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Senate

The Senate met at 9:15 a.m. and was called to order by the Honorable SHERROD BROWN, a Senator from the State of Ohio.

PRAYER

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

Let us pray.

Eternal Lord God, the fountain of wisdom, we thank You for those who guard our fragile gift of freedom. Thank You for Senators who more than self their country love, who daily make courageous decisions that keep us free. Lord, use the Members of this body to ensure that this precious gift of liberty will remain inviolate for those who come after us.

Thank You also for the brave souls, stout hearts, and indomitable spirits of those who have paid the ultimate price for the privileges we enjoy. Sustain and comfort the families they have left behind.

During this blessed moment of talking to You, we ask that Your presence will follow us throughout this day. As we labor, fix our thoughts and efforts on whatever is true, honest, just, pure, and productive. Support us today, Lord, until the shadows lengthen and the evening comes and our work receives Your commendation of "well done."

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable SHERROD BROWN 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 legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 9, 2007.

To the Senate:

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

ROBERT C. BYRD,
President pro tempore.

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

RESERVATION OF LEADER TIME

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

RECOGNITION OF THE MAJORITY LEADER

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

Mr. REID. Thank you, Mr. President.

SCHEDULE

Mr. REID. Mr. President, we will shortly vote on the cloture motion filed by the minority.

AMENDMENTS TO S. 4

Mr. President, first, let me start with a letter written to me dated February 26. There was a comparable letter written to the Republican leader. The letter reads:

It has been exactly 14 years since the first attack on the World Trade Center; over 5 years since the terrorist attacks of 9/11; and over 2 years since the 9/11 Commission released a blueprint for strengthening America's security. The pace of Congressional response to these wake-up calls has been glacial.

The House of Representatives has validated its commitment to improving national security by passing H.R. 1. When S. 4 goes to conference, its provisions must match or sur-

pass the strength and comprehensiveness of H.R. 1. Failure to act ratchets up the danger for America. The longer critical security issues remain unresolved, the more time and options the terrorists have.

S. 4 should be a clean bill, limited to implementing the remaining 9/11 Commission recommendations. This legislation is far too important to be politicized by the introduction of non-germane, controversial amendments and debate, particularly those relating to Iraq. Attention to both issues is critically important. As such, each deserves separate deliberation.

We urge you to act now to protect America by passing stand-alone, comprehensive security legislation under S. 4 based on the 9/11 Commission blueprint without complications regarding Iraq. The legacy of those whose lives have been taken by terrorists on American soil is in your hands. Prove to the families of those killed in 1993 and 2001, and to all Americans, that this is a new day in Washington, and that safety and security will finally take precedence over special interest groups and politics.

Mr. President, the two managers of the bill, LIEBERMAN and COLLINS, have followed the admonition of that letter. They have worked very hard to have a clean bill. That is basically what we have. But I am sorry to report that of the 100-plus amendments filed, virtually all of them, except 7, are non-germane. To top it off, what the minority did is lumped a bunch of these non-germane amendments together and filed cloture on them.

Here is what the 9/11 families had to say about that. This is a letter to Senator MCCONNELL, dated March 8, 2007:

As family members who lost loved ones on 9/11, we support full implementation of the 9/11 Commission recommendations. We are writing out of grave concern that your recent introduction of highly provocative, irrelevant amendments will jeopardize the passage of S. 4. It is inconceivable that anyone in good conscience would consider hindering implementation of the 9/11 Commission recommendations and we strongly disagree with these divisive procedural tactics.

Just as the Iraq war deserves separate debate, so do each of the amendments you offered. S. 4 should be a clean bill and debate should conclude this week with a straight up

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



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or down vote. Each day that passes without implementation of the remaining 9/11 Commission recommendations, the safety and security of our nation is at risk.

Tactics such as those you are contemplating, aimed at endangering the 9/11 bill, sends a signal to America that partisan politics is alive and well under your leadership. Both parties must work together to pass this critical legislation. We, the undersigned, understand the risk of failure all too well.

It is signed: "Respectfully," Carol Ashley, mother of Janice, who died, who is a member of Voices of September 11th; Beverly Eckert, widow of Sean Rooney, who is a member of Families of September 11; Mary Fetchet, mother of Brad, who died, who is founding director and president of Voices of September 11th; Carie Lemack, daughter of Judy Larocque, who died, who is cofounder and president of Families of September 11.

Mr. President, this is what the 9/11 families have said. The amendments lumped into one are not germane to the pending bill. That is without any question or debate. It is a collection of far-reaching immigration and criminal law provisions that have never been considered by the Judiciary Committee—never. Senator LEAHY said he would be happy to do that. They have never been considered.

These are complex matters which should not be considered on the Senate floor in this manner, especially on this very sensitive legislation. For example, one part of the amendment would overturn a recent Supreme Court decision. Now, remember, seven of the nine members of the Supreme Court are Republicans. They wrote the opinion. They want it overturned. Another part of the amendment would say visa revocations can never, ever be reviewed by any court.

The cloture motion was nothing more than an effort to delay passage of the 9/11 Commission bill. We need to move forward on this vital legislation.

