mr. President, today I recognize and honor my friend Lynn Clancy, who retired in January after 20 years of service as my State director. He is a friend to me, and he is a friend to North Dakota.

Over two decades as my State director, Lynn touched the lives of thou-

sands of North Dakotans. He handled countless casework requests and hundreds of speeches and appearances on my behalf. I could not have had a better ambassador.

Twenty years in itself is a lifetime of public service, but the 20 years that Lynn spent with me was really the culmination of a much longer career in service to the public. This is a man who genuinely lives on the tenant that it is best to do good to your fellow man. He devoted his life to helping other people.

Not many know this, but when Lynn joined my staff after my 1986 election, he was working as the right-hand man to the Catholic bishop of North Dakota, overseeing operations in the diocese. And that was after a long career serving North Dakota's farmers. So he came to work for me with an already long history of public service.

That public service began after Lynn graduated with an education degree from the State college in his hometown of Valley City. His degree in hand, Lynn left North Dakota for Turkey and England to teach high school on U.S. military bases.

After returning home to North Dakota, he went to work for the North Dakota Farmers Union, first as its education director and then assistant secretary-treasurer. About that time, he was elected to the North Dakota legislature as a representative from his hometown of Valley City.

Lynn later received an appointment as North Dakota's deputy commissioner of agriculture, before finally going on to work for the diocese. And that is where I found him.

Part of what drives Lynn is his affinity for the land, and his affinity for those people who are the stewards of the land. In North Dakota, those stewards are our farmers and our good friends, the first Americans.

Lynn shares a special bond with North Dakota's Native Americans. Leaders of the American Indian community liken Lynn's special qualities to that of a tribal elder. Over the years, he worked tirelessly to ensure that our tribes had equal access to all parts of our Federal and State government. His goal was always to make sure Native Americans were equal before the law.

In the 1990s Lynn was instrumental to the success of the Walking Shield Housing Project, which helped alleviate a housing crisis on the reservations of Spirit Lake, Fort Berthold, Standing Rock, and Turtle Mountain.

When he told me about his plans for retirement, Lynn said one of his greatest joys has been working closely with Native Americans, learning about their culture and experiencing their hospitality. So while it is true that Lynn is a naturally gentle and soft-spoken man, it is also true that North Dakota's Native Americans may not have a fiercer advocate than Lynn Clancy.

Lynn's devotion to the family farmer started with his own experiences on the

farm where he lived and worked as a young man. Over the years, from his time with the Farmers Union to his leadership in the State agriculture department, Lynn became the “go to” person in North Dakota for any farm-related concern. Whether it was helping one farmer cut through the bureaucratic red tape, or helping organize a massive farm rally, Lynn showed patience, persistence, and skill.

Farmers and Native Americans shared that special place in Lynn’s heart with one more thing—Marketplace for Entrepreneurs. Never were Lynn’s passion, creativity, and dedication more evident than with Marketplace.

Today, Marketplace is North Dakota’s signature initiative to develop the State’s economy—the largest and longest running business development effort in North Dakota. But in 1988, it had much humbler origins. North Dakota farmers were suffering through a searing drought. The auction barns were buzzing while the grain silos went silent. Nothing was in as short a supply in North Dakota as hope.

Lynn gave our farmers hope. Lynn was the force behind making Marketplace possible year after year, creating an opportunity for farmers and others from around the State to gather and think of new ways to update their operations to reach new markets—and ultimately stay in business and stay on the land. Lynn’s vision and determination were vital to the eventual recovery of many farmers and to making Marketplace the enormous success that it is today. That first Marketplace drew about 800 people. Today, thanks to Lynn, we draw more than 10,000 people. It is a tremendous success.

Hearing all this may lead you to ask how a man could devote so much of his life to service. The answer is that Lynn has faith. It is central to his life. He serves as an ordained Catholic deacon in the Bismarck parish. In March, he was appointed to the Rural Life Committee of the North Dakota Conference of Churches. And even in retirement, Lynn and his wife, Janice, are working long hours as volunteers.

In both his public life and his personal friendships, Lynn’s fellowship, devotion, and loyalty set examples for us all. Whenever I needed him, he was there. Whenever North Dakota needed him, he was there. He lives his life in service, making other people’s lives better.

#### WRITING CHALLENGE 2007

Mr. LEVIN. Mr. President, the Do the Write Thing Challenge, or DtWT, is a national program designed to give middle school students an opportunity to examine both the causes and the effects of youth violence. In this program, students work together through classroom discussion and writing to evaluate what preventative measures should be taken with an emphasis on personal responsibility. Since the pro-

gram’s founding in 1994, more than 350,000 students have participated within 28 different jurisdictions, including Detroit.

In 2006, more than 40,000 students submitted their essays, poems, plays, or songs to be considered in the DtWT writing contest. These students wrote about how violence impacts their lives and what they could do to prevent its reoccurrence. Students are also asked to make a personal commitment to carry out their ideas in their daily lives.

Each year, a DtWT committee made up of business, community, and government leaders from each participating jurisdiction reviews the writing samples and selects two national finalists, one boy and one girl from their area. I am pleased to recognize this year’s national finalists from Detroit, Marcelle Walker and Brandi Baldwin-Gat, for their outstanding work and dedication to the prevention of youth violence.

Marcelle and Brandi have written very passionate literary pieces about how both gang violence and domestic violence have affected their lives and have influenced them to think practically about what could and should be done. They have conveyed a deep understanding of youth violence, and I am impressed by the maturity they have shown in their work and congratulate them on being selected as national finalists.

In July, Marcelle and Brandi will join the other DtWT national finalists in Washington, DC, for National Recognition Week. They will attend a recognition ceremony and have their work permanently placed in the Library of Congress. Also, they will have the opportunity to share their thoughts on youth violence with Members of Congress and other policymakers.

I know my colleagues join me in celebrating the work of all of the DtWT participants from around the country. I would also like to thank the DtWT organizers who make a commitment to facilitating open discussions about youth violence. Their work is an essential means to the development of local solutions to the youth violence problem in our nation.

With the tragedy of Virginia Tech fresh in our minds, I believe it is important we recognize the efforts of DtWT participants and organizers to help prevent such acts of violence. It is also important that we, as Members of Congress, support their efforts through our actions. I urge my colleagues to join me in supporting legislation that would help prevent youth violence by increasing police patrol on our streets, by increasing resources for school and community violence prevention programs, and by making it more difficult for children and criminals to acquire dangerous firearms.

I would like to take this opportunity to congratulate the New Jerusalem Full Gospel Baptist Church on its Founders Day. As the largest church in Genesee County, the NJFGBC has con-

tributed over 43 years of committed service to the southeastern Michigan community.

In 1965, the New Jerusalem Full Gospel Baptist Church was founded as the Rose Hill Baptist Mission by a small group of Genesee County citizens at the home of Rev. L.W. Owens in Flint, MI. Seven days later, the mission was renamed New Jerusalem Missionary Baptist Church. The church grew steadily, and in 1968 a new and larger edifice was acquired to better accommodate the growing membership. While the congregation has undergone many changes and expansions throughout the years, it remained enthusiastically devoted to its activities and its service to the City of Flint. By the early 1990s membership had grown to more than 2,100, and the church was renamed the New Jerusalem Full Gospel Baptist Church.

In 1969, the Reverend Odis A. Floyd was unanimously elected pastor of the NJFGBC. As the grandson of the founder, Reverend Owens, Reverend Floyd has proven to be a charismatic leader of this passionate church community. In his many years of faithful service to the church, he has overseen numerous outreach programs, including Operation Blessing. This vital program is designed to provide food and clothing to those in need in the Flint community. Reverend Floyd also manages the New Jerusalem Intervention Ministry Team, which provides counseling and social work services to the less fortunate. Under Reverend Floyd’s capable leadership, the New Jerusalem Full Gospel Baptist Church has become a powerful force for change in the Flint community. With over 30 years of dedicated leadership, Reverend Floyd has shown steadfast resolve and determination in his role as pastor of the New Jerusalem Full Gospel Baptist Church.

During its 43 years of existence, the New Jerusalem Full Gospel Baptist Church has made many important contributions to its community and has a rich tradition of serving Flint area residents, which is evidenced by programs such as Operation Blessing and the Intervention Ministry Team. I know my colleagues join me in commending the work of The New Jerusalem Full Gospel Baptist Church and Reverend Floyd for their many years of excellent work in the Flint community.

#### HONORING SMALL BUSINESS ACCOMPLISHMENTS IN VERMONT

Mr. LEAHY. Mr. President, I would like to share with my colleagues in the Senate the accomplishments of several Vermont entrepreneurs.

Each June, the Small Business Administration honors the best and brightest of each State’s small business community. The entrepreneurial spirit in Vermont breeds many successful small businesses, and today I would like to congratulate the 2007 Vermont Small Business Person of the Year,

Jack Glaser, president and cofounder of MBF Bioscience in Williston. Jack is one of the Green Mountain State's wonderful success stories, a University of Vermont graduate who worked with his family, especially his father, Dr. Edmund M. Glaser, to create and grow a successful business in Vermont.

It gives me great pleasure to congratulate Jack and everyone at MBF Bioscience. I ask unanimous consent that a Burlington Free Press article about Jack and the other 2007 Small Business Champions of the Year in Vermont be printed in the RECORD to commemorate their achievements.

There being no objection, the material was ordered to be printed in the RECORD.

[From the Burlington Free Press,  
Wednesday, May 30, 2007]

#### WILLISTON DEVELOPER OF BIOSCIENCE SOFTWARE WINS BUSINESS AWARD

Jack Glaser, president and co-founder of Williston-based MBF Bioscience, is the 2007 Vermont Small Business Person of the Year, the state's top Small Business Administration award.

Glaser, 45 of Williston, will be honored June 6.

Established in 1987, MBF Bioscience develops analytical software for biological research, including scientific software for performing brain mapping, neuron tracing and anatomical mapping. The company's software is used to research brain development and aging as well as Alzheimer's, Parkinson's, and Huntington's diseases.

The local business has grown from a home-based operation to a multinational company that employs 26 people. The company has satellite sales offices in Germany and Japan.

"It is very gratifying to be recognized for all of MBF's hard work and effort over the past 20 years. Our company is dedicated to helping researchers in their pursuit of understanding how the brain functions," Glaser said.

Joining Glaser at the Burlington waterfront ceremony will be eight winners of the Vermont Small Business Champion Awards: Carl, Michael and John Beauregard of Beauregard Equipment Inc.; Don Kelpinski, former director of the Vermont Small Business Development Center; Mark Blanchard of the Vermont Small Business Development Center; Mary Claire Carroll of Carroll Photos; Bruce Edwards of the Rutland Herald; and Janice Scruton of Cheap Kids II/Trendy Threads.

Beauregard Equipment is also the regional and state winner of the Jeffrey Butland Family-Owned Business Award.

#### ADDITIONAL STATEMENTS

#### RECOGNIZING IPSWICH HIGH SCHOOL

• Mr. THUNE. Mr. President, today I wish to recognize the Ipswich High School class of 1957 as they celebrate their 50-year class reunion.

The class of 1957 will celebrate this milestone occasion on June 8 to 10, 2007, in Ipswich, SD. Approximately 42 classmates plus spouses and guests are expected to attend the main banquet on June 9. This event is an important time to reflect on the many wonderful memories that the classmates have

shared with one another over the years and to look forward to many more happy memories that they will create in the future.

It gives me great pleasure to rise with the Ipswich High School class of 1957 and to congratulate them on the celebration of this milestone anniversary. •

#### BORDEN'S 150TH ANNIVERSARY

• Mr. BOND. Mr. President, tomorrow at the Smithsonian National Museum of American History, Elsie the Cow will be present to celebrate the 150th anniversary of Borden Cheese.

Borden Cheese started in 1857, when Gail Borden began selling his patented condensed milk that allowed milk to last much longer than the 3 days it would currently hold in its natural state. This condensed milk was used in large ration amounts by the Union Army during the Civil War. Gail Borden's modernization of dairy practices in the "Dairyman's Ten Commandments" created a model for modern health department regulations.

Elsie the Cow entered the picture for Borden almost 90 years ago. Not only has she represented the face of Borden, but she also toured the Nation to support purchasing U.S. war bonds during World War II. Her support sold \$10 million in war bonds.

Today, Borden is a member of Missouri-based Dairy Farmers of America, a 22,000-member farm cooperative. I am pleased to honor Borden and Elsie on their important anniversary. •

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### MESSAGES FROM THE HOUSE DURING ADJOURNMENT

#### ENROLLED BILL SIGNED

Under authority of the order of the Senate of January 4, 2007, the Secretary of the Senate, on May 25, 2007, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bill:

H.R. 2206. An act making emergency supplemental appropriations and additional sup-

plemental appropriations for agricultural and other emergency assistance for the fiscal year ending September 30, 2007, and for other purposes.

Under the authority of the order of January 4, 2007, the enrolled bill was signed by the President pro tempore (Mr. BYRD) during the adjournment of the Senate, on May 25, 2007.

#### ENROLLED BILLS SIGNED

Under authority of the order of the Senate of January 4, 2007, the Secretary of the Senate, on May 25, 2007, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bills:

S. 214. An act to amend chapter 35 of title 28, United States Code, to preserve the independence of United States attorneys.

S. 1104. An act to increase the number of Iraqi and Afghani translators and interpreters who may be admitted to the United States as special immigrants, and for other purposes.

H.R. 414. An act to designate the facility of the United States Postal Service located at 60 Calle McKinley, West in Mayaguez, Puerto Rico, as the "Miguel Angel Garcia Mendez Post Office Building".

H.R. 437. An act to designate the facility of the United States Postal Service located at 500 West Eisenhower Street in Rio Grande City, Texas, as the "Lino Perez, Jr. Post Office".

H.R. 625. An act to designate the facility of the United States Postal Service located at 4230 Maine Avenue in Baldwin Park, California; as the "Atanacio Haro-Marin Post Office".

H.R. 1402. An act to designate the facility of the United States Postal Service located at 320 South Lecanto Highway in Lecanto, Florida, as the "Sergeant Dennis J. Flanagan Lecanto Post Office Building".

H.R. 2080. An act to amend the District of Columbia Home Rule Act to conform the District charter to revisions made by the Council of the District of Columbia relating to public education.

Under the authority of the order of January 4, 2007, the enrolled bills were signed by the President pro tempore (Mr. BYRD) during the adjournment of the Senate, on May 30, 2007.

#### MESSAGE FROM THE HOUSE

At 2:32 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1585. An act to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

#### MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

H.R. 2316. An act to provide more rigorous requirements with respect to disclosure and

enforcement of lobbying laws and regulations, and for other purposes.

H.R. 2317. An act to amend the Lobbying Disclosure Act of 1995 to require registered lobbyists to file quarterly reports on contributions bundled for certain recipients, and for other purposes.

#### ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, June 4, 2007, she had presented to the President of the United States the following enrolled bills:

S. 214. An act to amend chapter 35 of title 28, United States Code, to preserve the independence of United States attorneys.

S. 1104. An act to increase the number of Iraqi and Afghani translators and interpreters who may be admitted to the United States as special immigrants, and for other purposes.

#### EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-2061. A communication from the Under Secretary, Office of Rural Development, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Rural Economic Development Loan and Grant Program" (RIN0570-AA19) received on May 25, 2007; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2062. A communication from the Secretary of Defense, transmitting, a report on the approved retirement of Vice Admiral James M. Zortman, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-2063. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Broken Bow and Millerton, Oklahoma" (MB Docket No. 05-328) received on May 25, 2007; to the Committee on Commerce, Science, and Transportation.

EC-2064. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Romney and Wardensville, West Virginia" (MB Docket No. 05-143) received on May 25, 2007; to the Committee on Commerce, Science, and Transportation.

EC-2065. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Second Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television" (MB Docket No. 03-15) received on May 25, 2007; to the Committee on Commerce, Science, and Transportation.

EC-2066. A communication from the Associate Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Implementation of the Telecommunications Act of 1996: Telecommunications Carriers' Use of Customer Proprietary Network Information and Other Customer Information" ((CC Doc. 96-115)(FCC 07-22)) received on May 25, 2007; to the Committee on Commerce, Science, and Transportation.

EC-2067. A communication from the Legal Advisor to the Bureau Chief, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Service Rules for the 698-806 MHz Band and Revision of the Commission's Rules Regarding Enhanced 911 Emergency Calling Systems, Hearing Aid-Compatible Telephones and Public Safety Spectrum Requirements" ((WT Docket No. 06-150)(FCC No. 07-72)) received on May 25, 2007; to the Committee on Commerce, Science, and Transportation.