I again ask everyone to listen to the words of the family members of those who perished on September 11. I have read those into the RECORD. We have, as I speak, these women and others who are watching what we do here today. I hope Senator LIEBERMAN and Senator COLLINS can go forward and complete this legislation without this. It is just absolutely hard to comprehend that this is what is being attempted on this bill.

I respectfully suggest, as they said in this letter, "It is inconceivable that anyone in good conscience would consider hindering implementation of the 9/11 Commission recommendations. . . ." That is what they said, not what I said. "Each day that passes without implementation of the . . . 9/11 Commission recommendations [risks] the safety and security of our nation. . . ." That is what they said, not what I said. "Tactics such as [these]," they write to Senator McCONNELL, " . . . are . . . aimed at endangering the 9/11 bill, [and it] sends a signal to America that [is inappropriate]."

IMPROVING AMERICA'S SECURITY ACT OF 2007

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 4, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 4) to make the United States more secure by implementing unfinished recommendations of the 9/11 Commission to fight the war on terror more effectively, to improve homeland security, and for other purposes.

Pending:

Reid amendment No. 275, in the nature of a substitute.

Sununu amendment No. 291 (to amendment No. 275), to ensure that the emergency communications and interoperability communications grant program does not exclude Internet protocol-based interoperable solutions.

Salazar/Lieberman modified amendment No. 290 (to amendment No. 275), to require a quadrennial homeland security review.

Dorgan/Conrad amendment No. 313 (to amendment No. 275), to require a report to Congress on the hunt for Osama bin Laden, Ayman al-Zawahiri, and the leadership of al-Qaida.

Landrieu amendment No. 321 (to amendment No. 275), to require the Secretary of Homeland Security to include levees in the list of critical infrastructure sectors.

Landrieu amendment No. 296 (to amendment No. 275), to permit the cancellation of certain loans under the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

Landrieu modified amendment No. 295 (to amendment No. 275), to provide adequate funding for local governments harmed by Hurricane Katrina of 2005 or Hurricane Rita of 2005.

Allard amendment No. 272 (to amendment No. 275), to prevent the fraudulent use of social security account numbers by allowing the sharing of Social Security data among agencies of the United States for identity theft prevention and immigration enforcement purposes.

McConnell (for Sessions) amendment No. 305 (to amendment No. 275), to clarify the voluntary inherent authority of States to assist in the enforcement of the immigration laws of the United States and to require the Secretary of Homeland Security to provide information related to aliens found to have violated certain immigration laws to the National Crime Information Center.

McConnell (for Cornyn) amendment No. 310 (to amendment No. 275), to strengthen the Federal Government's ability to detain dangerous criminal aliens, including murderers, rapists, and child molesters, until they can be removed from the United States.

McConnell (for Cornyn) amendment No. 311 (to amendment No. 275), to provide for immigration injunction reform.

McConnell (for Cornyn) modified amendment No. 312 (to amendment No. 275), to prohibit the recruitment of persons to participate in terrorism, to clarify that the revocation of an alien's visa or other documentation is not subject to judicial review, to strengthen the Federal Government's ability to detain dangerous criminal aliens, including murderers, rapists, and child molesters, until they can be removed from the United States, to prohibit the rewarding of suicide bombings and allow adequate punishments for terrorist murders, kidnappings, and sexual assaults.

McConnell (for Kyl) modified amendment No. 317 (to amendment No. 275), to prohibit the rewarding of suicide bombings and allow

adequate punishments for terrorist murders, kidnappings, and sexual assaults.

McConnell (for Kyl) amendment No. 318 (to amendment No. 275), to protect classified information.

McConnell (for Kyl) amendment No. 319 (to amendment No. 275), to provide for relief from (a)(3)(B) immigration bars from the Hmong and other groups who do not pose a threat to the United States, to designate the Taliban as a terrorist organization for immigration purposes.

McConnell (for Kyl) amendment No. 320 (to amendment No. 275), to improve the Classified Information Procedures Act.

McConnell (for Grassley) amendment No. 300 (to amendment No. 275), to clarify the revocation of an alien's visa or other documentation is not subject to judicial review.

McConnell (for Grassley) amendment No. 309 (to amendment No. 275), to improve the prohibitions on money laundering.

Thune amendment No. 308 (to amendment No. 275), to expand and improve the Proliferation Security Initiative while protecting the national security interests of the United States.

Cardin amendment No. 326 (to amendment No. 275), to provide for a study of modification of area of jurisdiction of Office of National Capital Region Coordination.

Cardin amendment No. 327 (to amendment No. 275), to reform mutual aid agreements for the National Capital Region.

Cardin modified amendment No. 328 (to amendment No. 275), to require Amtrak contracts and leases involving the State of Maryland to be governed by the laws of the District of Columbia.

Schumer/Clinton amendment No. 336 (to amendment No. 275), to prohibit the use of the peer review process in determining the allocation of funds among metropolitan areas applying for grants under the Urban Area Security Initiative.

Schumer/Clinton amendment No. 337 (to amendment No. 275), to provide for the use of funds in any grant under the Homeland Security Grant Program for personnel costs.

Coburn amendment No. 325 (to amendment No. 275), to ensure the fiscal integrity of grants awarded by the Department of Homeland Security.

Sessions amendment No. 347 (to amendment No. 275), to express the sense of the Congress regarding the funding of Senate-approved construction of fencing and vehicle barriers along the southwest border of the United States.

Coburn amendment No. 301 (to amendment No. 275), to prohibit grant recipients under grant programs administered by the Department from expending funds until the Secretary has reported to Congress that risk assessments of all programs and activities have been performed and completed, improper payments have been estimated, and corrective action plans have been developed and reported as required under the Improper Payments Act of 2002 (31 U.S.C. 3321 note).

Coburn amendment No. 294 (to amendment No. 275), to provide that the provisions of the act shall cease to have any force or effect on and after December 31, 2012, to ensure congressional review and oversight of the act.

Lieberman (for Menendez) amendment No. 354 (to amendment No. 275), to improve the security of cargo containers destined for the United States.

Specter amendment No. 286 (to amendment No. 275), to restore habeas corpus for those detained by the United States.

Kyl modified amendment No. 357 (to amendment No. 275), to amend the data-mining technology reporting requirement to avoid revealing existing patents, trade secrets, and confidential business processes, and to adopt a narrower definition of data-

mining in order to exclude routine computer searches.

Ensign amendment No. 363 (to amendment No. 275), to establish a Law Enforcement Assistance Force in the Department of Homeland Security to facilitate the contributions of retired law enforcement officers during major disasters.

Biden amendment No. 383 (to amendment No. 275), to require the Secretary of Homeland Security to develop regulations regarding the transportation of high hazard materials.

Biden amendment No. 384 (to amendment No. 275), to establish a Homeland Security and Neighborhood Safety Trust Fund and refocus Federal priorities toward securing the Homeland.

Bunning amendment No. 334 (to amendment No. 275), to amend title 49, United States Code, to modify the authorities relating to Federal flight deck officers.

Schumer modified amendment No. 367 (to amendment No. 275), to require the Administrator of the Transportation Security Administration to establish and implement a program to provide additional safety measures for vehicles that carry high hazardous materials.

Schumer amendment No. 366 (to amendment No. 275), to restrict the authority of the Nuclear Regulatory Commission to issue a license authorizing the export to a recipient country of highly enriched uranium for medical isotope production.

Wyden amendment No. 348 (to amendment No. 275), to require that a redacted version of the Executive Summary of the Office of Inspector General Report on Central Intelligence Agency Accountability Regarding Findings and Conclusions of the Joint Inquiry into Intelligence Community Activities Before and After the Terrorist Attacks of September 11, 2001, is made available to the public.

Bond/Rockefeller amendment No. 389 (to amendment No. 275), to provide the sense of the Senate that the Committee on Homeland Security and Governmental Affairs and the Select Committee on Intelligence of the Senate should submit a report on the recommendations of the 9/11 Commission with respect to intelligence reform and congressional intelligence oversight reform.

Stevens amendment No. 299 (to amendment No. 275), to authorize NTIA to borrow against anticipated receipts of the Digital Television Transition and Public Safety Fund to initiate migration to a national IP-enabled emergency network capable of receiving and responding to all citizen-activated emergency communications.

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

Mr. CORNYN. Mr. President, how much time remains under the current order?

The ACTING PRESIDENT pro tempore. Four and a half minutes is remaining before the vote.

Mr. CORNYN. Mr. President, the majority leader and I agree about one thing: Securing America ought to be about doing just that and not about politics. But, unfortunately, the majority has demonstrated its interest in rewarding unions by providing a provision for collective bargaining for the Transportation Security Administration in this bill which elevates the union rights of the Transportation Security Administration over the national security and safety of the American people.

So we should not be fooled by the rhetoric or the attempt of the majority leader to stand behind the 9/11 families. Unfortunately, I fear these 9/11 families are being manipulated for political purposes in order to justify promoting the union rights of Transportation Security Administration workers, which will hinder the safety and security of the flying public. This 9/11 bill should be about strengthening security, not about unions.

Mr. President, I have another letter from 9/11 Families for a Secure America to Senator MCCONNELL, which I ask unanimous consent be printed in the RECORD after my comments.

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

(See exhibit 1.)

Mr. CORNYN. Mr. President, this letter says:

On behalf of 9/11 Families for a Secure America, an organization representing the families of 300 victims of the 9/11 attacks, we would like to thank you for your recent efforts to ensure and enhance America's security.

This letter goes on and will be part of the RECORD.

But I simply do not understand why the majority leader objects to our ability to have an up-or-down vote on whether dangerous criminal aliens who are currently being released into the population—because under a 2001 Supreme Court decision, they cannot be held more than 6 months pending deportation—why he would object to an up-or-down vote on that amendment.

We started off this year with the majority leader and those in the new majority saying they wanted to work with Republicans in a bipartisan way to try to do what was important for the American people. Nothing is more important than the safety and security of the American people. But why, 6 years after this 2001 Supreme Court decision, the majority insists on allowing this condition to exist, where dangerous criminal aliens are released into the American population to commit additional crimes, is beyond me. That is not about safety and security.

Frankly, the comments I heard this morning which say that somehow this is being politicized are just not correct. If anything, the majority has demonstrated that their desire to promote union rights as a reward for political support in the last election dominates their thinking on this bill. It is unfortunate.

I hope that if, indeed, that provision, which I do believe in all sincerity will impair the safety and security of the American people, is included in this bill once it is taken to conference, I hope the President follows through on his promise to veto the bill because it will not elevate but, rather, it will diminish the safety and security of the American people.