EC-2068. A communication from the Assistant Bureau Chief for Management, International Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "In the Matter of the Establishment of Policies and Service Rules for the Broadcasting-Satellite Service at the 17.3-17.7 GHz Frequency Band and at the 17.7-17.8 GHz Frequency Band Internationally, and at the 24.75-25.25 GHz Frequency Band for Fixed Satellite Services Providing Feeder Links to the Broadcasting Satellite Service" ((IB Docket No. 06-123)(FCC 07-76)) received on May 25, 2007; to the Committee on Commerce, Science, and Transportation.

EC-2069. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Elephant Trunk Scallop Access Area Closure for General Category Scallop Vessels" (ID No. 031307A) received on May 21, 2007; to the Committee on Commerce, Science, and Transportation.

EC-2070. A communication from the Secretary, Federal Trade Commission, transmitting, pursuant to law, a report relative to fraud by businesses or individuals that market advice or assistance to students and parents who may be seeking financial aid for higher education; to the Committee on Commerce, Science, and Transportation.

EC-2071. A communication from the Attorney, Office of Assistant General Counsel for Legislation and Regulatory Law, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Acquisition Regulation: Implementation of the Department of Energy's Cooperative Audit Strategy for its Management and Operating Contracts" (RIN1991-AB67) received on May 25, 2007; to the Committee on Energy and Natural Resources.

EC-2072. A communication from the Regulations Coordinator, Center for Medicaid and State Operations, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicaid Program; Cost Limit for Providers Operated by Units of Government and Provisions to Ensure the Integrity of Federal State Financial Partnership" ((RIN0938-AO57)(CMS-2258-FC)) received on May 25, 2007; to the Committee on Finance.

EC-2073. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Cancellation of Distributorship Agreement" (Rev. Rul. 2007-37) received on May 24, 2007; to the Committee on Finance.

EC-2074. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Deductibility of Lodging Expenses" (Notice 2007-47) received on May 24, 2007; to the Committee on Finance.

EC-2075. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the

report of a rule entitled "Distributions from a Pension Plan Upon Attainment of Normal Retirement Age" ((RIN1545-BD23)(TD 9325)) received on May 24, 2007; to the Committee on Finance.

EC-2076. A communication from the Secretary of Education, transmitting, pursuant to law, the Department's Strategic Plan for fiscal years 2007 through 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-2077. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Semiannual Report of the Department's Inspector General for the period ending March 31, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC-2078. A communication from the Secretary of Veterans Affairs, transmitting, pursuant to law, the Semiannual Report of the Department's Inspector General for the period October 1, 2006, through March 31, 2007; to the Committee on Homeland Security and Governmental Affairs.

#### REPORTS OF COMMITTEES DURING ADJOURNMENT

Under the authority of the order of the Senate of May 25, 2007, the following reports of committees were submitted on May 31, 2007:

By Mr. ROCKEFELLER, from the Select Committee on Intelligence, without amendment:

S. 1538. An original bill to authorize appropriations for fiscal year 2008 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes (Rept. No. 110-75).

By Mr. ROCKEFELLER, from the Select Committee on Intelligence:

Special Report entitled "Prewar Intelligence Assessments About Postwar Iraq" (Rept. No. 110-76). Additional and Minority views filed.

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 239. A bill to require Federal agencies, and persons engaged in interstate commerce, in possession of data containing sensitive personally identifiable information, to disclose any breach of such information.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 236. A bill to require reports to Congress on Federal agency use of data mining.

#### BILLS AND JOINT RESOLUTIONS INTRODUCED DURING ADJOURNMENT

On May 31, 2007, under the authority of the order of the Senate of May 25, 2007, the following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. ROCKEFELLER:

S. 1538. An original bill to authorize appropriations for fiscal year 2008 for the intelligence and intelligence-related activities of

the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; from the Select Committee on Intelligence; placed on the calendar.

#### ADDITIONAL COSPONSORS

S. 388

At the request of Mr. THUNE, the name of the Senator from New Mexico (Mr. DOMENICI) was added as a cosponsor of S. 388, a bill to amend title 18, United States Code, to provide a national standard in accordance with which nonresidents of a State may carry concealed firearms in the State.

S. 439

At the request of Mr. REID, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 439, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation.

S. 442

At the request of Mr. DURBIN, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from New Mexico (Mr. DOMENICI) were added as cosponsors of S. 442, a bill to provide for loan repayment for prosecutors and public defenders.

S. 453

At the request of Mr. OBAMA, the names of the Senator from South Dakota (Mr. JOHNSON), the Senator from Missouri (Mrs. MCCASKILL) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 453, a bill to prohibit deceptive practices in Federal elections.

S. 522

At the request of Mr. BAYH, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 522, a bill to safeguard the economic health of the United States and the health and safety of the United States citizens by improving the management, coordination, and effectiveness of domestic and international intellectual property rights enforcement, and for other purposes.

S. 543

At the request of Mr. NELSON of Nebraska, the names of the Senator from Tennessee (Mr. CORKER) and the Senator from Louisiana (Mr. VITTER) were added as cosponsors of S. 543, a bill to improve Medicare beneficiary access by extending the 60 percent compliance threshold used to determine whether a hospital or unit of a hospital is an inpatient rehabilitation facility under the Medicare program.

S. 556

At the request of Mr. KENNEDY, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S.

556, a bill to reauthorize the Head Start Act, and for other purposes.

S. 644

At the request of Mrs. LINCOLN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 644, a bill to amend title 38, United States Code, to recodify as part of that title certain educational assistance programs for members of the reserve components of the Armed Forces, to improve such programs, and for other purposes.

S. 673

At the request of Mr. SALAZAR, the names of the Senator from South Dakota (Mr. JOHNSON) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 673, a bill to amend the Internal Revenue Code of 1986 to provide credits for the installation of wind energy property, including by rural homeowners, farmers, ranchers, and small businesses, and for other purposes.

S. 674

At the request of Mr. OBAMA, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 674, a bill to require accountability and enhanced congressional oversight for personnel performing private security functions under Federal contracts, and for other purposes.

S. 746

At the request of Mr. ALLARD, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 746, a bill to establish a competitive grant program to build capacity in veterinary medical education and expand the workforce of veterinarians engaged in public health practice and biomedical research.

S. 773

At the request of Mr. WARNER, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 773, a bill to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums.

S. 819

At the request of Mr. DORGAN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 819, a bill to amend the Internal Revenue Code of 1986 to expand tax-free distributions from individual retirement accounts for charitable purposes.

S. 823

At the request of Mr. OBAMA, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 823, a bill to amend the Public Health Service Act with respect to facilitating the development of microbicides for preventing transmission of HIV/AIDS and other diseases, and for other purposes.

S. 825

At the request of Mr. VITTER, his name was added as a cosponsor of S.

825, a bill to provide additional funds for the Road Home Program.

S. 911

At the request of Mr. REED, the names of the Senator from Michigan (Ms. STABENOW), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Massachusetts (Mr. KERRY), the Senator from Ohio (Mr. BROWN), the Senator from Delaware (Mr. CARPER), the Senator from South Dakota (Mr. JOHNSON) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 911, a bill to amend the Public Health Service Act to advance medical research and treatments into pediatric cancers, ensure patients and families have access to the current treatments and information regarding pediatric cancers, establish a population-based national childhood cancer database, and promote public awareness of pediatric cancers.

S. 912

At the request of Mr. ROCKEFELLER, the names of the Senator from Michigan (Mr. LEVIN) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 912, a bill to amend the Internal Revenue Code of 1986 to expand the incentives for the construction and renovation of public schools.

S. 935

At the request of Mr. NELSON of Florida, the names of the Senator from Arkansas (Mr. PRYOR) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 935, a bill to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

At the request of Mr. THUNE, his name was added as a cosponsor of S. 935, *supra*.

S. 968

At the request of Mrs. BOXER, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 968, a bill to amend the Foreign Assistance Act of 1961 to provide increased assistance for the prevention, treatment, and control of tuberculosis, and for other purposes.

S. 969

At the request of Mr. DODD, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 969, a bill to amend the National Labor Relations Act to modify the definition of supervisor.

S. 970

At the request of Mr. SMITH, the names of the Senator from Texas (Mrs. HUTCHISON), the Senator from Florida (Mr. NELSON) and the Senator from Tennessee (Mr. CORKER) were added as cosponsors of S. 970, a bill to impose sanctions on Iran and on other countries for assisting Iran in developing a nuclear program, and for other purposes.

S. 975

At the request of Mr. THUNE, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 975, a bill granting the consent and approval of Congress to an interstate forest fire protection compact.

S. 986

At the request of Mr. REID, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 986, a bill to expand eligibility for Combat-Related Special Compensation paid by the uniformed services in order to permit certain additional retired members who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for that disability and Combat-Related Special Compensation by reason of that disability.

S. 999

At the request of Mr. COCHRAN, the names of the Senator from Mississippi (Mr. LOTT) and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. 999, a bill to amend the Public Health Service Act to improve stroke prevention, diagnosis, treatment, and rehabilitation.

S. 1113

At the request of Mr. BAYH, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1113, a bill to facilitate the provision of care and services for members of the Armed Forces for traumatic brain injury, and for other purposes.

S. 1181

At the request of Mr. OBAMA, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1181, a bill to amend the Securities Exchange Act of 1934 to provide shareholders with an advisory vote on executive compensation.

S. 1224

At the request of Mr. ROCKEFELLER, the name of the Senator from Colorado (Mr. SALAZAR) was added as a cosponsor of S. 1224, a bill to amend title XXI of the Social Security Act to reauthorize the State Children's Health Insurance Program, and for other purposes.

S. 1237

At the request of Mr. LAUTENBERG, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1237, a bill to increase public safety by permitting the Attorney General to deny the transfer of firearms or the issuance of firearms and explosives licenses to known or suspected dangerous terrorists.

S. 1244

At the request of Mr. KENNEDY, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1244, a bill to amend the Occupational Safety and Health Act of 1970 to expand coverage under the Act, to increase protections for whistleblowers, to increase penalties for certain violators, and for other purposes.

S. 1263

At the request of Ms. CANTWELL, the name of the Senator from South Da-

kota (Mr. JOHNSON) was added as a cosponsor of S. 1263, a bill to protect the welfare of consumers by prohibiting price gouging with respect to gasoline and petroleum distillates during natural disasters and abnormal market disruptions, and for other purposes.

S. 1323

At the request of Mr. MCCONNELL, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1323, a bill to prevent legislative and regulatory functions from being usurped by civil liability actions brought or continued against food manufacturers, marketers, distributors, advertisers, sellers, and trade associations for claims of injury relating to a person's weight gain, obesity, or any health condition associated with weight gain or obesity.

S. 1337

At the request of Mr. KERRY, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1337, a bill to amend title XXI of the Social Security Act to provide for equal coverage of mental health services under the State Children's Health Insurance Program.

S. 1345

At the request of Mr. AKAKA, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1345, a bill to affirm that Federal employees are protected from discrimination on the basis of sexual orientation and to repudiate any assertion to the contrary.

S. 1363

At the request of Mrs. CLINTON, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1363, a bill to improve health care for severely injured members and former members of the Armed Forces, and for other purposes.

S. 1364

At the request of Mr. DURBIN, the name of the Senator from Illinois (Mr. OBAMA) was added as a cosponsor of S. 1364, a bill to amend titles XIX and XXI of the Social Security Act to extend the State Children's Health Insurance Program (SCHIP) and streamline enrollment under SCHIP and Medicaid, and for other purposes.

S. 1382

At the request of Mr. REID, the names of the Senator from New York (Mrs. CLINTON) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 1382, a bill to amend the Public Health Service Act to provide the establishment of an Amyotrophic Lateral Sclerosis Registry.

S. 1391

At the request of Mr. NELSON of Nebraska, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1391, a bill to amend the Elementary and Secondary Education Act of 1965 to authorize the Secretary of Education to award grants for the support of full-service community schools, and for other purposes.

S. 1395

At the request of Mr. LEVIN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1395, a bill to prevent unfair practices in credit card accounts, and for other purposes.

S. 1415

At the request of Mr. HARKIN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1415, a bill to amend the Public Health Service Act and the Social Security Act to improve screening and treatment of cancers, provide for survivorship services, and for other purposes.

S. 1418

At the request of Mr. DODD, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1418, a bill to provide assistance to improve the health of newborns, children, and mothers in developing countries, and for other purposes.

S. 1442

At the request of Mr. THOMAS, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 1442, a bill to authorize the Secretary of Homeland Security to establish new units of Customs Patrol Officers.

S. 1450

At the request of Mr. KOHL, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 1450, a bill to authorize appropriations for the Housing Assistance Council.

S. 1457

At the request of Mr. HARKIN, the names of the Senator from Massachusetts (Mr. KENNEDY), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Maryland (Ms. MIKULSKI) and the Senator from Florida (Mr. NELSON) were added as cosponsors of S. 1457, a bill to provide for the protection of mail delivery on certain postal routes, and for other purposes.

S. 1496

At the request of Mr. BAUCUS, the names of the Senator from Minnesota (Mr. COLEMAN) and the Senator from Wyoming (Mr. THOMAS) were added as cosponsors of S. 1496, a bill to amend the Food Security Act of 1985 to include pollinators in certain conservation programs.

S. 1498

At the request of Mrs. BOXER, the name of the Senator from Nevada (Mr. ENSIGN) was added as a cosponsor of S. 1498, a bill to amend the Lacey Act Amendments of 1981 to prohibit the import, export, transportation, sale, receipt, acquisition, or purchase in interstate or foreign commerce of any live animal of any prohibited wildlife species, and for other purposes.

S. 1502

At the request of Mr. CONRAD, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1502, a bill to amend the



Food Security Act of 1985 to encourage owners and operators of privately-held farm, ranch, and forest land to voluntarily make their land available for access by the public under programs administered by States and tribal governments.

S. RES. 85

At the request of Mr. LAUTENBERG, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. Res. 85, a resolution expressing the sense of the Senate regarding the creation of refugee populations in the Middle East, North Africa, and the Persian Gulf region as a result of human rights violations.

AMENDMENT NO. 1151

At the request of Mr. INHOFE, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of amendment No. 1151 intended to be proposed to S. 1348, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1179

At the request of Mr. LAUTENBERG, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of amendment No. 1179 intended to be proposed to S. 1348, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1182

At the request of Mr. THOMAS, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of amendment No. 1182 intended to be proposed to S. 1348, a bill to provide for comprehensive immigration reform and for other purposes.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 1257. Mr. DOMENICI (for himself, Mr. KYL, Mr. CORNYN, and Mrs. HUTCHISON) submitted an amendment intended to be proposed by him to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table.

SA 1258. Mr. DOMENICI (for himself, Mr. KYL, Mr. CORNYN, and Mrs. HUTCHISON) submitted an amendment intended to be proposed by him to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1259. Mr. DOMENICI submitted an amendment intended to be proposed by him to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1260. Mr. DOMENICI submitted an amendment intended to be proposed by him to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1261. Mr. DOMENICI submitted an amendment intended to be proposed by him to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1262. Mr. DOMENICI submitted an amendment intended to be proposed by him to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1263. Mr. DOMENICI submitted an amendment intended to be proposed by him to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1264. Mr. DOMENICI submitted an amendment intended to be proposed by him to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1265. Mr. DOMENICI (for himself and Mr. BINGAMAN) submitted an amendment intended to be proposed by him to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1266. Mr. ALEXANDER submitted an amendment intended to be proposed by him to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1267. Mr. BINGAMAN (for himself and Mr. OBAMA) submitted an amendment intended to be proposed by him to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1268. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1269. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1270. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1271. Mr. CONRAD submitted an amendment intended to be proposed by him to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1272. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1273. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1274. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1275. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1276. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1277. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1278. Mr. KOHL submitted an amendment intended to be proposed by him to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1279. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1280. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1281. Mrs. MCCASKILL (for herself and Mr. DODD) submitted an amendment intended to be proposed by her to the bill S. 1348, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 1257.** Mr. DOMENICI (for himself, Mr. KYL, Mr. CORNYN, and Mrs. HUTCHISON) submitted an amendment intended to be proposed by him to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### SEC. \_\_\_\_ . INCREASE IN FEDERAL JUDGESHIPS IN DISTRICTS WITH LARGE NUMBERS OF CRIMINAL IMMIGRATION CASES.

(a) FINDINGS.—Based on the recommendations made by the 2007 Judicial Conference

and the statistical data provided by the 2006 Federal Court Management Statistics (issued by the Administrative Office of the United States Courts), the Congress finds the following:

(1) Federal courts along the southwest border of the United States have a greater percentage of their criminal caseload affected by immigration cases than other Federal courts.

(2) The percentage of criminal immigration cases in most southwest border district courts totals more than 49 percent of the total criminal caseloads of those districts.

(3) The current number of judges authorized for those courts is inadequate to handle the current caseload.

(4) Such an increase in the caseload of criminal immigration filings requires a corresponding increase in the number of Federal judgeships.

(5) The 2007 Judicial Conference recommended the addition of judgeships to meet this growing burden.

(6) The Congress should authorize the additional district court judges necessary to carry out the 2007 recommendations of the Judicial Conference for district courts in which the criminal immigration filings represented more than 49 percent of all criminal filings for the 12-month period ending September 30, 2006.

(b) PURPOSE.—The purpose of this section is to increase the number of Federal judgeships, in accordance with the recommendations of the 2007 Judicial Conference, in district courts that have an extraordinarily high criminal immigration caseload.

(c) ADDITIONAL DISTRICT COURT JUDGESHIPS.—

(1) PERMANENT JUDGESHIPS.—

(A) IN GENERAL.—The President shall appoint, by and with the advice and consent of the Senate—

(i) 4 additional district judges for the district of Arizona;

(ii) 1 additional district judge for the district of New Mexico;

(iii) 2 additional district judges for the southern district of Texas; and

(iv) 1 additional district judge for the western district of Texas.

(B) CONFORMING AMENDMENTS.—In order that the table contained in section 133(a) of title 28, United States Code, reflect the number of additional judges authorized under paragraph (1), such table is amended—

(i) by striking the item relating to Arizona and inserting the following:

“Arizona ..... 16”;

(ii) by striking the item relating New Mexico and inserting the following:

“New Mexico ..... 7”;

(iii) by striking the item relating to Texas and inserting the following:

“Texas  
Northern ..... 12  
Southern ..... 21  
Eastern ..... 7  
Western ..... 14”.

(2) TEMPORARY JUDGESHIPS.—

(A) IN GENERAL.—The President shall appoint, by and with the advice and consent of the Senate—

(i) 1 additional district judge for the district of Arizona; and

(ii) 1 additional district judge for the district of New Mexico.

(B) VACANCY.—For each of the judicial districts named in this paragraph, the first vacancy arising on the district court 10 years or more after a judge is first confirmed to fill the temporary district judgeship created in that district by this paragraph shall not be filled.

**SA 1258.** Mr. DOMENICI (for himself, Mr. KYL, Mr. CORNYN, and Mrs.



HUTCHISON) submitted an amendment intended to be proposed by him to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . DISTRICT JUDGES FOR THE DISTRICT COURTS IN BORDER STATES.**

(a) IN GENERAL.—The President shall appoint, by and with the advice and consent of the Senate—

(1) 4 additional district judges for the district of Arizona;

(2) 4 additional district judges for the central district of California;

(3) 4 additional district judges for the eastern district of California;

(4) 2 additional district judges for the northern district of California;

(5) 1 additional district judge for the district of Minnesota;

(6) 1 additional district judge for the district of New Mexico;

(7) 3 additional district judges for the eastern district of New York;

(8) 1 additional district judge for the western district of New York;

(9) 1 additional district judge for the eastern district of Texas;

(10) 2 additional district judges for the southern district of Texas;

(11) 1 additional district judge for the western district of Texas; and

(12) 1 additional district judge for the western district of Washington.

(b) TEMPORARY JUDGESHIPS.—The President shall appoint, by and with the advice and consent of the Senate—

(1) 1 additional district judge for the district of Arizona;

(2) 1 additional district judge for the central district of California;

(3) 1 additional district judge for the northern district of California;

(4) 1 additional district judge for the district of Idaho; and

(5) 1 additional district judge for the district of New Mexico.

For each of the judicial districts named in this subsection, the first vacancy arising on the district court 10 years or more after a judge is first confirmed to fill the temporary district judgeship created in that district by this subsection shall not be filled.

(c) EXISTING JUDGESHIPS.—The existing judgeships for the district of Arizona and the district of New Mexico authorized by section 312(c) of the 21st Century Department of Justice Appropriations Authorization Act (Public Law 107–273, 116 Stat. 1758), as of the effective date of this Act, shall be authorized under section 133 of title 28, United States Code, and the incumbents in those offices shall hold the office under section 133 of title 28, United States Code, as amended by this Act.

(d) TABLES.—In order that the table contained in section 133 of title 28, United States Code, will, with respect to each judicial district, reflect the changes in the total number of permanent district judgeships authorized as a result of subsections (a) and (c), such table is amended to read as follows:

“Districts	Judges
Alabama:	
Northern .....	7
Middle .....	3
Southern .....	3
Alaska .....	3
Arizona .....	17
Arkansas:	
Eastern .....	5

“Districts	Judges	“Districts	Judges
Western .....	3	Tennessee:	
California:		Eastern .....	5
Northern .....	16	Middle .....	4
Eastern .....	10	Western .....	5
Central .....	31	Texas:	
Southern .....	13	Northern .....	12
Colorado .....	7	Southern .....	21
Connecticut .....	8	Eastern .....	8
Delaware .....	4	Western .....	14
District of Columbia .....	15	Utah .....	5
Florida:		Vermont .....	2
Northern .....	4	Virginia:	
Middle .....	15	Eastern .....	11
Southern .....	17	Western .....	4
Georgia:		Washington:	
Northern .....	11	Eastern .....	4
Middle .....	4	Western .....	8
Southern .....	3	West Virginia:	
Hawaii .....	3	Northern .....	3
Idaho .....	2	Southern .....	5
Illinois:		Wisconsin:	
Northern .....	22	Eastern .....	5
Central .....	4	Western .....	2
Southern .....	4	Wyoming .....	3
Indiana:			
Northern .....	5	(e) AUTHORIZATION OF APPROPRIATIONS.—	
Southern .....	5	There are authorized to be appropriated such	
Iowa:		sums as are necessary to carry out this sec-	
Northern .....	2	tion, including such sums as are necessary to	
Southern .....	3	provide appropriate space and facilities for	
Kansas .....	5	the judicial positions created by this section.	
Kentucky:		<b>SA 1259.</b> Mr. DOMENICI submitted an	
Eastern .....	5	amendment intended to be proposed by	
Western .....	4	him to the bill S. 1348, to provide for	
Eastern and Western .....	1	comprehensive immigration reform	
Louisiana:		and for other purposes; which was or-	
Eastern .....	12	dered to lie on the table; as follows:	
Middle .....	3	At the end of section 128, add the fol-	
Western .....	7	lowing:	
Maine .....	3	(5) An evaluation of the positive and nega-	
Maryland .....	10	tive impacts of privatizing border patrol	
Massachusetts .....	13	training, including an evaluation of the im-	
Michigan:		act of privatization on the quality, morale,	
Eastern .....	15	and consistency of Border Patrol agents.	
Western .....	4	(c) CONSIDERATIONS.—In conducting the re-	
Minnesota .....	8	view under subsection (a), the Comptroller	
Mississippi:		General of the United States shall consider—	
Northern .....	3	(1) the report by the Government Account-	
Southern .....	6	ability Office entitled “Homeland Security:	
Missouri:		Information on Training New Border Patrol	
Eastern .....	6	Agents” and dated March 30, 2007;	
Western .....	5	(2) the ability of Federal providers of bor-	
Eastern and Western .....	2	der patrol training, as compared to private	
Montana .....	3	providers of similar training, to incorporate	
Nebraska .....	3	time-sensitive changes based on the needs of	
Nevada .....	7	an agency or changes in the law;	
New Hampshire .....	3	(3) the ability of a Federal agency, as com-	
New Jersey .....	17	pared to a private entity, to defend the Fed-	
New Mexico .....	8	eral agency or private entity, as applicable,	
New York:		from lawsuits involving the nature, quality,	
Northern .....	5	and consistency of law enforcement training;	
Southern .....	28	and	
Eastern .....	18	(4) whether any other Federal training	
Western .....	5	would be more appropriate and cost efficient	
North Carolina:		for privatization than basic border patrol	
Eastern .....	4	training.	
Middle .....	4	(d) CONSULTATION.—In conducting the re-	
Western .....	3	view under subsection (a), the Comptroller	
North Dakota .....	2	General of the United States shall consult	
Ohio:		with—	
Northern .....	11	(1) the Secretary of Homeland Security;	
Southern .....	8	(2) the Commissioner of the Bureau of Cus-	
Oklahoma:		tom and Border Protection; and	
Northern .....	3	(3) the Director of the Federal Law En-	
Eastern .....	1	forcement Training Center.	
Western .....	6	<b>SA 1260.</b> Mr. DOMENICI submitted an	
Northern, Eastern, and Western .....	1	amendment intended to be proposed by	
Oregon .....	6	him to the bill S. 1348, to provide for	
Pennsylvania:		comprehensive immigration reform	
Eastern .....	22	and for other purposes; which was or-	
Middle .....	6	dered to lie on the table; as follows:	
Western .....	10	In section 122(b)(2), insert “the Bureau of	
Puerto Rico .....	7	Land Management,” before “the National	
Rhode Island .....	3	Park Service”.	
South Carolina .....	10		
South Dakota .....	3		

In section 122(d)(1), insert “the Bureau of Land Management,” before “the National Park Service”.

In section 122(d)(2), insert “the Subcommittee on Public Lands and Forests and” after “including”.

In section 122(e)(3), strike “and”.

In section 122(e), redesignate paragraph (4) as paragraph (5).

In section 122(e), after paragraph (3), insert the following:

(4) Bureau of Land Management Land; and

At the end of section 122, add the following:

(f) ADDITION PERSONNEL.—

(1) FOREST SERVICE.—In each of the fiscal years 2008 through 2012, the Secretary of Agriculture, subject to the availability of appropriations, shall increase by not less than 50 the number of positions for realty personnel in the Forest Service, for purposes of—

(A) coordinating the submission to, and review by, the Office of Border Patrol and the Department of Homeland Security of proposals and other environmental documents, including environmental impact statements under the National Environmental Protection Act of 1969 (42 U.S.C. 4321 et seq.); and

(B) processing realty actions on public land.

(2) BUREAU OF LAND MANAGEMENT.—In each of the fiscal years 2008 through 2012, the Secretary of Interior, subject to the availability of appropriations, shall increase by not less than 50 the number of positions for realty personnel in the Bureau of Land Management for the purposes described in paragraph (1).

(3) NATIONAL PARK SERVICE.—In each of the fiscal years 2008 through 2012, the Secretary of Interior, subject to the availability of appropriations, shall increase by not less than 50 the number of positions for realty personnel in the National Park Service for the purposes described in paragraph (1).

**SA 1261.** Mr. DOMENICI submitted an amendment intended to be proposed by him to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VII, insert the following:

**SEC. 711. STUDY OF RADIO COMMUNICATIONS ALONG THE INTERNATIONAL BORDER.**

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall conduct a study to determine the areas along the international borders of the United States where Federal and State law enforcement officers are unable to achieve radio communication or where radio communication is inadequate.

(b) DEVELOPMENT OF PLAN.—Upon conclusion of the study described in subsection (a), the Secretary shall develop a plan for enhancing radio communication capability along the international borders. The plan shall include an estimate of the cost for implementing the plan and recommendations for how Federal, State, and local law enforcement officers can benefit from the plan.

**SA 1262.** Mr. DOMENICI submitted an amendment intended to be proposed by him to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

In section 125(a)(2)(C), after “States” insert the following: “, including consideration of whether the Department of Homeland Se-

curity should use the UAV Systems and Operations Validation Program funded by the Department of Defense to test unmanned aerial vehicle platforms and systems in civil airspace on a routine basis alongside manned aircraft”.

**SA 1263.** Mr. DOMENICI submitted an amendment intended to be proposed by him to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ COOPERATION WITH THE GOVERNMENT OF MEXICO.**

(a) COOPERATION REGARDING BORDER SECURITY.—The Secretary of State, in cooperation with the Secretary and representatives of Federal, State, and local law enforcement agencies that are involved in border security and immigration enforcement efforts, shall work with the appropriate officials from the Government of Mexico to improve coordination between the United States and Mexico regarding—

(1) improved border security along the international border between the United States and Mexico;

(2) the reduction of human trafficking and smuggling between the United States and Mexico;

(3) the reduction of drug trafficking and smuggling between the United States and Mexico;

(4) the reduction of gang membership in the United States and Mexico;

(5) the reduction of violence against women in the United States and Mexico; and

(6) the reduction of other violence and criminal activity.

(b) COOPERATION REGARDING EDUCATION ON IMMIGRATION LAWS.—The Secretary of State, in cooperation with other appropriate Federal officials, shall work with the appropriate officials from the Government of Mexico to carry out activities to educate citizens and nationals of Mexico regarding eligibility for status as a nonimmigrant under Federal law to ensure that the citizens and nationals are not exploited while working in the United States.

(c) COOPERATION REGARDING CIRCULAR MIGRATION.—The Secretary of State, in cooperation with the Secretary of Labor and other appropriate Federal officials, shall work with the appropriate officials from the Government of Mexico to improve coordination between the United States and Mexico to encourage circular migration, including assisting in the development of economic opportunities and providing job training for citizens and nationals in Mexico.

(d) ANNUAL REPORT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of State shall submit a report to Congress describing the actions taken by the United States and Mexico under this Act.

**SA 1264.** Mr. DOMENICI submitted an amendment intended to be proposed by him to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ IMPROVED LAW ENFORCEMENT TRAINING.**

(a) REQUIREMENT.—The Secretary, in coordination with the Director of the Federal Law Enforcement Training Center and the Commissioner of U.S. Customs and Border

Protection, if appropriate, shall improve and expand the Federal Law Enforcement Training Center in Artesia, New Mexico (referred to in this section as “FLETC”) and the Border Patrol Academy located at FLETC by—

(1) authorizing the construction of a detention facility for training purposes;

(2) developing, not later than 2 years after the date of the enactment of this Act, a plan to improve and expand such Border Patrol Academy, including—

(A) a plan to develop realistic scenario-based training; and

(B) an evaluation of new facilities, improvements, equipment, land, and other resources needed to carry out the plan to improve and expand the Border Patrol Academy; and

(3) developing, not later than 2 years after the date of the enactment of this Act and in consultation with appropriate partner agencies, a plan to expand and improve FLETC, including—

(A) a plan to develop realistic scenario-based training;

(B) an evaluation of new facilities, improvements, equipment, land and other resources needed to carry out the plan; and

(C) an evaluation of the entities that utilize any Federal Law Enforcement Training Center or other State or local law enforcement entities that would be appropriate to utilize FLETC.

**(b) LANGUAGE ARTS PROGRAM AND FACILITY.—**

(1) PROGRAM EXPANSION.—The Secretary shall expand the language arts program and facility at FLETC to provide training for the Department of Homeland Security personnel and law enforcement officers identified under paragraph (3).

**(2) TRAINING REQUIREMENT.—**

(A) HOMELAND SECURITY.—The Secretary shall—

(i) identify any employee of the Department of Homeland Security for whom foreign language education is necessary; and

(ii) require foreign language education for any employee identified under clause (i).

(B) LAW ENFORCEMENT.—The head of each executive agency shall—

(i) identify any law enforcement officer employed by such executive agency for whom foreign language education is necessary; and

(ii) require foreign language education for any law enforcement officer identified under clause (i).

(3) TRAINING.—Foreign language education for any individual identified under subparagraph (A)(i) or (B)(i) of paragraph (2) shall be provided through the language arts program and facility at FLETC.

**(c) DEFINITIONS.—In this section—**

(1) the term “executive agency” has the same meaning as in section 105 of title 5, United States Code, except that the term does not include the Department of Defense or the Department of State;

(2) the term “law enforcement officer” has the same meaning as in section 8331 of title 5, United States Code; and

(3) the term “Secretary” means the Secretary of Homeland Security.

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

**SA 1265.** Mr. DOMENICI (for himself and Mr. BINGAMAN) submitted an amendment intended to be proposed by him to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ TRAVEL PRIVILEGES FOR CERTAIN TEMPORARY VISITORS FROM MEXICO.**

(a) **IN GENERAL.**—Except as provided in subsection (b), the Secretary shall permit a national of Mexico to travel up to 100 miles from the international border between Mexico and the State of New Mexico if such national—

(1) possesses a valid machine-readable biometric border crossing identification card issued by a consular officer of the Department of State;

(2) enters the State of New Mexico through a port of entry where such card is processed using a machine reader;

(3) has successfully completed any background check required by the Secretary for such travel; and

(4) is admitted into the United States as a nonimmigrant under section 101(a)(15)(B) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(B)).

(b) **EXCEPTION.**—On a case-by-case basis, the Secretary may limit the travel of a national of Mexico who meets the requirements of paragraphs (1) through (4) of subsection (a) to a distance of less than 100 miles from the international border between Mexico and the State of New Mexico if the Secretary determines that the national was previously admitted into the United States as a nonimmigrant and violated the terms and conditions of the national's nonimmigrant status.