So I regret, Mr. President, that the majority leader has obstructed the ability of the U.S. Senate to have a full

and fair debate on these important national security amendments. Frankly, the reasons for not allowing that just do not stand up to scrutiny.

I yield the floor.

EXHIBIT 1

9/11 FAMILIES FOR A
SECURE AMERICA,
March 8, 2007.

Hon. MITCH MCCONNELL,
Senate Minority Leader,
Washington, DC.

DEAR SENATOR MCCONNELL: On behalf of 9/11 Families for a Secure America, an organization representing the families of 300 victims of the 9/11 attacks, we would like to thank you for your recent efforts to ensure and enhance America's security.

As the parents of two men who lost their lives in the World Trade Center attacks, we take the recommendations of the 9/11 Commission more seriously than most. When President Bush threatened to veto the 9/11 bill over a provision related to airport security screeners, we were pleased by your efforts to strip the provision to ensure a presidential signature.

We also appreciate your recent efforts to implement a number of new policies aimed at closing dangerous loopholes in existing security law. We represent an organization that advocates strengthening our borders as a way of improving national security, and your proposals would do just that. As you know, current law prevents us from holding dangerous illegal immigrants and from deporting anyone whose visa has been revoked for terrorist-related reasons. These loopholes must be closed.

Those who would use the 9/11 bill as a vehicle for political patronage and stall its passage in the process do not have America's security interests at heart. Nor do those who would block a vote on measures aimed at securing our borders by screening those who come here illegally. Thank you for keeping faith with those of us who have made the security of this country a real priority. Your efforts are greatly appreciated.

Yours sincerely,

JOAN MOLINARO,
Treasurer, 9/11 Families for a Secure America,
Mother of Carl Molinaro, FDNY.
PETER GADIEL,
President, 9/11 FSA, Father of James Gadiel,
WTC North Tower 103rd floor.

CLOTURE MOTION

The ACTING PRESIDENT pro tempore. Under the previous order and pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on pending amendment No. 312, as modified, to amendment No. 275 to Calendar No. 57, S. 4, a bill to make the United States more secure by implementing unfinished recommendations of the 9/11 Commission to fight the war on terror more effectively, to improve homeland security, and for other purposes.

John Cornyn, Jon Kyl, Mike Crapo, John Ensign, Saxby Chambliss, Judd Gregg, Richard Burr, Jim Bunning, Sam Brownback, Mitch McConnell, Craig Thomas, Tom Coburn, Wayne Allard, Jim DeMint, John Thune, Pat Roberts, Lindsey Graham.

The ACTING PRESIDENT pro tempore. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on amendment No. 312, as modified, offered by Mr. McCONNELL of Kentucky, to S. 4, a bill to make the United States more secure by implementing unfinished recommendations of the 9/11 Commission more effectively, to improve homeland security, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Connecticut (Mr. DODD) and the Senator from South Dakota (Mr. JOHNSON) are necessarily absent.

Mr. LOTT. The following Senators are necessarily absent: the Senator from Kansas (Mr. BROWNBACK), the Senator from North Carolina (Mr. BURR), and the Senator from Arizona (Mr. MCCAIN).

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 46, nays 49, as follows:

[Rollcall Vote No. 68 Leg.]

YEAS—46

| | | |
|-----------|-----------|-----------|
| Alexander | Dole | Murkowski |
| Allard | Domenici | Roberts |
| Bayh | Ensign | Sessions |
| Bennett | Enzi | Shelby |
| Bond | Graham | Smith |
| Bunning | Grassley | Snowe |
| Chambliss | Gregg | Specter |
| Coburn | Hatch | Stevens |
| Cochran | Hutchison | Sununu |
| Coleman | Inhofe | Thomas |
| Collins | Isakson | Thune |
| Corker | Kyl | Vitter |
| Cornyn | Lott | Voinovich |
| Craig | Lugar | Warner |
| Crapo | Martinez | |
| DeMint | McConnell | |

NAYS—49

| | | |
|-----------|------------|-------------|
| Akaka | Hagel | Nelson (FL) |
| Baucus | Harkin | Nelson (NE) |
| Biden | Inouye | Obama |
| Bingaman | Kennedy | Pryor |
| Boxer | Kerry | Reed |
| Brown | Klobuchar | Reid |
| Byrd | Kohl | Rockefeller |
| Cantwell | Landrieu | Salazar |
| Cardin | Lautenberg | Sanders |
| Carper | Leahy | Schumer |
| Casey | Levin | Stabenow |
| Clinton | Lieberman | Tester |
| Conrad | Lincoln | Webb |
| Dorgan | McCaskey | Whitehouse |
| Durbin | Menendez | Wyden |
| Feingold | Mikulski | |
| Feinstein | Murray | |

NOT VOTING—5

| | | |
|-----------|---------|--------|
| Brownback | Dodd | McCain |
| Burr | Johnson | |

The ACTING PRESIDENT pro tempore. On this vote, the yeas are 46, the nays are 49. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

Mr. DURBIN. I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

CLOTURE MOTION

The ACTING PRESIDENT pro tempore. Under the previous order and pursuant to rule XXII, the Chair lays be-

fore the Senate the following cloture motion which the clerk will report.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close the debate on the Reid substitute amendment No. 275 to S. 4, the 9/11 Commission legislation.