**SA 1266.** Mr. ALEXANDER submitted an amendment intended to be proposed by him to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

In section 709 of the bill redesignate subsection (b) as subsection (c), and insert the following:

(b) **ASSESSMENT TOOLS.**—The Director of the United States Citizenship and Immigration Services, in consultation with the Secretary of Education, shall develop valid and reliable assessment tools to measure the progress of individuals—

(1) in the acquisition of the English language under subsection (a); and

(2) in meeting any other English language requirements in this Act.

**SA 1267.** Mr. BINGAMAN (for himself and Mr. OBAMA) submitted an amendment intended to be proposed by him to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Section 218A(i) of the Immigration and Nationality Act, as added by section 402, is amended to read as follows:

“(i) **PERIOD OF AUTHORIZED ADMISSION.**—

“(1) **IN GENERAL.**—Aliens admitted to the United States as Y nonimmigrants shall be granted the following periods of admission:

“(A) **Y-1 NONIMMIGRANTS.**—An alien granted admission as a Y-1 nonimmigrant shall be granted an authorized period of admission of 2 years. Such 2-year period of admission may be extended for 2 additional 2-year periods.

“(B) **Y-2 NONIMMIGRANTS.**—Aliens granted admission as Y-2 nonimmigrants shall be granted an authorized period of admission of 10 months.

“(2) **Y-1 NONIMMIGRANTS WITH Y-3 DEPENDENTS.**—A Y-1 nonimmigrant who has accompanying or following-to-join derivative family members in Y-3 nonimmigrant status shall be limited to two 2-year periods of admission. If the family members accompany the Y-1 nonimmigrant during the alien's first period of admission the family members

may not accompany or join the Y-1 nonimmigrant during the alien's second period of admission. If the Y-1 nonimmigrant's family members accompany or follow to join the Y-1 nonimmigrant during the alien's second period of admission, but not his first period of admission, then the Y-1 nonimmigrant shall not be granted any additional periods of admission in Y nonimmigrant status. The period of authorized admission of a Y-3 nonimmigrant shall expire on the same date as the period of authorized admission of the principal Y-1 nonimmigrant worker.

“(3) **SUPPLEMENTARY PERIODS.**—Each period of authorized admission described in paragraph (1) shall be supplemented by a period of not more than 1 week before the beginning of the period of employment for the purpose of travel to the worksite and, except where such period of authorized admission has been terminated under subsection (j), a period of 14 days following the period of employment for the purpose of departure or extension based on a subsequent offer of employment, except that—

“(A) the alien is not authorized to be employed during such 14-day period except in the employment for which the alien was previously authorized; and

“(B) the total period of employment, including such 14-day period, may not exceed the maximum applicable period of admission under paragraph (1).

“(4) **LIMITATION ON ADMISSIONS.**—

“(A) **Y-1 NONIMMIGRANTS.**—An alien who has been admitted to the United States in Y-1 nonimmigrant status for a period of 2 years under paragraph (1), or as the Y-3 nonimmigrant spouse or child of such a Y-1 nonimmigrant, may not be readmitted to the United States as a Y-1 or Y-3 nonimmigrant after expiration of such period of authorized admission, regardless of whether the alien was employed or present in the United States for all or a part of such period.

“(B) **Y-2 NONIMMIGRANTS.**—An alien who has been admitted to the United States in Y-2 nonimmigrant status may not, after expiration of the alien's period of authorized admission, be readmitted to the United States as a Y-2 nonimmigrant after expiration of the alien's period of authorized admission, regardless of whether the alien was employed or present in the United States for all or only a part of such period, unless the alien has resided and been physically present outside the United States for the immediately preceding 2 months.

“(C) **READMISSION WITH NEW EMPLOYMENT.**—Nothing in this paragraph shall be construed to prevent a Y nonimmigrant, whose period of authorized admission has not yet expired or been terminated under subsection (j), and who leaves the United States in a timely fashion after completion of the employment described in the petition of the Y nonimmigrant's most recent employer, from reentering the United States as a Y nonimmigrant to work for a new employer, if the alien and the new employer have complied with all applicable requirements of this section and section 218B.

“(5) **INTERNATIONAL COMMUTERS.**—An alien who maintains actual residence and a place of abode outside the United States and commutes, on days the alien is working, into the United States to work as a Y-1 nonimmigrant, shall be granted an authorized period of admission of 3 years. The limitations described in paragraph (3) shall not apply to commuters described in this paragraph.”

**SA 1268.** Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill S. 1348, to provide for comprehensive immigration reform

and for other purposes; which was ordered to lie on the table; as follows:

On page 224, in the handwritten matter, strike “(9)(A)” and insert “(10)(A)”.

On page 225, strike “such limitation” and insert “the limitations under clauses (i) and (ii) of paragraph (1)(D)”.

**SA 1269.** Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

In section 602(a), strike paragraph (6) and insert the following:

(6) **CLARIFICATION THAT NEWLY LEGALIZED ALIENS SHALL BE CONSIDERED “NOT QUALIFIED” ALIENS FOR PURPOSES OF FEDERAL PUBLIC BENEFITS.**—

(A) **IN GENERAL.**—The restrictions on Federal public benefits for “not qualified” immigrants under section 401 of Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1611) and on Federal means-tested public benefits under sections 402 and 403 of such Act (8 U.S.C. 1612 and 1613) shall apply to an alien whose status has been adjusted under this section—

(i) for a period of 5 years beginning on the date the individual obtains legal status under this section; and

(ii) until the individual adjusts to lawful permanent resident status.

(B) **QUALIFIED IMMIGRANT.**—After both conditions are met under subparagraph (A), an individual described in such subparagraph shall be treated in the same manner as other “qualified” immigrants who have met the 5-year period of ineligibility under title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1611 et seq.).

**SA 1270.** Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**TITLE \_\_\_\_—U.S. BORDER HEALTH**

**SEC. \_\_\_\_01. SHORT TITLE.**

This title may be cited as the “Border Health Security Act of 2007”.

**SEC. \_\_\_\_02. DEFINITIONS.**

In this title:

(1) **BORDER AREA.**—The term “border area” has the meaning given the term “United States-Mexico Border Area” in section 8 of the United States-Mexico Border Health Commission Act (22 U.S.C. 290n-6).

(2) **SECRETARY.**—The term “Secretary” means the Secretary of Health and Human Services.

**SEC. \_\_\_\_03. BORDER HEALTH GRANTS.**

(a) **ELIGIBLE ENTITY DEFINED.**—In this section, the term “eligible entity” means a State, public institution of higher education, local government, tribal government, non-profit health organization, trauma center, or community health center receiving assistance under section 330 of the Public Health Service Act (42 U.S.C. 254b), that is located in the border area.

(b) **AUTHORIZATION.**—From funds appropriated under subsection (f), the Secretary, acting through the United States members of the United States-Mexico Border Health Commission, shall award grants to eligible entities to address priorities and recommendations to improve the health of border area residents that are established by—

(1) the United States members of the United States-Mexico Border Health Commission;

(2) the State border health offices; and

(3) the Secretary.

(c) APPLICATION.—An eligible entity that desires a grant under subsection (b) shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

(d) USE OF FUNDS.—An eligible entity that receives a grant under subsection (b) shall use the grant funds for—

(1) programs relating to—

(A) maternal and child health;

(B) primary care and preventative health;

(C) public health and public health infrastructure;

(D) health promotion;

(E) oral health;

(F) behavioral and mental health;

(G) substance abuse;

(H) health conditions that have a high prevalence in the border area;

(I) medical and health services research;

(J) workforce training and development;

(K) community health workers or promotoras;

(L) health care infrastructure problems in the border area (including planning and construction grants);

(M) health disparities in the border area;

(N) environmental health;

(O) health education;

(P) outreach and enrollment services with respect to Federal programs (including programs authorized under titles XIX and XXI of the Social Security Act (42 U.S.C. 1396 and 1397aa));

(Q) trauma care;

(R) infectious disease testing and monitoring;

(S) health research with an emphasis on infectious disease; and

(T) cross-border health surveillance; and

(2) other programs determined appropriate by the Secretary.

(e) SUPPLEMENT, NOT SUPPLANT.—Amounts provided to an eligible entity awarded a grant under subsection (b) shall be used to supplement and not supplant other funds available to the eligible entity to carry out the activities described in subsection (d).

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section such sums as may be necessary for fiscal year 2008 and each succeeding fiscal year.

**SEC. 04. GRANTS FOR ALL HAZARDS PREPAREDNESS IN THE BORDER AREA INCLUDING BIOTERRORISM AND INFECTIOUS DISEASE.**

(a) ELIGIBLE ENTITY DEFINED.—In this section, the term “eligible entity” means a State, local government, tribal government, trauma centers, regional trauma center coordinating entity, or public health entity.

(b) AUTHORIZATION.—From funds appropriated under subsection (e), the Secretary shall award grants to eligible entities for all hazards preparedness in the border area including bioterrorism and infectious disease.

(c) APPLICATION.—An eligible entity that desires a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

(d) USES OF FUNDS.—An eligible entity that receives a grant under subsection (b) shall use the grant funds to, in coordination with State and local all hazards programs—

(1) develop and implement all hazards preparedness plans and readiness assessments and purchase items necessary for such plans;

(2) coordinate all hazard and emergency preparedness planning in the region;

(3) improve infrastructure, including surge capacity syndromic surveillance, laboratory

capacity, and isolation/decontamination capacity;

(4) create a health alert network, including risk communication and information dissemination;

(5) educate and train clinicians, epidemiologists, laboratories, and emergency personnel;

(6) implement electronic data systems to coordinate the triage, transportation, and treatment of multi-casualty incident victims;

(7) provide infectious disease testing in the border area; and

(8) carry out such other activities identified by the Secretary, the United States-Mexico Border Health Commission, State and local public health offices, and border health offices.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$25,000,000 for fiscal year 2008 and such sums as may be necessary for each succeeding fiscal year.

**SEC. 05. UNITED STATES-MEXICO BORDER HEALTH COMMISSION ACT AMENDMENTS.**

The United States-Mexico Border Health Commission Act (22 U.S.C. 290n et seq.) is amended by adding at the end the following: “**SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

“There is authorized to be appropriated to carry out this Act \$10,000,000 for fiscal year 2008 and such sums as may be necessary for each succeeding fiscal year.”.

**SEC. 06. COORDINATION OF HEALTH SERVICES AND SURVEILLANCE.**

The Secretary may coordinate with the Secretary of Homeland Security in establishing a health alert system that—

(1) alerts clinicians and public health officials of emerging disease clusters and syndromes along the border area; and

(2) is alerted to signs of health threats, disasters of mass scale, or bioterrorism along the border area.

**SEC. 07. BINATIONAL HEALTH INFRASTRUCTURE AND HEALTH INSURANCE.**

(a) IN GENERAL.—The Secretary of Health and Human Services shall enter into a contract with the Institute of Medicine for the conduct of a study concerning binational health infrastructure (including trauma and emergency care) and health insurance efforts. In conducting such study, the Institute shall solicit input from border health experts and health insurance issuers.

(b) REPORT.—Not later than 1 year after the date on which the Secretary of Health and Human Services enters into the contract under subsection (a), the Institute of Medicine shall submit to the Secretary and the appropriate committees of Congress a report concerning the study conducted under such contract. Such report shall include the recommendations of the Institute on ways to expand or improve binational health infrastructure and health insurance efforts.

**SEC. 08. PROVISION OF RECOMMENDATIONS AND ADVICE TO CONGRESS.**

Section 5 of the United States-Mexico Border Health Commission Act (22 U.S.C. 290n-3) is amended by adding at the end the following:

“(d) PROVIDING ADVICE AND RECOMMENDATIONS TO CONGRESS.—A member of the Commission, or an individual who is on the staff of the Commission, may at any time provide advice or recommendations to Congress concerning issues that are considered by the Commission. Such advice or recommendations may be provided whether or not a request for such is made by a member of Congress and regardless of whether the member or individual is authorized to provide such advice or recommendations by the Commission or any other Federal official.”.

**SA 1271.** Mr. CONRAD submitted an amendment intended to be proposed by him to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

In section 425(h), strike paragraph (3).

**SA 1272.** Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. . B-1 VISITOR VISA GUIDELINES AND DATA TRACKING SYSTEMS.**

(a) GUIDELINES.—

(1) IN GENERAL.—Not later than 6 months after the date of enactment of this Act—

(A) the Secretary of State shall review existing regulations or internal guidelines relating to the decisionmaking process with respect to the issuance of B-1 visas by consular officers and determine whether modifications are necessary to ensure that such officers make decisions with respect to the issuance of B-1 visas as consistently as possible while ensuring security and maintaining officer discretion over such issuance determinations; and

(B) the Secretary of Homeland Security shall review existing regulations or internal guidelines relating to the decisionmaking process of Customs and Border Protection officers concerning whether travelers holding a B-1 visitor visa are admissible to the United States and the appropriate length of stay and shall determine whether modifications are necessary to ensure that such officers make decisions with respect to travelers admissibility and length of stay as consistently as possible while ensuring security and maintaining officer discretion over such determinations.

(2) MODIFICATION.—If after conducting the reviews under paragraph (1), the Secretary of State or the Secretary of Homeland Security determine that modifications to existing regulations or internal guidelines, or the establishment of new regulations or guidelines, are necessary, the relevant Secretary shall make such modifications during the 6-month period referred to in such paragraph.

(3) CONSULTATIONS.—In making determinations and preparing guidelines under paragraph (1), the Secretary of State and the Secretary of Homeland Security shall consult with appropriate stakeholders, including consular officials and immigration inspectors.

(b) DATA TRACKING SYSTEMS.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this Act—

(A) the Secretary of State shall develop and implement a system to track aggregate data relating to the issuance of B-1 visitor visas in order to ensure the consistent application of the guidelines established under subsection (a)(1)(A); and

(B) the Secretary of Homeland Security shall develop and implement a system to track aggregate data relating to admissibility decision, and length of stays under, B-1 visitor visas in order to ensure the consistent application of the guidelines established under subsection (a)(1)(B).

(2) LIMITATION.—The systems implemented under paragraph (1) shall not store or track personally identifiable information, except that this paragraph shall not be construed to limit the application of any other system that is being implemented by the Department of State or the Department of Homeland Security to track travelers or travel to the United States.

(c) **PUBLIC EDUCATION.**—The Secretary of State and the Secretary of Homeland Security shall carry out activities to provide guidance and education to the public and to visa applicants concerning the nature, purposes, and availability of the B-1 visa for business travelers.

(d) **REPORT.**—Not later than 6 and 18 months after the date of enactment of this Act, the Secretary of State and the Secretary of Homeland Security shall submit to Congress, reports concerning the status of the implementation of this section.

**SA 1273.** Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

In title V of the bill, strike section 505.

**SA 1274.** Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 112, line 31, strike “The Secretary shall perform regular audits” and insert “Not later than 6 months after the date of the enactment of this section and annually thereafter, the Secretary shall conduct an audit”.

**SA 1275.** Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, insert the following:

**SEC. 427. REPORT ON THE Y NONIMMIGRANT VISA PROGRAM.**

(a) **IN GENERAL.**—Not later than 2 years and 2 months after the date on which the Secretary of Homeland Security makes the certification described in section 1(a) of this Act, and every year thereafter, the Secretary shall report to Congress on the number of Y nonimmigrant visa holders that return to their foreign residence, as required under section 218A(j)(3) of the Immigration and Nationality Act, as added by section 402 of this Act.

(b) **TERMINATION OF Y NONIMMIGRANT VISA PROGRAM.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of law or of this Act, if in any year the Secretary of Homeland Security reports to the Congress under subsection (a) that 20 percent or more of Y nonimmigrant visa holders do not comply with the return requirement under section 218A(j)(3) of the Immigration and Nationality Act, then—

(A) for the following calendar year, no new Y nonimmigrant visas shall be issued; and

(B) for such calendar year, section 218A of the Immigration and Nationality Act shall have no force or effect, except with respect to those Y immigrant visa holders described under paragraph (2).

(2) **COMPLIANT Y NONIMMIGRANT VISA HOLDERS.**—An existing Y nonimmigrant visa holder who is found to have been in compliance with the return requirement under section 218A(j)(3) of the Immigration and Nationality Act, at the beginning of any calendar year in which no new Y nonimmigrant visas are issued in accordance with paragraph (1), shall be allowed to continue in the Y visa program if the period of authorized admission of such visa holder has not expired.

**SA 1276.** Mrs. BOXER submitted an amendment intended to be proposed by

her to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 223, line 11, strike “not exceed—” and all that follows through line 21, and insert the following: “not exceed 100,000 for any fiscal year; or”.

**SA 1277.** Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 48, between lines 10 and 11, insert the following:

**SEC. 204. PRECLUDING ADMISSIBILITY OF ALIENS CONVICTED OF SERIOUS CRIMINAL OFFENSES.**

(a) **INADMISSIBILITY ON CRIMINAL AND RELATED GROUNDS.**—Section 212(a)(2) (8 U.S.C. 1182(a)(2)) is amended by adding at the end the following:

“(J) **CRIMES INVOLVING FIREARMS.**—Any alien who has been convicted of—

“(i) a crime involving the purchasing, selling, offering for sale, exchanging, using, owning, possessing, or carrying, or of attempting or conspiring to purchase, sell, offer for sale, exchange, use, own, possess, or carry, any weapon, part, or accessory which is a firearm or destructive device (as defined in section 921(a) of title 18, United States Code), for which the alien was sentenced to a term of imprisonment of more than 1 year; or

“(ii) a violation of section 2250 of title 18, United States Code (relating to failure to register as a sex offender), is inadmissible.

“(K) **CRIMES OF DOMESTIC VIOLENCE, STALKING, OR VIOLATION OF PROTECTIVE ORDERS; CRIMES AGAINST CHILDREN.**—

“(i) **DOMESTIC VIOLENCE, STALKING, AND CHILD ABUSE.**—Any alien who has been convicted of a crime of domestic violence, a crime of stalking, or a crime of child abuse, child neglect, or child abandonment, for which the alien was imprisoned for more than 1 year, is inadmissible. In this clause, the term ‘crime of domestic violence’ means any crime of violence (as defined in section 16 of title 18, United States Code) against a person committed by a current or former spouse of the person, by an individual with whom the person shares a child in common, by an individual who is cohabiting with or has cohabited with the person as a spouse, by an individual similarly situated to a spouse of the person under the domestic or family violence laws of the jurisdiction where the offense occurs, or by any other individual against a person who is protected from that individual’s acts under the domestic or family violence laws of the United States or any State, Indian tribal government, or unit of local or foreign government.

“(ii) **VIOLATORS OF PROTECTION ORDERS.**—Any alien who at any time is enjoined under a protection order issued by a court and whom the court determines has engaged in conduct that constitutes criminal contempt of the portion of a protection order that involves protection against credible threats of violence, repeated harassment, or bodily injury to the person or persons for whom the protection order was issued, and has been imprisoned for more than 1 year for such offenses, is inadmissible. In this clause, the term ‘protection order’ means any injunction issued for the purpose of preventing violent or threatening acts of domestic violence, including temporary or final orders issued by civil or criminal courts (other than support or child custody orders or provi-

sions) whether obtained by filing an independent action or as an independent order in another proceeding.

“(iii) **APPLICABILITY.**—This subparagraph shall not apply to an alien who has been battered or subjected to extreme cruelty and who is not and was not the primary perpetrator of violence in the relationship, upon a determination by the Attorney General or the Secretary of Homeland Security that—

“(I) the alien was acting in self-defense;

“(II) the alien was found to have violated a protection order intended to protect the alien; or

“(III) the alien committed, was arrested for, was convicted of, or pled guilty to committing a crime that did not result in serious bodily injury.”.

(b) **WAIVERS.**—Section 212(h) (8 U.S.C. 1182(h)) is amended—

(1) by inserting “or the Secretary of Homeland Security” after “the Attorney General” each place it appears; and

(2) by striking “The Attorney General may, in his discretion, waive the application of subparagraphs (A)(i)(I), (B), (D), and (E) of subsection (a)(2)” and inserting “The Attorney General or the Secretary of Homeland Security may waive the application of subparagraphs (A)(i)(I), (A)(i)(III), (B), (D), (E), (F), (J), and (K) of subsection (a)(2)”.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply to any conviction that occurs on or after the date of the enactment of this Act.

On page 48, line 36, insert “(including a violation of subsection (c) or (h) of section 924 of title 18, United States Code)” after “explosives.”.

On page 83, after line 22, add the following:

**SEC. 229. INCREASED CRIMINAL PENALTIES RELATED TO DRUNK DRIVING.**

(a) **INADMISSIBILITY.**—Section 212(a)(2) (8 U.S.C. 1182(a)(2)), as amended by section 204, is further amended—

(1) by redesignating subparagraph (F) as subparagraph (L); and

(2) by inserting after subparagraph (E) the following:

“(F) **DRUNK DRIVERS.**—Any alien who has been convicted of 3 offenses for driving under the influence is inadmissible if at least 1 of the offenses is a felony under Federal or State law, for which the alien served more than 1 year in prison.”.

(b) **DEPORTABILITY.**—Section 237(a)(2) (8 U.S.C. 1227(a)(2)) is amended by adding at the end the following:

“(F) **DRUNK DRIVERS.**—Unless the Secretary of Homeland Security or the Attorney General waives the application of this subparagraph, any alien who has been convicted of 3 offenses for driving under the influence is deportable if more than 1 of the offenses is a felony under Federal or State law, for which the alien served more than 1 year in prison.”.

(c) **CONFORMING AMENDMENT.**—Section 212(h) (8 U.S.C. 1182(h)) is amended, in the matter preceding paragraph (1), by striking “and (E)” and inserting “(E), and (F)”.

(d) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply to convictions entered on or after such date.

**SA 1278.** Mr. KOHL submitted an amendment intended to be proposed by him to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SECTION \_\_\_\_ . STATE COURT INTERPRETER GRANT PROGRAM.**

(a) **SHORT TITLE.**—This section may be cited as the “State Court Interpreter Grant Program Act”.

(b) **FINDINGS.**—Congress finds that—

(1) the fair administration of justice depends on the ability of all participants in a courtroom proceeding to understand that proceeding, regardless of their English proficiency;

(2) 19 percent of the population of the United States over 5 years of age speaks a language other than English at home;

(3) only qualified court interpreters can ensure that persons with limited English proficiency comprehend judicial proceedings in which they are a party;

(4) the knowledge and skills required of a qualified court interpreter differ substantially from those required in other interpretation settings, such as social service, medical, diplomatic, and conference interpreting;

(5) the Federal Government has demonstrated its commitment to equal administration of justice regardless of English proficiency;

(6) regulations implementing title VI of the Civil Rights Act of 1964, as well as the guidance issued by the Department of Justice pursuant to Executive Order 13166, issued August 11, 2000, clarify that all recipients of Federal financial assistance, including State courts, are required to take reasonable steps to provide meaningful access to their proceedings for persons with limited English proficiency;

(7) 36 States have developed, or are developing, qualified court interpreting programs;

(8) robust, effective court interpreter programs—

(A) actively recruit skilled individuals to be court interpreters;

(B) train those individuals in the interpretation of court proceedings;

(C) develop and use a thorough, systematic certification process for court interpreters; and

(D) have sufficient funding to ensure that a qualified interpreter will be available to the court whenever necessary; and

(9) Federal funding is necessary to—

(A) encourage State courts that do not have court interpreter programs to develop them;

(B) assist State courts with nascent court interpreter programs to implement them;

(C) assist State courts with limited court interpreter programs to enhance them; and

(D) assist State courts with robust court interpreter programs to make further improvements and share successful programs with other States.

(c) **STATE COURT INTERPRETER PROGRAM.**—

(1) **GRANTS AUTHORIZED.**—

(A) **IN GENERAL.**—The Administrator of the Office of Justice Programs of the Department of Justice (referred to in this subsection as the “Administrator”) shall award grants, in accordance with such regulations as the Attorney General may prescribe, to State courts to develop and implement programs to assist individuals with limited English proficiency to access and understand State court proceedings in which they are a party.

(B) **TECHNICAL ASSISTANCE.**—The Administrator shall allocate, for each fiscal year, \$500,000 of the amount appropriated pursuant to subsection (d) to be used to establish a court interpreter technical assistance program to assist State courts receiving grants under this subsection.

(2) **USE OF GRANTS.**—Grants awarded under paragraph (1) may be used by State courts to—

(A) assess regional language demands;

(B) develop a court interpreter program for the State courts;

(C) develop, institute, and administer language certification examinations;

(D) recruit, train, and certify qualified court interpreters;

(E) pay for salaries, transportation, and technology necessary to implement the court interpreter program developed under subparagraph (B); and

(F) engage in other related activities, as prescribed by the Attorney General.

(3) **APPLICATION.**—

(A) **IN GENERAL.**—The highest State court of each State desiring a grant under this subsection shall submit an application to the Administrator at such time, in such manner, and accompanied by such information as the Administrator may reasonably require.

(B) **STATE COURTS.**—The highest State court of each State submitting an application under subparagraph (A) shall include in the application—

(i) an identification of each State court in that State which would receive funds from the grant;

(ii) the amount of funds each State court identified under clause (i) would receive from the grant; and

(iii) the procedures the highest State court would use to directly distribute grant funds to State courts identified under clause (i).

(4) **STATE COURT ALLOTMENTS.**—

(A) **BASE ALLOTMENT.**—From amounts appropriated for each fiscal year pursuant to subsection (d), the Administrator shall allocate \$100,000 to each of the highest State court of each State, which has an application approved under paragraph (3).

(B) **DISCRETIONARY ALLOTMENT.**—From amounts appropriated for each fiscal year pursuant to subsection (d), the Administrator shall allocate a total of \$5,000,000 to the highest State court of States that have extraordinary needs that are required to be addressed in order to develop, implement, or expand a State court interpreter program.

(C) **ADDITIONAL ALLOTMENT.**—In addition to the allocations made under subparagraphs (A) and (B), the Administrator shall allocate to each of the highest State court of each State, which has an application approved under paragraph (3), an amount equal to the product reached by multiplying—

(i) the unallocated balance of the amount appropriated for each fiscal year pursuant to subsection (d); and

(ii) the ratio between the number of people over 5 years of age who speak a language other than English at home in the State and the number of people over 5 years of age who speak a language other than English at home in all the States that receive an allocation under subparagraph (A), as those numbers are determined by the Bureau of the Census.

(D) **TREATMENT OF DISTRICT OF COLUMBIA.**—For purposes of this subsection—

(i) the District of Columbia shall be treated as a State; and

(ii) the District of Columbia Court of Appeals shall act as the highest State court for the District of Columbia.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated \$15,000,000 for each of the fiscal years 2008 through 2012 to carry out this section.

**SA 1279.** Mr. REID submitted an amendment intended to be proposed by him to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VII, add the following:  
**SEC. 711. MODEL PORTS-OF-ENTRY.**

(a) **IN GENERAL.**—The Secretary of Homeland Security shall—

(1) establish a model ports-of-entry program for the purpose of providing a more efficient and welcoming international arrival process in order to facilitate and promote business and tourist travel to the United States, while also improving security; and

(2) implement the program initially at the 20 United States international airports with the highest number of foreign visitors arriving annually, as determined pursuant to the most recent data collected by the United States Customs and Border Protection available on the date of the enactment of this Act.

(b) **PROGRAM ELEMENTS.**—The program shall include—

(1) enhanced queue management in the Federal Inspection Services area leading up to primary inspection;

(2) assistance for foreign travelers once they have been admitted to the United States, in consultation, as appropriate, with relevant governmental and nongovernmental entities; and

(3) instructional videos, in English and such other languages as the Secretary determines appropriate, in the Federal Inspection Services area that explain the United States inspection process and feature national, regional, or local welcome videos.

(c) **ADDITIONAL CUSTOMS AND BORDER PROTECTION OFFICERS FOR HIGH VOLUME PORTS.**—Subject to the availability of appropriations, before the end of fiscal year 2008 the Secretary of Homeland Security shall employ not less than an additional 200 Customs and Border Protection officers to address staff shortages at the 20 United States international airports with the highest number of foreign visitors arriving annually, as determined pursuant to the most recent data collected by the United States Customs and Border Protection available on the date of the enactment of this Act.

**SA 1280.** Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . EB-5 REGIONAL CENTER PROGRAM.**

(a) **AUTHORIZATION.**—Section 610(b) of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1993 (8 U.S.C. 1153 note) is amended by striking “for 15 years”.

(b) **FEEES.**—

(1) **PREMIUM FEES FOR EMPLOYMENT-BASED PETITIONS AND APPLICATIONS.**—Section 286(u) (8 U.S.C. 1356(u)) is amended—

(A) by inserting “except that the fee for petitions filed under section 203(b)(5) (8 U.S.C. 1153(b)(5)) shall be \$2,000. The fee” after “\$1,000.”; and

(B) by adding at the end the following: “Fees collected under this subsection shall be available to the Secretary of Homeland Security solely for the purposes of administration and operation of the immigrant investor regional center pilot program established under section 610 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1993 (8 U.S.C. 1153 note).”.

(2) **REGULATIONS.**—The Secretary of Homeland Security shall promulgate regulations to implement the amendments made by this subsection not later than 120 days after the date of enactment of this Act.

(c) **CONCURRENT PROCESSING.**—Section 245 (8 U.S.C. 1255) is amended by adding at the end the following:

“(n) **CONCURRENT PROCESSING FOR EMPLOYMENT CREATION IMMIGRANTS.**—If, at the time



of filing a petition filed for classification under section 203(b)(5), approval of the petition would make a visa immediately available to the alien beneficiary, the alien beneficiary's adjustment application under this section shall be considered properly filed, whether submitted concurrently with, or subsequent to, the visa petition."

(d) APPLICATION FEES.—

(1) IN GENERAL.—Section 610 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1993 (8 U.S.C. 1153 note) is amended by adding at the end the following:

"(e) DESIGNATION FEE.—In addition to any other fees authorized by law, the Secretary of Homeland Security shall impose a fee to apply for designation as a regional center under this section. The amount of the fee imposed under this subsection shall be \$2,500. Fees collected under this subsection shall be deposited in the General Fund of the Treasury, in accordance with section 286(w) of the Immigration and Nationality Act (8 U.S.C. 1356(w))."

(2) ESTABLISHMENT OF ACCOUNT; USE OF FEES.—Section 286 (8 U.S.C. 1356) is amended by adding at the end the following:

"(w) IMMIGRANT ENTREPRENEUR REGIONAL CENTER ACCOUNT.—

"(1) IN GENERAL.—There is established in the General Fund of the Treasury a separate account, which shall be known as the 'Immigrant Entrepreneur Regional Center Account' (in this subsection referred to as the 'account'). Notwithstanding any other provision of law, there shall be deposited as offsetting receipts into the account all fees collected under section 610(b) of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1993 (8 U.S.C. 1153 note).

"(2) USE OF FEES.—Fees collected under this section shall be available to the Secretary of Homeland Security solely for the purposes of administration and operation of the immigrant investor program established under section 610 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1993 (8 U.S.C. 1153 note).

"(3) APPLICABILITY.—This subsection and the fees required by this subsection shall take effect for regional center applications filed after the date on which regulations have been published in final form to implement this subsection."

In section 502(b)(3) (amending section 203(b) of the Immigration and Nationality Act (8 U.S.C. 1153(b)), by striking ", by striking '7.1 percent' and inserting '2,800', and striking '3,000' and inserting '1,500';" and inserting a semicolon.

**SA 1281.** Mrs. McCASKILL (for herself and Mr. DODD) submitted an amendment intended to be proposed by her to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 123, strike line 5 and all that follows through page 124, line 6, and insert the following:

"(1) EMPLOYERS.—

"(A) IN GENERAL.—Whenever an employer who does not hold Federal contracts, grants, or cooperative agreements is determined by the Secretary to be a repeat violator of this section or is convicted of a crime under this section, the employer shall be subject to debarment from the receipt of Federal contracts, grants, or cooperative agreements for a period of not less than 5 years in accordance with the procedures and standards prescribed by the Federal Acquisition Regulations. The Secretary or the Attorney Gen-

eral shall advise the Administrator of General Services of any such debarment, and the Administrator of General Services shall list the employer on the List of Parties Excluded from Federal Procurement and Nonprocurement Programs for the period of the debarment.

"(B) WAIVER AUTHORITY.—After consideration of the views of any agency or department that holds a contract, grant, or cooperative agreement with an employer described under subparagraph (A), the Administrator of General Services, in consultation with the Secretary of Homeland Security and the Attorney General, may waive the debarment or may limit the duration or scope of the debarment under subparagraph (A) if such waiver or limitation is necessary to the national defense or in the interest of national security.

"(C) NOTIFICATION TO CONGRESS.—If the Administrator of General Services grants a waiver or limitation described under subparagraph (B), the Administrator shall submit notice of such waiver or limitation to each member of the Committee on the Judiciary of the Senate and of the Committee on the Judiciary of the House of Representatives.