Joe Lieberman, Charles Schumer, Robert Menendez, Patty Murray, Dianne Feinstein, B.A. Mikulski, Christopher Dodd, Joe Biden, Debbie Stabenow, Harry Reid, Pat Leahy, Dick Durbin, Jeff Bingaman, H.R. Clinton, Bill Nelson, Tom Carper, Jack Reed.

The ACTING PRESIDENT pro tempore. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on amendment No. 275, offered by Mr. REID of Nevada, to S. 4, a bill to make the United States more secure by implementing unfinished recommendations of the 9/11 Commission to fight the war on terror more effectively, to improve homeland security, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Connecticut (Mr. DODD) and the Senator from South Dakota (Mr. JOHNSON) are necessarily absent.

Mr. LOTT. The following Senators are necessarily absent: the Senator from Kansas (Mr. BROWNBACK), the Senator from North Carolina (Mr. BURR), and the Senator from Arizona (Mr. MCCAIN).

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 69, nays 26, as follows:

[Rollcall Vote No. 69 Leg.]

YEAS—69

| | | |
|-----------|------------|-------------|
| Akaka | Durbin | Murkowski |
| Alexander | Feingold | Murray |
| Baucus | Feinstein | Nelson (FL) |
| Bayh | Hagel | Nelson (NE) |
| Bennett | Harkin | Obama |
| Biden | Inouye | Pryor |
| Bingaman | Kennedy | Reed |
| Bond | Kerry | Reid |
| Boxer | Klobuchar | Rockefeller |
| Brown | Kohl | Salazar |
| Byrd | Landrieu | Sanders |
| Cantwell | Lautenberg | Schumer |
| Cardin | Leahy | Smith |
| Carper | Levin | Snowe |
| Casey | Lieberman | Stabenow |
| Clinton | Lincoln | Stevens |
| Coleman | Lott | Tester |
| Collins | Lugar | Thune |
| Conrad | Martinez | Voinovich |
| Corker | McCaskey | Warner |
| Dole | McConnell | Webb |
| Domenici | Menendez | Whitehouse |
| Dorgan | Mikulski | Wyden |

NAYS—26

| | | |
|-----------|-----------|----------|
| Allard | Ensign | Kyl |
| Bunning | Enzi | Roberts |
| Chambliss | Graham | Sessions |
| Coburn | Grassley | Shelby |
| Cochran | Gregg | Specter |
| Cornyn | Hatch | Sununu |
| Craig | Hutchison | Thomas |
| Crapo | Inhofe | Vitter |
| DeMint | Isakson | |

NOT VOTING—5

| | | |
|-----------|---------|--------|
| Brownback | Dodd | McCain |
| Burr | Johnson | |

The ACTING PRESIDENT pro tempore. On this vote, the yeas are 69, the nays are 26. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Mr. LIEBERMAN. Mr. President, I move to reconsider the vote by which the motion was agreed to, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the cloture motion on the bill be vitiated; that the bill be read a third time, and a vote occur on final passage on Tuesday, March 13, immediately upon the disposition of the substitute amendment; that when the Senate convenes on Tuesday, March 13, and resumes consideration of the bill, all time under cloture be considered expired and the Senate immediately begin voting on those pending germane amendments; further, that during Monday's legislative session, the provisions of rule XXII shall not bar a motion to proceed made by the majority leader.

The ACTING PRESIDENT pro tempore. Is there objection?

Ms. COLLINS. Mr. President, I think this is a fair agreement that will allow us to finish the bill on Tuesday, and I have no objection.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

Mr. LIEBERMAN. Mr. President, this means that there will be no further rollcall votes today, there will be no rollcall votes on Monday, and we would resume voting on the germane amendments on Tuesday morning next week.

Our staffs will continue to be available to negotiate with our colleagues on a consent list of amendments that are agreed to by all concerned. In fact, we have a list now approaching 20 amendments where there is such agreement, but there are one or two individual Senators concerned that their amendments are not on that list and they are objecting to the overall consent. We hope very much that can be worked out and we can, in any case, move to final passage next Tuesday.

Mr. President, I briefly wish to thank my ranking member, Senator COLLINS, for her extraordinary contribution to this bill and her cooperation. As you know, we have had many ups and downs about the many amendments, agreements, objections, et cetera, but I am very pleased to say that the bill, as it came out of our committee, was non-partisan, with a 16-to-0 vote, and one abstention, thus remaining essentially intact. That is the good news.

I hope some of the amendments that have been agreed to by almost everybody on both sides can be added to make the bill even stronger as we go to conference.

I thank our colleagues for their contributions and for some good debate.

This is a subject of urgent importance to the American people. It is completing the unfinished work that the 9/11 Commission gave us, it is building on all we accomplished in the 9/11 legislation of 2004, and it will, in a very direct way, make the American people safer both from potential terrorist attack and from the inevitable natural disasters, such as Hurricane Katrina.

I thank my colleagues, and I yield the floor to my ranking member at this time.