"(2) CONTRACTORS AND RECIPIENTS.—

"(A) IN GENERAL.—Whenever an employer who holds Federal contracts, grants, or cooperative agreements is determined by the Secretary to be a repeat violator of this section or is convicted of a crime under this section, the employer shall be subject to debarment from the receipt of Federal contracts, grants, or cooperative agreements for a period of not less than 5 years in accordance with the procedures and standards prescribed by the Federal Acquisition Regulations. Prior to debarring the employer, the Secretary, in cooperation with the Administrator of General Services, shall advise all agencies holding contracts, grants, or cooperative agreements with the employer of the proceedings to debar the employer from the receipt of new Federal contracts, grants, or cooperative agreements for a period of not less than 5 years.

"(B) WAIVER AUTHORITY.—After consideration of the views of any agency or department that holds a contract, grant, or cooperative agreement with an employer described under subparagraph (A), the Administrator of General Services, in consultation with the Secretary of Homeland Security and the Attorney General, may waive the debarment or may limit the duration or scope of the debarment under subparagraph (A) if such waiver or limitation is necessary to the national defense or in the interest of national security.

"(C) NOTIFICATION TO CONGRESS.—If the Administrator of General Services grants a waiver or limitation described under subparagraph (B), the Administrator shall submit notice of such waiver or limitation to each member of the Committee on the Judiciary of the Senate and of the Committee on the Judiciary of the House of Representatives."

ORDERS FOR TUESDAY, JUNE 5, 2007

Mr. SALAZAR. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m. Tuesday, June 5; that on Tuesday, following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed to have expired, and the time for the two leaders be reserved for their use later in the day; that there then be a period of morning business for 60 minutes, with

Senators permitted to speak therein for up to 10 minutes each, with the first half of the time controlled by the Republicans and the remaining half of the time under the control of the majority; that at the close of morning business, the Senate resume consideration of S. 1348, the immigration legislation, as provided under a previous order.

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

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. SALAZAR. Mr. President, if there is no further business to come before the Senate today, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 6:15 p.m., adjourned until Tuesday, June 5, 2007, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate June 4, 2007:

DEPARTMENT OF THE INTERIOR

JAMES L. CASWELL, OF IDAHO, TO BE DIRECTOR OF THE BUREAU OF LAND MANAGEMENT, VICE KATHLEEN BURTON CLARKE, RESIGNED.

DEPARTMENT OF THE TREASURY

DAVID H. MCCORMICK, OF PENNSYLVANIA, TO BE AN UNDER SECRETARY OF THE TREASURY, VICE TIMOTHY D. ADAMS.

DEPARTMENT OF STATE

J. CHRISTIAN KENNEDY, OF INDIANA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS SPECIAL ENVOY FOR HOLOCAUST ISSUES.

RODERICK W. MOORE, OF RHODE ISLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MONTENEGRO.

WILLIAM JOHN GARVELINK, OF MICHIGAN, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE DEMOCRATIC REPUBLIC OF THE CONGO.

DEPARTMENT OF JUSTICE

RONALD JAY TENPAS, OF MARYLAND, TO BE AN ASSISTANT ATTORNEY GENERAL, VICE SUE ELLEN WOOLDRIDGE.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. FRANCIS H. KEARNEY III, 0000

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be brigadier general*

COL. JONATHAN E. FARNHAM, 0000  
COL. HUGO E. SALAZAR, 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVAL RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be rear admiral*

REAR ADM. (LH) CAROL M. POTTENGER, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be vice admiral*

REAR ADM. (LH) JEFFREY A. WIERINGA, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be rear admiral*

REAR ADM. (LH) JEFFREY A. LEMMONS, 0000  
 REAR ADM. (LH) FRANK F. RENNIE IV, 0000  
 REAR ADM. (LH) ROBIN M. WATTERS, 0000

## IN THE ARMY

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SPECIALIST CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

*To be major*

KAREN L. WARE, 0000

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

*To be major*

JEANETTA CORCORAN, 0000

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

*To be colonel*

RICHARD L. KLINGLER, 0000

*To be lieutenant colonel*

LAWRENCE C. LEVENTHAL, 0000  
 FERNANDO L. ORTIZ, 0000

*To be major*

CARLOS M. GARCIA, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be lieutenant colonel*

DEEPTI S. CHITNIS, 0000  
 CHARLES L. CLARK, 0000  
 DANIEL J. CONVEY, 0000  
 ROBERT L. CRONYN, 0000  
 DANIEL D. DUNHAM, 0000  
 ALEX EKE, 0000  
 MARK W. FAGAN, 0000  
 TODD S. KIMURA, 0000  
 TIMOTHY A. KUHLMAN, 0000  
 DOUGLAS D. LANCASTER, 0000  
 WILLIAM H. LOGAN III, 0000  
 JAMES C. LYONS, 0000  
 KENNETH L. MARQUARDT, 0000  
 RICHARD PADRON, 0000  
 DAVID C. SCHLENKER, 0000  
 DANIEL L. TREBUS, 0000  
 STEVEN R. TURNER, 0000  
 EDWARD J. VANISKY, 0000  
 STEPHEN WOLPERT, 0000  
 GIA K. YI, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AS CHAPLAINS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be lieutenant colonel*

JAMES E. CARAWAY, JR., 0000  
 DAVID C. CAUSEY, 0000  
 DAVID B. CRARY, 0000  
 JUAN M. CROCKETT, 0000  
 DAVID L. DRUCKENMILLER, 0000  
 THOMAS R. EDWARDS, 0000  
 MARK E. FAIRBROTHER, 0000  
 MARC S. GAUTHIER, 0000  
 JEFFREY J. GIANNOLA, 0000  
 ROBERT K. GLASGOW, 0000  
 JOHN W. GRIESSEL, 0000  
 JAMES C. HARTZ, 0000  
 STEVEN C. HOKANA, 0000  
 IRA C. HOUCK III, 0000  
 PAUL K. HURLEY, 0000  
 MICKEY D. JETT, 0000  
 ROBERT W. LEATHERS, 0000  
 JOSEPH H. MELVIN, 0000  
 KELLY J. MOORE, 0000  
 MARK B. NORDSTROM, 0000  
 JAMES PALMER, JR., 0000  
 JAMES E. PAULSON, 0000  
 MARK A. PENFOLD, 0000  
 HARRY R. REED, JR., 0000  
 CHARLES E. REYNOLDS, 0000  
 PABLO J. RIVERAMADERA, 0000  
 RAYMOND A. ROBINSON, JR., 0000  
 PETER R. SNIFFIN, 0000  
 TIMOTHY E. SOWERS, 0000  
 MICHAEL L. THOMAS, 0000  
 TIMOTHY D. WALLS, 0000  
 WILLIAM S. WEICHL, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be lieutenant colonel*

JACOB W. AARONSON, 0000  
 DONALD W. ALGEO, 0000  
 SUE E. BAUM, 0000  
 ALEC C. BEEKLEY, 0000  
 GLENN T. BESSINGER, 0000  
 JOHN S. BIRCHFIELD, 0000  
 JAMES D. BISE, 0000

JOHN A. BOJESCUL, 0000  
 GREGORY T. BRAMBLETT, 0000  
 JAMES B. BRANCH, 0000  
 MIGUEL A. BRIZUELA, 0000  
 MARK C. BROWN, 0000  
 PETER J. BUCKLEY, 0000  
 CLAUDE A. BURNETT, 0000  
 BENJAMIN B. CABLE, 0000  
 WARNER W. CARR, 0000  
 ANNE L. CHAMPEAUX, 0000  
 AUSTIN H. CHHOEU, 0000  
 WANHEE CHOI, 0000  
 YONG U. CHOI, 0000  
 MICHAEL I. COHEN, 0000  
 PATRICK R. COOK, 0000  
 JIMMY L. COOPER, 0000  
 CORY N. COSTELLO, 0000  
 MICHEL A. COURTINES, 0000  
 EUGENE D. COX, 0000  
 WILLIAM P. CRUM, 0000  
 RUSSELL A. DAVIDSON, 0000  
 ALAN W. DAVIS, 0000  
 WILLIAM S. DEITCHE, 0000  
 VICTOR A. DEWYEA, 0000  
 BART M. DIAZ, 0000  
 KEVIN M. DOUGLAS, 0000  
 TIMOTHY J. DOWNEY, 0000  
 ANDREW E. DOYLE, 0000  
 GARY J. DROUILLARD, 0000  
 PETER M. DUNAWAY, 0000  
 DAVID M. EASTY, 0000  
 THOMAS G. ECCLES III, 0000  
 JOHN A. EDWARDS, 0000  
 KURT D. EDWARDS, 0000  
 MARY J. EDWARDS, 0000  
 APONTE M. FERNANDEZ, 0000  
 JOSEPH M. FLYNN, 0000  
 MICHAEL E. FREY, 0000  
 JASON A. FRIEDMAN, 0000  
 GEORGE D. GARCIA, 0000  
 DANIEL G. GATES, 0000  
 ALAN D. GATLIN, 0000  
 DENISE L. GOKSEL, 0000  
 GEORGE R. GOODWIN, JR., 0000  
 GEOFFREY G. GRAMMER, 0000  
 SHARETTE K. GRAY, 0000  
 JEFFERY P. GREENE, 0000  
 BRIAN C. GRIFFITH, 0000  
 TIMOTHY F. HALEY, 0000  
 DANIEL J. HALL, 0000  
 BONNIE H. HARTSTEIN, 0000  
 MATTHEW J. HEPBURN, 0000  
 DAVID S. HEPNER, 0000  
 MICHAEL W. HILLIARD, 0000  
 JEFFREY D. HIRSCH, 0000  
 DARRYL S. HODSON, 0000  
 NANCY G. HOOVER, 0000  
 DANIEL F. HSU, 0000  
 HAROLD E. HUNT, 0000  
 MARC E. HUNT, 0000  
 THOMAS R. HUSTEAD, 0000  
 ROBERT E. JESCHKE, 0000  
 KARIN A. JOHNSON, 0000  
 DAVID P. JONES, 0000  
 JEFFREY A. KAZAGLIS, 0000  
 PAUL B. KEISER, 0000  
 WILLIAM F. KELLY, 0000  
 WILLIAM C. KEPPLER III, 0000  
 BOOKER T. KING, 0000  
 KEVIN KIRK, 0000  
 BERNARD J. KOPCHINSKI, 0000  
 JOSEPH F. KOSINSKI, 0000  
 TONYA M. KRATOVIL, 0000  
 ANDREW L. LANDERS, 0000  
 CHERYL L. LEDFORD, 0000  
 DAVID B. LEESER, 0000  
 WILLIAM LEFKOWITZ, 0000  
 MICHAEL J. LICATA, 0000  
 KENNETH M. LIEUV, 0000  
 ROBERT B. LIM, 0000  
 MARIA L. LINDENBERG, 0000  
 CHRISTOPHER T. LITTELL, 0000  
 STEPHEN R. LOWE, 0000  
 VINH D. LUU, 0000  
 LOUIS R. MACAREO, 0000  
 CHRISTOPHER B. MAHNKE, 0000  
 RICHARD G. MALISH, 0000  
 UMESH S. MARATHE, 0000  
 JOHN O. MARSHALL, 0000  
 BRYCE C. MAYS, 0000  
 JOHN P. MAZA, 0000  
 MARSHALL C. MENDENHALL, 0000  
 JERRY A. MICHEL, 0000  
 ROBERT L. MILLER, 0000  
 CURT A. MISKO, 0000  
 VINCENT P. MOORE, 0000  
 PAUL M. MORRISSEY, 0000  
 BRIAN P. MULHALL, 0000  
 CLINTON K. MURRAY, 0000  
 OTHA MYLES, 0000  
 ANGELA G. MYSLIWIEC, 0000  
 VINCENT MYSLIWIEC, 0000  
 JOHN J. NAPIERKOWSKI, 0000  
 KATHRYN R. O'DONNELL, 0000  
 MARK P. PALLIS, 0000  
 NICHOLE A. PARDO, 0000  
 JASON D. PARKER, 0000  
 MICHAEL A. PELZNER, 0000  
 BEN K. PHILLIPS, 0000  
 ROBERT C. PIOTROWSKI, 0000  
 AARON C. PITNEY, 0000  
 MARK B. POTTER, 0000  
 REAGAN W. QUAN, 0000  
 KRISTOFER A. RADCLIFFE, 0000  
 SHON A. REMICH, 0000  
 MATTHEW S. RICE, 0000  
 JONATHAN D. ROEBUCK, 0000

RICHARD A. ROLLER, 0000  
 TROY W. ROSS, 0000  
 IDA M. SANTIAGO-MALDONADO, 0000  
 MICHAEL J. SEBESTA, 0000  
 HAN S. SHIN, 0000  
 ERIC A. SHRY, 0000  
 NITEN N. SINGH, 0000  
 CHAD M. SISK, 0000  
 MARSHALL H. SMITH, 0000  
 BENJAMIN SOLOMON, 0000  
 CHRISTOPHER B. SOLTIS, 0000  
 TRENT D. STERENCHOCK, 0000  
 TRACY K. STEVENS, 0000  
 DEREK J. STOCKER, 0000  
 KENNETH E. STONE, 0000  
 CHRISTOPHER W. SWIECKI, 0000  
 JOEL T. TANAKA, 0000  
 STEPHEN J. THOMAS, 0000  
 MARK TRAWINSKI, 0000  
 JULIE A. TULLBERG, 0000  
 JOHN J. VERGHESE, 0000  
 BRIAN K. VICKARYOUS, 0000  
 NICHOLAS J. VIETRI, 0000  
 MATTHEW J. VREELAND, 0000  
 ROXANNE E. WALLACE, 0000  
 SANDRA M. WANKE, 0000  
 ERIC D. WEICHEL, 0000  
 LORYKAY W. WHEELER, 0000  
 KEVIN R. WHITNEY, 0000  
 DAVID W. WOLKEN, 0000

## IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be captain*

CHARLES S. CLECKLER, 0000  
 PATRICK P. WHITSELL, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be captain*

RANDY L. QUINN, 0000  
 SMITH S. B. WALL, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be captain*

DAVID A. ARZOUMAN, 0000  
 JAMES E. BATES, 0000  
 DAVID T. BUTLER, 0000  
 THOMAS E. FLUENT, 0000  
 RHETT H. HASELL, 0000  
 THOMAS J. HATTEN, 0000  
 MICHAEL K. HERRON, 0000  
 JOHN C. HOWARD, 0000  
 DAVID C. LU, 0000  
 MICHAEL J. MACDONALD, 0000  
 DANNY R. MALONE, 0000  
 OREN F. MILLER, 0000  
 ANGELYN MOULTRIELIZANA, 0000  
 RICHARD M. PINO, 0000  
 ROBERT R. POWERS, 0000  
 JEFFREY M. PYNE, 0000  
 DAVID S. REID, 0000  
 SCOTT STEELMAN, 0000  
 CLARK W. WALKER, 0000  
 HARRY J. WARD, 0000  
 GREGG WOLFF, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be captain*

CHRISTINA M. ALVARADO, 0000  
 MARY E. BACHKO, 0000  
 ANN M. DEVERS, 0000  
 BARBARA A. FORSTER, 0000  
 KEVIN A. HESSINGER, 0000  
 JERRY R. HILL, 0000  
 SUSAN L. JOSLIN, 0000  
 TERI L. KOHLHEIM, 0000  
 JOAN E. LEFKOF, 0000  
 LINDA L. MORRIS, 0000  
 MARY J. MULLEN, 0000  
 MARY C. RIGGS, 0000  
 MARIA B. SCHEIDEGGER, 0000  
 BRENDA L. SPACH, 0000  
 LAURA J. WESELY, 0000  
 JOHN ZDENCANOVIC, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be captain*

KENNETH W. BOWMAN, 0000  
 ANDREW P. BYSTROM, 0000  
 GRAFTON D. CHASE, JR., 0000  
 DAVID W. FANALE, 0000  
 EDDIE D. HAMILTON, 0000  
 JEFFREY J. HARRINGTON, 0000  
 DEBORAH P. HAVEN, 0000  
 ERIC H. HUGHES, 0000  
 TIMOTHY J. JORDAN, 0000  
 DONALD W. KILMER, 0000  
 ROCKY R. MIRACLE, 0000  
 JOHN W. PERRETT, JR., 0000  
 DANIEL R. PIONK, 0000  
 SCOTT W. REED, 0000  
 GARY L. ULRICH, 0000

June 4, 2007

CONGRESSIONAL RECORD—SENATE

S7015

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT  
TO THE GRADE INDICATED IN THE UNITED STATES NAVY  
RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be captain*

HSINGCHEN J. CHENG, 0000  
NANCY A. EVANS, 0000  
JEFFREY L. EZEKIEL, 0000  
ROBERT M. GRAY, JR., 0000  
DAVID C. MCKAY, 0000  
DANIEL E. SAKEL, 0000  
MATTHEW R. SNYDER, 0000  
DONALD Y. SZE, 0000  
BRADLEY S. TROTTER, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT  
TO THE GRADE INDICATED IN THE UNITED STATES NAVY  
RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be captain*

NORMAN J. ARANDA, 0000  
MICHAEL M. EDWARDS, 0000  
BREE A. ERMENTROUT, 0000  
ELENA L. ESCAMILLA, 0000  
LAWRENCE M. FRANGIOSA, 0000  
KAREN M. GIBBS, 0000  
JAMES B. MELTON, 0000

JOSEPH C. MISENTI, JR., 0000  
JANIS D. MONK, 0000  
SHAREN MONTGOMERY, 0000  
CHARLES T. PASSAGLIA, 0000  
ROBERT A. PORZEINSKI, 0000  
SARAH E. SUPNICK, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT  
TO THE GRADE INDICATED IN THE UNITED STATES NAVY  
RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be captain*

PATRICIA A. BRADY, 0000  
DEBRA C. COUTURE, 0000  
EDWARD E. CRETARO, 0000  
MARIE E. GANNON, 0000  
MICHAEL J. HOLDRIDGE, 0000  
DUANE J. PANGER, 0000  
MICHAEL C. RADOIU, 0000  
MELVIN D. SMITH, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT  
TO THE GRADE INDICATED IN THE UNITED STATES NAVY  
RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be captain*

NATHAN L. AMMONS III, 0000

THOMAS L. BAUHAN, 0000  
PAUL J. BRANSON, 0000  
SPIRO C. COLAITIS, 0000  
JAMES M. CONROY, 0000  
ALAN W. FLENNER, 0000  
SUSANNE C. OPENSHAW, 0000  
DANIEL W. STEHLY, 0000

WITHDRAWAL

Executive message transmitted by  
the President to the Senate on June 4,  
2007, withdrawing from further Senate  
consideration the following nomina-  
tion:

BRUCE P. JACKSON, OF THE DISTRICT OF COLUMBIA,  
TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE  
UNITED STATES INSTITUTE OF PEACE FOR A TERM EX-  
PIRING JANUARY 19, 2011, VICE CHESTER A. CROCKER,  
TERM EXPIRED, WHICH WAS SENT TO THE SENATE ON  
MARCH 12, 2007.