Ms. COLLINS. Mr. President, this is a very important bill. Many of the recommendations of the 9/11 Commission were enacted as part of the Intelligence Reform and Terrorism Prevention Act of 2004, which the distinguished Senator from Connecticut and I have worked so hard to author. But there is some unfinished business, and this bill will help make our country safer and it will strengthen our protections against terrorist attacks.

As always, it has been a great pleasure to work with the Senator from Connecticut, whose leadership I so admire. I am optimistic we have now finally put this important bill on a path to completion, and I look forward to working to accomplish that goal on Tuesday.

I thank the Chair.

Ms. LANDRIEU. Mr. President, reserving the right to object, though I am not sure if that motion has gone through, I wanted to ask the leaders, who have managed this bill so well, if they are familiar with amendment Nos. 295 and 296, relative to very urgent requests by the Gulf Coast States, one for loan forgiveness and one for the 10-percent waiver? Are the two leaders willing to say they are both supportive of these amendments and will continue to try over the weekend to get both these amendments up by unanimous consent?

Mr. LIEBERMAN. Mr. President, I say to the Senator from Louisiana, the amendment on loan forgiveness is on the consent list. As the Senator knows, for reasons that are certainly perplexing to me, most everybody here seems to agree on the 10-percent forgiveness for the gulf coast based on Hurricane Katrina because of the extraordinary economic impact the storm had on both governments and people and businesses in the gulf coast. There is very broad support, but there continue to be objections, as the Senator knows. I regret that, and I hope we can find a way to overcome those between now and next Tuesday.

The Senator from Louisiana also knows there is an amendment on levees that is germane, and that will be one of the amendments that is up either for a vote or passage by consent on Tuesday because it remains relevant and germane after cloture.

Ms. LANDRIEU. I thank the Senator for his support.

Ms. COLLINS. Mr. President, if the Senator from Louisiana will yield so I may respond to her question.

Ms. LANDRIEU. I yield.

Ms. COLLINS. The Senator from Louisiana has been tireless in her advocacy for both of these amendments. The junior Senator from Louisiana has also talked to me about these amendments, as has the Senator from Florida, Mr. MARTINEZ. I have been working hard with the chairman to try to address the concerns of the Senators from Louisiana.

As the chairman has indicated, there is good news on one of the Senator's amendments. The amendment that proposes the loan forgiveness authority for the President is on the list of amendments we are optimistic about clearing on Tuesday. The other amendment, with the 10-percent match eliminated, is more problematic because there are some outstanding objections to it.

I know the Senator from Louisiana has indicated a willingness to amend her amendment and put a 2-year sunset on that provision. That helps a great deal with one of the objections we have on our side of the aisle. I don't know whether we are going to be able to clear the other objections, but I certainly pledge to keep working with the Senator from Louisiana and the committee's chairman to accomplish that goal.

Ms. LANDRIEU. I thank the Senator.

Mr. LIEBERMAN. Mr. President, I thank all our colleagues, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. BROWN. Mr. President, I ask unanimous consent to speak as in morning business for up to 10 minutes.

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

TRADE POLICY

Mr. BROWN. Mr. President, last November, voters in my State of Ohio spoke out for change. Their call echoed across this country, as middle-class, working, and low-income families claimed ownership of their Government.

For too long, our Government betrayed their values. The drug companies wrote the Medicare law, the oil companies dictated energy policy, and large multinational corporations pushed job-killing trade agreements through the House and the Senate.

In my home State of Ohio, trade in particular was the focus for change in last year's election. Years of job-killing trade agreements are taking their toll on workers and small businesses alike. Two years ago, the largest ever bipartisan fair trade coalition was formed to oppose the Central American Free Trade Agreement—the dysfunctional cousin of the fundamentally

flawed North American Free Trade Agreement.

Forced through the House in the middle of the night by one vote, CAFTA did not pass on its merits. So flawed is CAFTA that to this day, nearly 2 years later, it has still not been fully implemented.

The question is not if we trade but how we trade and who benefits from trade. Unfettered free trade has afforded multinational corporations and morally bankrupt countries windfall profits on the backs of often slave, sweatshop, or even child labor. Proponents of unfettered free trade use words such as “protectionism” to hide their shameful practices, to mask agreements that trade in human suffering and economic destruction, and to simply try to push away their opponents' arguments.

I am pleased to say this Congress is not only committed to build on the efforts of the fair trade coalition, we are already at work changing trade policy. Earlier this year, Senator DORGAN, Senator GRAHAM, and I introduced legislation that would ban sweatshop labor. We shed light on the injustice of allowing China to enjoy permanent normal trade relations in the WTO while allowing the degradation of environmental and labor standards on massive scales.

In the coming months, Congress will debate fast-track negotiations due to expire this summer. It is clear this administration has little desire—has little desire—to change direction on trade, so it is up to Congress to chart a new course for the future of U.S. trade policy.

Fair trade is not just about doing the right thing for small business, doing the right thing for manufacturing, doing the right thing for workers; it means investing in entire communities.

Our middle class is shrinking. Our policies in Washington have betrayed the values of working families across this country—in Ohio and Rhode Island, all over this country—which is why we must revamp our economic trade policies and invest in our middle class. We must shrink income inequality, grow our business community, and create good-paying jobs. We must establish trade policy that builds on our economic security.

Job loss does not just affect the worker who has lost her job or that worker's family. Job loss, especially job loss in the thousands, devastates communities. It hurts the local business owner—the drugstore, the grocery store, the neighborhood restaurant. When people are out of work, they cannot support their local economy, which forces owners to close their small businesses. That means lost revenues to the community, which hurts schools, fire departments, and police departments.

The trade policies we set here and negotiated across the globe have a direct impact on places such as Toledo and

Steubenville and Cleveland and Middletown. We hear the word "protectionist" thrown around by those who insist on more of the same failed trade models. It is considered "protectionist" by them when they characterize those of us who are fighting for labor and environmental standards, but they call it "free trade" to protect drug company patents and Hollywood films.

If we can protect intellectual property rights, as we should, with enforceable provisions in trade agreements, we absolutely can do the same for labor, the environment, and food safety.

In my home State of Ohio, we have a talented and hard-working labor force and an entrepreneurial spirit that needs only the investment dollars and commitment from Government to realize their economic potential.

Oberlin College, near Cleveland, has the largest building on any university campus in the United States fully powered by solar energy. However, Oberlin College had to buy the solar panels for their building from Germany and Japan because we do not make enough solar panels in the United States.

Through investment in alternative energy, and through biomedical research and development, we cannot only create jobs, we can grow small business, we can help our environment.

Now is the time for our Government to do its part and redirect our priorities from favoring the wealthiest 1 percent in our Nation to, instead, growing our Nation's middle class. It is not a matter of if we revamp our trade policy but when we do it.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ALEXANDER. 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. ALEXANDER. Mr. President, I ask unanimous consent to speak as in morning business for up to 5 minutes.

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

The Senator from Tennessee is recognized.

Mr. ALEXANDER. I thank the Chair. (The remarks of Mr. ALEXANDER pertaining to the introduction of S. 835 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. ALEXANDER. Mr. President, I thank the Senator from North Dakota for his courtesy. I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

TRADE

Mr. DORGAN. Mr. President, I believe this morning President Bush is in Brazil. A week ago today, I and a number of Senators met with the President at the White House. The issue of the Brazil trip came up. He no doubt will

talk to the Brazilians about trade this morning. As he discusses the issue of trade, I wanted to make a couple of comments.

Today we had a new trade deficit figure released, about 3 hours ago. It shows our merchandise trade deficit in the past month was \$66 billion—in 1 month. I wanted to come to the floor to show what is happening to this country's trade. The reason I want to show the results of our trade policy is we now have proposals in front of us for free trade agreements. We have Colombia, Peru, negotiations with South Korea, Thailand, and others. We have been through a period when there has been this mantra, this chant, as it is, about free trade.

This chart shows what is happening to trade. In 1995, 12 years ago, we had a \$174 billion trade deficit. Now it is \$836 billion. Think of that: Every single day we wake up in this country, we import over \$2 billion more in goods from overseas than we are able to sell abroad. It doesn't matter what the good is, much, and it doesn't matter what the country is.

I have been here with charts that show, for example, to cite one, last year we had automobiles put on ships in South Korea. Mr. President, over 700,000 automobiles were put on ships in South Korea and sent to America and sold in the United States—700,000 South Korean automobiles. How many American automobiles do you think we sold in Korea, Mr. President, 700,000? No, no—about 4,000. Fair trade? Hardly. Ninety-nine percent of the cars on the streets of South Korea are South Korean cars. Why? Because they don't want foreign cars sold in South Korea. They want to produce cars with jobs in South Korea and ship them to the United States.

Should we allow that kind of one-way trade—700,000 going one way, 4,000 plus going the other way—to continue? I don't think so.

Let me talk a little about the general area of trade. I want to put up a picture of a young girl named Halima. This is a beautiful 11-year-old girl. When I showed the chart of the \$836 billion trade deficit last year, over \$2 billion a day—well over \$2 billion a day—the result of that statistic is American jobs being shipped overseas, products being produced overseas, in many cases with dirt-cheap labor, sent to a big box retailer in this country to be sold at a lower price. That is true, a lower price, so the American consumer gets a better price on a 12-pack of underwear or a gallon of mustard someplace. But what is the consequence of that to our economy, to our jobs? What ultimately is the consequence for our country? I frame all this in the context of the President saying: Let's do more, let's do more of this.

It seems to me if we do much more of that, we won't have much of an economy left. At what point do we think a trade deficit matters? This isn't money we owe to ourselves. One can make

that case in fiscal policy with the budget deficit. This is money we owe to other countries, over \$1 trillion of which we now owe to the Japanese and the Chinese. But what are the consequences?

I mentioned lost American jobs. Where do these jobs go? Who is producing what is sent to our country?

This beautiful young lady is named Halima. She worked at a factory in Bangladesh at age 11, and she made Hanes underwear. She worked long hours, very low pay, in sweatshop conditions.

One would think if this is a world market in which we care about the circumstances of people working in sweatshop conditions, we would take a look at something such as this and say: Wait a second, we don't want to buy Hanes underwear made with the hands of an 11-year-old working in sweatshop conditions.

Let me show my colleagues a certification of this plant in which Halima worked. "Certificate of Compliance, February 21, 2007." It is hereby awarded to Harvest Rich Ltd., worldwide responsible apparel production. So they certified this company was doing just fine with international standards. An 11-year-old producing in sweatshop conditions, sending underwear to Americans? That is fine? I don't think so. So is this just an aberration? This just happens on the very unusual case, and I just happened to find the picture of Halima?