# EXTENSIONS OF REMARKS

## SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Monday, June 4, 2007 may be found in the Daily Digest of today's RECORD.

## MEETINGS SCHEDULED

### JUNE 5

9 a.m.  
Homeland Security and Governmental Affairs  
Investigations Subcommittee  
To hold hearings to examine executive stock options, focusing on the Internal Revenue Service (IRS) and stockholders information.

SD-342

10 a.m.  
Energy and Natural Resources  
To hold hearings to examine the preparedness of the Federal land management agencies for the 2007 wildfire season and efforts to contain the costs of wildfire management activities.

SD-366

Judiciary  
To hold hearings to examine the federal role to work with communities to prevent and respond to gang violence, focusing on S. 456, to increase and enhance law enforcement resources committed to investigation and prosecution of violent gangs, to deter and punish violent gang crime, to protect law-abiding citizens and communities from violent criminals, to revise and enhance criminal penalties for violent crimes, to expand and improve gang prevention programs.

SD-226

2:30 p.m.  
Judiciary  
To continue hearings to examine the Department of Justice politicizing the hiring and firing of United States Attorneys, focusing on preserving prosecutorial independence.

SD-226

Intelligence  
To hold closed hearings to examine certain intelligence matters.

SH-219

9:45 a.m.  
Appropriations  
Labor, Health and Human Services, Education, and Related Agencies Subcommittee  
To hold hearings to examine cracks in the system, focusing on one tuberculosis patients's international public health threat.

SD-192

10 a.m.  
Banking, Housing, and Urban Affairs  
To hold hearings to examine paying for a college education, focusing on the role of private student lending.

SD-538

Environment and Public Works  
Business meeting to consider S. 506, to improve efficiency in the Federal Government through the use of high-performance green buildings, H.R. 1195, to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to make technical corrections, H.R. 798, to direct the Administrator of General Services to install a photovoltaic system for the headquarters building of the Department of Energy, S. 635, to provide for a research program for remediation of closed methamphetamine production laboratories, and S. 1523, to amend the Clean Air Act to reduce emissions of carbon dioxide from the Capitol power plant.

SD-406

Judiciary  
To hold hearings to examine patent reform, focusing on the future of American innovation.

SD-226

2:30 p.m.  
Energy and Natural Resources  
Water and Power Subcommittee  
To hold hearings to examine the impact of climate change on water supply and availability in the United States.

SD-366

### JUNE 7

9:30 a.m.  
Armed Services  
To hold hearings to examine the nomination of Lieutenant General Douglas E. Lute, USA, to be Assistant to the President and Deputy National Security Advisor for Iraq and Afghanistan.

SH-216

Energy and Natural Resources  
To hold hearings to examine alternative energy-related uses on the outer continental shelf, focusing on opportunities, issues, and implementation of Section 388 of the Energy Policy Act of 2005 (Public Law 109-58).

SD-366

Indian Affairs  
To hold oversight hearings to examine transportation issues in Indian country.

SR-485

10 a.m.  
Environment and Public Works  
To hold hearings to examine the views of religious organizations regarding global warming.

SD-406

## Judiciary

Business meeting to consider S. 720, to amend title 4, United States Code, to authorize the Governor of a State, territory, or possession of the United States to order that the National flag be flown at half-staff in that State, territory, or possession in the event of the death of a member of the Armed Forces from that State, territory, or possession who dies while serving on active duty, H.R. 692, to amend title 4, United States Code, to authorize the Governor of a State, territory, or possession of the United States to order that the National flag be flown at half-staff in that State, territory, or possession in the event of the death of a member of the Armed Forces from that State, territory, or possession who dies while serving on active duty, S. 535, to establish an Unsolved Crimes Section in the Civil Rights Division of the Department of Justice, and an Unsolved Civil Rights Crime Investigative Office in the Civil Rights Unit of the Federal Bureau of Investigation, S. 456, to increase and enhance law enforcement resources committed to investigation and prosecution of violent gangs, to deter and punish violent gang crime, to protect law-abiding citizens and communities from violent criminals, to revise and enhance criminal penalties for violent crimes, to expand and improve gang prevention programs, S. Res. 171, memorializing fallen firefighters by lowering the United States flag to half-staff on the day of the National Fallen Firefighter Memorial Service in Emmitsburg, Maryland, S. 185, to restore habeas corpus for those detained by the United States, S. Res. 82, designating August 16, 2007 as "National Airborne Day", S. Res. 173, designating August 11, 2007, as "National Marina Day", and the nominations of Leslie Southwick, of Mississippi, to be United States Circuit Judge for the Fifth Circuit, and Robert James Jonker, to be United States District Judge for the Western District of Michigan.

SD-226

2 p.m.  
Judiciary  
To hold hearings to examine S. 453, to prohibit deceptive practices in Federal elections.

SD-226

Commerce, Science, and Transportation  
Space, Aeronautics, and Related Agencies Subcommittee  
To hold joint hearings with the House Science and Technology Committee's Subcommittee on Investigations and Oversight to examine the investigation of the National Aeronautics and Space Administration Inspector General.

SR-253

2:30 p.m.  
Homeland Security and Governmental Affairs  
Oversight of Government Management, the Federal Workforce, and the District of Columbia Subcommittee  
To hold hearings to examine the acquisition organization of the Department of Homeland Security.

SD-342

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

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

## Intelligence

To hold closed hearings to examine certain intelligence matters.

SH-219

JUNE 12

10 a.m.

Commerce, Science, and Transportation

To hold hearings to examine the Universal Service Fund, focusing on assessing the recommendations of the Federal-State Joint Board.

SR-253

2:30 p.m.

Homeland Security and Governmental Affairs

Oversight of Government Management, the Federal Workforce, and the District of Columbia Subcommittee

To hold hearings to examine assessing telework policies and initiatives in the Federal Government.

SD-562

JUNE 13

9:30 a.m.

Veterans' Affairs

To hold an oversight hearing to examine Department of Veterans Affairs, De-

partment of Defense, and Department of Labor cooperation on employment issues.

SD-562

10 a.m.

Rules and Administration

To hold hearings to examine nominations to the Federal Election Commission.

SR-301

JUNE 14

10 a.m.

Commerce, Science, and Transportation

To hold hearings to examine public safety and competition issues, focusing on the 700MHz auction.

SR-253

JUNE 27

9:30 a.m.

Veterans' Affairs

Business meeting to markup pending legislation.

SD-562

## CANCELLATIONS

JUNE 6

9:45 a.m.

Appropriations

Labor, Health and Human Services, Education, and Related Agencies Subcommittee

To hold hearings to examine enhancing college access through Department of Education programs.

SD-124

## POSTPONEMENTS

JUNE 12

2:30 p.m.

Commerce, Science, and Transportation

Interstate Commerce, Trade, and Tourism Subcommittee

To hold hearings to examine United States trade relations with China.

SR-253

# Daily Digest

## HIGHLIGHTS

See Résumé of Congressional Activity.

## Senate

### Chamber Action

#### *Routine Proceedings, pages S6971–S7015*

No bills or resolutions were introduced today.

#### Measures Reported:

Reported on Thursday, May 31, during the adjournment:

S. 1538, to authorize appropriations for fiscal year 2008 for the intelligence and intelligence related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System. (S. Rept. No. 110–75)

Special Report entitled “Prewar Intelligence Assessments About Postwar Iraq”. (S. Rept. No. 110–76)

S. 239, to require Federal agencies, and persons engaged in interstate commerce, in possession of data containing sensitive personally identifiable information, to disclose any breach of such information, with an amendment in the nature of a substitute.

Reported on Monday, June 4, during the adjournment:

S. 236, to require reports to Congress on Federal agency use of data mining, with an amendment in the nature of a substitute. **Page S7003**

#### Measures Considered:

**Comprehensive Immigration Reform:** Senate resumed consideration of S. 1348, to provide for comprehensive immigration reform, and taking action on the following amendments proposed thereto:

**Pages S6982–94**

Adopted:

Salazar (for Cantwell) Amendment No. 1167 (to Amendment No. 1150), to authorize the Attorney General to carry out a program, known as the Northern Border Prosecution Initiative, to provide funds to northern border States to reimburse county and municipal governments for costs associated with certain criminal activities. **Pages S6992–93**

D758

Salazar (for Alexander) Amendment No. 1163 (to Amendment No. 1150), to establish an award to recognize companies for extraordinary efforts in English literacy and civics. **Pages S6992–93**

Salazar (for Cornyn) Amendment No. 1238 (to Amendment No. 1150), to increase the authorization of appropriations for the Border Relief Grant Program. **Pages S6992–93**

Grassley/DeMint Modified Amendment No. 1166 (to Amendment No. 1150), to clarify that the revocation of an alien’s visa or other documentation is not subject to judicial review. **Pages S6982, S6992–93**

Pending:

Reid (for Kennedy/Specter) Amendment No. 1150, in the nature of a substitute. **Page S6982**

Cornyn Modified Amendment No. 1184 (to Amendment No. 1150), to establish a permanent bar for gang members, terrorists, and other criminals. **Page S6982**

Dodd/Menendez Amendment No. 1199 (to Amendment No. 1150), to increase the number of green cards for parents of United States citizens, to extend the duration of the new parent visitor visa, and to make penalties imposed on individuals who overstay such visas applicable only to such individuals. **Page S6982**

Menendez Amendment No. 1194 (to Amendment No. 1150), to modify the deadline for the family backlog reduction. **Page S6982**

McConnell Amendment No. 1170 (to Amendment No. 1150), to amend the Help America Vote Act of 2002 to require individuals voting in person to present photo identification. **Page S6982**

Feingold Amendment No. 1176 (to Amendment No. 1150), to establish commissions to review the facts and circumstances surrounding injustices suffered by European Americans, European Latin Americans, and Jewish refugees during World War II. **Page S6982**

Durbin/Grassley Amendment No. 1231 (to Amendment No. 1150), to ensure that employers make efforts to recruit American workers. **Page S6982**



Sessions Amendment No. 1234 (to Amendment No. 1150), to save American taxpayers up to \$24 billion in the 10 years after passage of this Act, by preventing the earned income tax credit, which is, according to the Congressional Research Service, the largest anti-poverty entitlement program of the Federal Government, from being claimed by Y temporary workers or illegal aliens given status by this Act until they adjust to legal permanent resident status.

**Page S6982**

Sessions Amendment No. 1235 (to Amendment No. 1150), to save American taxpayers up to \$24 billion in the 10 years after passage of this Act, by preventing the earned income tax credit, which is, according to the Congressional Research Service, the largest anti-poverty entitlement program of the Federal Government, from being claimed by Y temporary workers or illegal aliens given status by this Act until they adjust to legal permanent resident status.

**Page S6982**

Lieberman Amendment No. 1191 (to Amendment No. 1150), to provide safeguards against faulty asylum procedures and to improve conditions of detention.

**Page S6982**

Cornyn (for Allard) Amendment No. 1189 (to Amendment No. 1150), to eliminate the preference given to people who entered the United States illegally over people seeking to enter the country legally in the merit-based evaluation system for visas.

**Page S6982**

Cornyn Amendment No. 1250 (to Amendment No. 1150), to address documentation of employment and to make an amendment with respect to mandatory disclosure of information.

**Page S6982**

Salazar (for Clinton) Modified Amendment No. 1183 (to Amendment No. 1150), to reclassify the spouses and minor children of lawful permanent residents as immediate relatives.

**Page S6982**

Salazar (for Obama/Menendez) Amendment No. 1202 (to Amendment No. 1150), to provide a date on which the authority of the section relating to the increasing of American competitiveness through a merit-based evaluation system for immigrants shall be terminated.

**Page S6982**

A unanimous-consent agreement was reached providing that Senate continue consideration of the bill at approximately 11 a.m., on Tuesday, June 5, 2007, that the time until 11:50 a.m., be for debate with respect to Allard Amendment No. 1189 (listed above) and Durbin Amendment No. 1231 (listed above), with the time to run concurrently on both amendments and divided as follows: 10 minutes each, the Majority and Republican Managers, or

their designees, and Senators Allard and Durbin; that no amendments be in order to either amendment prior to the vote; that the amendments be voted in the order listed here and that there be 2 minutes of debate equally divided prior to the second vote, and that the second vote be ten minutes in duration.

**Page S6993**

The information relative to S.J. Res. 14 that appeared in the Digest of Thursday, May 24, 2007 was incorrect. The permanent Record has been changed to reflect the following:

The following joint resolution was read the first time:

Attorney General Alberto Gonzales: Senate agreed to S.J. Res. 14, expressing the sense of the Senate that Attorney General Alberto Gonzales no longer holds the confidence of the Senate and of the American people.

**Nominations Received:** Senate received the following nominations:

James L. Caswell, of Idaho, to be Director of the Bureau of Land Management.

David H. McCormick, of Pennsylvania, to be an Under Secretary of the Treasury.

J. Christian Kennedy, of Indiana, a Career Member of the Senior Foreign Service, Class of Counselor, for the rank of Ambassador during his tenure of service as Special Envoy for Holocaust Issues.

Roderick W. Moore, of Rhode Island, to be Ambassador to the Republic of Montenegro.

William John Garvelink, of Michigan, to be Ambassador to the Democratic Republic of the Congo.

Ronald Jay Tenpas, of Maryland, to be an Assistant Attorney General.

3 Army nominations in the rank of general.

5 Navy nominations in the rank of admiral.

Routine lists in the Army, Navy. **Pages S7013–15**

**Nomination Withdrawn:** Senate received notification of withdrawal of the following nomination:

Bruce P. Jackson, of the District of Columbia, to be a Member of the Board of Directors of the United States Institute of Peace for a term expiring January 19, 2011, which was sent to the Senate on March 12, 2007.

**Page S7015**

**Messages from the House:**

**Page S7002**

**Measures Placed on the Calendar:** **Pages S7002–03**

**Executive Communications:** **Page S7003**

**Additional Cosponsors:** **Pages S7004–06**

**Additional Statements:** **Page S7002**

**Amendments Submitted:** **Pages S7006–13**

**Adjournment:** Senate convened at 2:30 p.m., and adjourned at 6:15 p.m., until 10 a.m. on Tuesday, June 5, 2007. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S7013.)

## Committee Meetings

No committee meetings were held.

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# House of Representatives

## Chamber Action

The House was not in session today. The House will meet at 2 p.m. on Tuesday, June 5, 2007, pursuant to the provisions of H. Con. Res. 158.

## Committee Meetings

No committee meetings were held.

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### NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D755)

H.R. 2206, making emergency supplemental appropriations and additional supplemental appropriations for agricultural and other emergency assistance for the fiscal year ending September 30, 2007. Signed on May 25, 2007 (Public Law 110-28)

H.R. 414, to designate the facility of the United States Postal Service located at 60 Calle McKinley, West in Mayaguez, Puerto Rico, as the "Miguel Angel Garcia Mendez Post Office Building". Signed on June 1, 2007 (Public Law 110-29)

H.R. 437, to designate the facility of the United States Postal Service located at 500 West Eisenhower Street in Rio Grande City, Texas, as the "Lino Perez, Jr. Post Office". Signed on June 1, 2007 (Public Law 110-30)

H.R. 625, to designate the facility of the United States Postal Service located at 4230 Maine Avenue in Baldwin Park, California, as the "Atanacio Haro-Marin Post Office". Signed on June 1, 2007 (Public Law 110-31)

H.R. 1402, to designate the facility of the United States Postal Service located at 320 South Lecanto Highway in Lecanto, Florida, as the "Sergeant Dennis J. Flanagan Lecanto Post Office Building". Signed on June 1, 2007 (Public Law 110-32)

H.R. 2080, to amend the District of Columbia Home Rule Act to conform the District charter to revisions made by the Council of the District of Columbia relating to public education. Signed on June 1, 2007 (Public Law 110-33)

## COMMITTEE MEETINGS FOR TUESDAY, JUNE 5, 2007

(Committee meetings are open unless otherwise indicated)

### Senate

*Committee on Energy and Natural Resources:* to hold hearings to examine the preparedness of the federal land management agencies for the 2007 wildfire season and efforts to contain the costs of wildfire management activities, 10 a.m., SD-366.

*Committee on Homeland Security and Governmental Affairs:* Permanent Subcommittee on Investigations, to hold hearings to examine executive stock options, focusing on the Internal Revenue Service (IRS) and stockholders information, 9 a.m., SD-342.

*Committee on the Judiciary:* to hold hearings to examine the federal role to work with communities to prevent and respond to gang violence, focusing on S. 456, to increase and enhance law enforcement resources committed to investigation and prosecution of violent gangs, to deter and punish violent gang crime, to protect law-abiding citizens and communities from violent criminals, to revise and enhance criminal penalties for violent crimes, to expand and improve gang prevention programs, 10 a.m., SD-226.

Full Committee, to continue hearings to examine the Department of Justice politicizing the hiring and firing of United States Attorneys, focusing on preserving prosecutorial independence, 2:30 p.m., SD-226.

*Select Committee on Intelligence:* to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH-219.

### House Committees

*Committee on Agriculture,* June 6, Subcommittee on Specialty Crops, Rural Development, and Foreign Agriculture, to consider H.R. 2419, Farm Bill Extension Act of 2007, 10 a.m., 1300 Longworth.

June 7, Subcommittee on General Farm Commodities and Risk Management, hearing to review the integrity and efficacy of the Federal Crop Insurance Program, 10 a.m., 1300 Longworth.

June 7, Subcommittee on Horticulture and Organic Agriculture, to consider H.R. 2419, Farm Bill Extension Act of 2007, 1 p.m., 1300 Longworth.

*Committee on Appropriations*, June 5, to consider the following: Report on the Suballocation of Budget Allocations Fiscal Year 2008; Report on the Revised Suballocation of Budget Allocations Fiscal Year 2007; and Homeland Security Appropriations Fiscal Year 2008, 5:30 p.m., 2359 Rayburn.

June 5, Subcommittee on Financial Services and General Government, to mark up appropriations for fiscal year 2008, 4 p.m., 2358 Rayburn.

June 5, Subcommittee on State, Foreign Operations, and Related Programs, to mark up appropriations for fiscal year 2008, 3 p.m., H-140 Capitol.

June 6, full Committee, to consider the following appropriations Fiscal Year 2008: Energy and Water Development, and Related Agencies; and Military Construction, Veterans Affairs, and Related Agencies, 10 a.m., 2359 Rayburn.

June 7, to consider the Interior, Environment, and Related Agencies appropriations for Fiscal Year 2008, 10 a.m., 2359 Rayburn.

*Committee on Armed Services*, June 6, hearing on the Department of Defense body armor programs, 10 a.m., 2118 Rayburn.

June 6, Subcommittee on Seapower and Expeditionary Forces, hearing on procurement of Navy boat barriers, 2:30 p.m., 2212 Rayburn.

*Committee on Education and Labor*, June 5, Subcommittee on Health, Employment, Labor and Pensions, hearing on Ensuring Collective Bargaining Rights for First Responders: H.R. 980, Public Safety Employer-Employee Cooperation Act of 2007, 3 p.m., 2175 Rayburn.

June 7, full Committee, hearing on Protecting U.S. and Guest Workers: the Recruitment and Employment of Temporary Foreign Labor, 10:30 a.m., 2175 Rayburn.

June 7, Subcommittee on Early Childhood, Elementary and Secondary Education, hearing on Reauthorization of the Elementary and Secondary Act: Current and Prospective Flexibility Under No Child Left Behind, 2:30 p.m., 2175 Rayburn.

*Committee on Energy and Commerce*, June 6, Subcommittee on Commerce, Trade, and Consumer Protection, hearing on legislation to Improve Consumer Product Safety for Children, H.R. 2474, To provide for an increased maximum civil penalty for violations under the Consumer Product Safety Act; H.R. 1699, Danny Keysar Child Product Safety Notification Act; H.R. 814, Children's Gasoline Burn Prevention Act; and H.R. 1721, Pool and Spa Safety Act, 10 a.m., 2123 Rayburn.

June 7, Subcommittee on Energy and Air Quality, hearing entitled "Legislative Hearing on Discussion Draft Concerning Alternative Fuels, Infrastructure, and Vehicles," 10 a.m., 2123 Rayburn.

June 7, Subcommittee on Health, hearing on H.R. 1328, Indian Health Care Improvement Act Amendments of 2007, 11 a.m., 2322 Rayburn.

*Committee on Financial Services*, June 6, hearing entitled "U.S. Interests in Reform of China's Financial Services Sector," 10 a.m., 2128 Rayburn.

June 6, Subcommittee on Housing and Community Opportunity, hearing entitled "Reauthorization of the

Native American Housing Assistance and Self-Determination Act," 2 p.m., 2128 Rayburn.

June 7, Subcommittee on Financial Institutions and Consumer Credit, hearing entitled "Improving Credit Card Consumer Protection: Recent Industry and Regulatory Initiatives," 10 a.m., 2128 Rayburn.

June 8, full Committee, hearing entitled "Can Internet Gambling Be Effectively Regulated To Protect Consumers and the Payments System?" 10 a.m., 2128 Rayburn.

*Committee on Foreign Affairs*, June 6, hearing on U.S. Policy Challenges in North Africa, 10 a.m., 2172 Rayburn.

June 7, Subcommittee on Africa and Global Health, hearing on Nigeria at a Crossroads, 10 a.m., 2172 Rayburn.

*Committee on Homeland Security*, June 6, hearing entitled "The XDR Tuberculosis Incident: A Poorly Coordinated Federal Response to an Incident with Homeland Implications," 10 a.m., 311 Cannon.

June 6, Subcommittee on Emerging Threats, Cybersecurity, and Science and Technology, to mark up H.R. 1717, To amend the Homeland Security Act of 2002 to establish a National Bio and Agro-defense Facility, 2:30 p.m., 311 Cannon.

June 7, Subcommittee on Border, Maritime, and Global Counterterrorism, hearing entitled "Project 28: The Future of SBInet," 2 p.m., 311 Cannon.

*Committee on the Judiciary*, June 6, Subcommittee on Immigration, Citizenship, Refugees, Border Security, and International Law, hearings on Comprehensive Immigration Reform: Business Community Perspectives, 10 a.m., to meet to Adopt Rules of Procedure and Statement of Policy for Private Immigration Bills, and Rules of Procedure for Private Claims Bills; followed by continuation of hearings on Comprehensive Immigration Reform: Government Perspectives on Immigration Statistics, 2 p.m., 2141 Rayburn.

June 7, Subcommittee on the Constitution, Civil Rights and Civil Liberties, oversight hearing on the Constitutional Limitations on Domestic Surveillance, 2 p.m., 2141 Rayburn.

June 7, Subcommittee on Crime, Terrorism, and Homeland Security, hearing on H.R. 2286, To amend title 18, United States Code, and the Federal Rules of Criminal Procedure with respect to bail bond forfeitures; followed by a markup of H.R. 660, Court Security Improvement Act of 2007, 10 a.m., 2141 Rayburn.

*Committee on Natural Resources*, June 5, Subcommittee on Fisheries, Wildlife and Oceans, hearing on the following bills: H. Con. Res. 147, Recognizing 200 years of research, service to the people of the United States, and stewardship of the marine environment by the National Oceanic and Atmospheric Administration and its predecessor agencies; H. Res. 186, Supporting the goals and ideals of National Clean Beaches Week and recognizing the considerable value of American beaches and their role in American culture; H.R. 1834, To authorize the national ocean exploration program and the national undersea research program within the National Oceanic and Atmospheric Administration; and H.R. 2400, Ocean and

Coastal Mapping Integration Act, 2 p.m., 1324 Longworth.

June 6, full Committee, to mark up H.R. 2337, Energy Policy Reform and Revitalization Act of 2007, 11 a.m., 1324 Longworth.

June 7, Subcommittee on Insular Affairs, hearing on H.R. 1075, United States Territories Infrastructure Bond Bank Authorization Act, 10 a.m., 1324 Longworth.

June 7, Subcommittee on National Parks, Forests and Public Lands, hearing on H.R. 2016, National Landscape Conservation System Act, 10 a.m., 1334 Longworth.

*Committee on Oversight and Government Reform*, June 6, hearing on FDA's Role in the Evaluation of Avandia's Safety, 10 a.m., 2154 Rayburn.

June 7, Subcommittee on Federal Workforce, Postal Service, and the District of Columbia, hearing on D.C. Autonomy, 2 p.m., 2247 Rayburn.

June 7, Subcommittee on Information Policy, Census, and National Archives and the Subcommittee on Government Management, Organization, and Procurement, joint hearing on Federal IT Security: The Future for FISMA, 2 p.m., 2154 Rayburn.

June 7, Subcommittee on National Security and Foreign Affairs, hearing on Darfur and the Olympics: A Call for International Action, 10 a.m., 2154 Rayburn.

June 8, Subcommittee on Domestic Policy, hearing on Hot Fuels: Big Oil's Double Standard for Measuring Gasoline, 9 a.m., 2154 Rayburn.

*Committee on Rules*, June 5, to consider H.R. 2446, Afghanistan Freedom and Security Support Act of 2007, 5 p.m., H-313 Capitol.

June 6, to consider the following: S. 5, Stem Cell Research Enhancement Act of 2007; and H.R. 65, Lumbee Recognition Act, 2 p.m., H-313 Capitol.

*Committee on Science and Technology*, June 5, hearing on the Role of Technology in Reducing Illegal Filesharing: A University Perspective, 2 p.m., 2318 Rayburn.

June 6, Subcommittee on Energy and Environment, to mark up the following bills: H.R. 906, Global Change

Research and Data Management Act of 2007; H.R. 2304, Advanced Geothermal Energy Research and Development Act of 2007; and H.R. 2313, Marine Renewable Energy Research and Development Act of 2007, 10 a.m., 2318 Rayburn.

June 6, Subcommittee on Research and Science Education, hearing on STEM Education Programs, 2 p.m., 2318 Rayburn.

June 7, Subcommittee on Energy and Environment, hearing on NPOESS, 1 p.m., 2318 Rayburn.

*Committee on Small Business*, June 5, hearing on Sarbanes-Oxley Section 404: Will the SEC's and PCAOB's New Standards Lower Compliance Costs for Small Companies? 2 p.m., 2360 Rayburn.

June 6, Subcommittee on Finance and Tax, hearing on Data Security, 10 a.m., 2360 Rayburn.

June 7, full Committee, hearing on the Farm Bill, 10 a.m., 2360 Rayburn.

*Committee on Transportation and Infrastructure*, June 6, Subcommittee on Aviation, hearing on the National Transportation Safety Board's Most Wanted Aviation Safety Improvements, 10 a.m., 2167 Rayburn.

June 7, Subcommittee on Highways and Transit, hearing on Congestion and Mobility, 10 a.m., 2167 Rayburn.

June 8, Subcommittee on Economic Development, Public Buildings, and Emergency Management, hearing on What Visitors Can Expect at the Capitol Visitors Center: Transportation, Access, Security, and Visuals, 10 a.m., 2167 Rayburn.

*Committee on Veterans' Affairs*, June 7, Subcommittee on Economic Opportunity, hearing on Specially Adaptive Housing, 2 p.m., 334 Cannon.

*Committee on Ways and Means*, June 7, Subcommittee on Social Security, hearing on Employment Eligibility Verification Systems, 10 a.m., B-318 Rayburn.

*Permanent Select Committee on Intelligence*, June 7, Subcommittee on Intelligence Community Management, executive, briefing on Security Clearance Process, 11 a.m., H-405 Capitol.

# Résumé of Congressional Activity

## FIRST SESSION OF THE ONE HUNDRED TENTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House.

The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

### DATA ON LEGISLATIVE ACTIVITY

January 4 through May 31, 2007

	<i>Senate</i>	<i>House</i>	<i>Total</i>
Days in session .....	82	74	..
Time in session .....	614 hrs., 01'	643 hrs., 11'	..
Congressional Record:			
Pages of proceedings .....	\$6970	H5929	..
Extensions of Remarks .....	..	E1181	..
Public bills enacted into law .....	4	24	..
Private bills enacted into law .....	..	..	..
Bills in conference .....	1	1	..
Measures passed, total .....	234	417	651
Senate bills .....	34	6	..
House bills .....	33	195	..
Senate joint resolutions .....	1	..	..
House joint resolutions .....	1	1	..
Senate concurrent resolutions .....	9	3	..
House concurrent resolutions .....	19	36	..
Simple resolutions .....	137	176	..
Measures reported, total* .....	148	166	314
Senate bills .....	84	1	..
House bills .....	10	110	..
Senate joint resolutions .....	1	..	..
House joint resolutions .....	..	..	..
Senate concurrent resolutions .....	5	..	..
House concurrent resolutions .....	2	5	..
Simple resolutions .....	46	50	..
Special reports .....	10	2	..
Conference reports .....	1	2	..
Measures pending on calendar .....	118	13	..
Measures introduced, total .....	1,798	3,213	5,011
Bills .....	1,538	2,556	..
Joint resolutions .....	15	44	..
Concurrent resolutions .....	34	163	..
Simple resolutions .....	219	450	..
Quorum calls .....	2	6	..
Yea-and-nay votes .....	181	248	..
Recorded votes .....	..	171	..
Bills vetoed .....	..	1	..
Veto overridden .....	..	..	..

### DISPOSITION OF EXECUTIVE NOMINATIONS

January 4 through May 31, 2007

Civilian nominations, totaling 275, disposed of as follows:

Confirmed .....	72
Unconfirmed .....	193
Withdrawn .....	10

Other Civilian nominations, totaling 2,228, disposed of as follows:

Confirmed .....	1,893
Unconfirmed .....	335

Air Force nominations, totaling 5,118, disposed of as follows:

Confirmed .....	3,787
Unconfirmed .....	1,331

Army nominations, totaling 1,420, disposed of as follows:

Confirmed .....	1,251
Unconfirmed .....	169

Navy nominations, totaling 798, disposed of as follows:

Confirmed .....	150
Unconfirmed .....	648

Marine Corps nominations, totaling 1,325, disposed of as follows:

Confirmed .....	1,307
Unconfirmed .....	18

### Summary

Total nominations carried over from the First Session .....	0
Total nominations received this Session .....	11,164
Total confirmed .....	8,460
Total unconfirmed .....	2,694
Total withdrawn .....	10
Total returned to the White House .....	0

\*These figures include all measures reported, even if there was no accompanying report. A total of 76 reports have been filed in the Senate, a total of 169 reports have been filed in the House.

*Next Meeting of the SENATE*

10 a.m., Tuesday, June 5

*Next Meeting of the HOUSE OF REPRESENTATIVES*

2 p.m., Tuesday, June 5

## Senate Chamber

**Program for Tuesday:** After the transaction of any morning business (not to extend beyond 60 minutes), Senate will continue consideration of S. 1348, Comprehensive Immigration Reform, and vote on or in relation to certain amendments.

*(Senate will recess upon deposition of Durbin Amendment No. 1231 until 2:15 p.m. for their respective party conferences.)*

## House Chamber

**Program for Tuesday:** To be announced.



## Congressional Record

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