Let me tell you how this picture came about. This picture came from a woman named Sheik Nazma. She was a former child laborer in Bangladesh. She was forced to start working in the textile mills at age 12—a sweatshop—and she described the conditions. She organized her coworkers for better conditions, saying: Let us, as a group of workers, organize to see if we can get better conditions. For that, she was beaten and threatened to death for organizing workers.

Is that an aberration? No, not really. I can give you the names today of people sitting in prisons in China. Their transgression? Their crime? They tried to organize workers for better conditions, tried to organize workers to insist on backpay they were owed. For that, they are sitting in prison cells in China because you can't organize workers in China.

What is happening with respect to these trade issues is we are sinking deep into this abyss of worsening trade debt. I know what the papers will say tomorrow—that \$66 billion, the last monthly merchandise trade deficit, is about a billion dollars or so less than the previous month, and the newspapers will say: Nirvana. What a wonderful thing—our trade deficit is shrinking. These, of course, are the same newspapers that beat to death this chant of free trade. There is not enough of this free trade for them; the more the merrier. My only question about all of this is, When do you suggest that this represents failure? Is

there never an opportunity to suggest that we need a change in trade strategy, a change that stands up for what we have built in a century in this country?

Let me describe what it is we have built in this century. A man name James Fyler was shot in 1914. The previous accounts of his death say he died of lead poisoning actually, but he was shot 54 times. Do you know why he was shot and lost his life? Because he believed that people who went underground to dig in the coal mines ought to be entitled to two things: No. 1, a safe workplace, and No. 2, a fair wage. For that, he was murdered.

In a century, from James Fyler forward, we had people who gave their lives and risked their lives to improve standards in this country, to insist on the right to organize, to insist on safe workplaces, to insist on a fair wage, and to insist on fair labor standards. It was tough. There were people beaten in the streets for it. There were people shot for insisting that we develop and lift those standards. But we did. We did. We expanded and created a middle class almost unparalleled in the world, which became the economic strength of this country. Working people understood they could get a good job, get some training, have a job that had a career ladder, an opportunity for a decent wage, an opportunity for benefits, and an opportunity to take care of their families. There is no social program in this Chamber that is as important as a good job that pays well for able-bodied workers. It is what allows everything else to work.

So we did that for a century, and we expanded opportunities. Now, all of a sudden, we are told it is a new day because of the global economy. In fact, Tom Friedman wrote a book saying that not only is it a new day, but the world is flat. I have yet to see the globe that represents that. When you go to most offices or libraries and you see a globe of the Earth, it appears round to me. Of course, I only graduated from a high school senior class of nine students, so maybe I missed a part of the lesson. So now we have books that say the world is flat, which, of course, is nonsense because it is not flat.

It is a global economy. What does that mean? What is the definition of what a global economy means for us and for our future? It means, according to some, that we ought to be able to understand that comparative advantage means you produce products where you can produce them at the least cost and then purchase them here and it is good for the consumer. The result is corporate executives flying around the world deciding where they can produce for the least cost.

How many of my colleagues remember Radio Flyer's little red wagon, which was an American product for 110 years, a Chicago company—the little red wagon we have all ridden in? It was named "Radio Flyer" because the inventor loved Marconi and he loved to

fly, so he named his product "Radio Flyer," and his company built it in Chicago for 110 years. Not anymore. It is just gone. It is now built in China. Do you think that is because the Chinese build better little red wagons? No, not at all. It is because you can find somebody who will work for 30 cents an hour, and you can work them 7 days a week, 12 to 14 hours a day, and you can build a cheaper little red wagon.

Similarly, you can do the same with Huffy bicycles and then eliminate all their jobs. You can do the same with Pennsylvania House furniture. In fact, with Pennsylvania House furniture, you can send the Pennsylvania wood to China. You can get rid of all the workers in Pennsylvania, send the Pennsylvania wood to China, and have them put it together and ship it back here, and that is exactly what has happened.

About 3½ to 4 million jobs have now migrated to where you can pay pennies an hour and then ship the product back to our country. That is about enhancing corporate profits, but I think it is at the expense of our economic future.

The former Vice Chairman of the Federal Reserve Board, Alan Blinder, a mainstream economist, said this: There are 42 to 56 million American jobs that are tradeable, meaning outsourceable. Not all of them will leave our country, but even those that stay are competing with others in the world who will work for lower wages. Therefore, there will be downward pressure on American wages for working Americans.

We see it every day. Open the newspaper and see how many people are losing their health care benefits, their retirement benefits, and the downward pressure on income. We see it every day. It is part of a strategy that says free trade, a global economy, produce where it is cheap, and sell to a marketplace like this.

My point is that it doesn't add up in the long run. I am for trade. I am in favor of trade, and plenty of it, but I insist and demand that it be fair trade for this country that attempts to lift, not depress standards. I am very interested in engaging with the rest of the world. I am not an isolationist, I am not a protectionist, as they define it, although I want to plead guilty quickly to wanting to protect our country's economic interests. If that is being a protectionist, then just sign me up. I want to protect our country's economic interests. We will only do that, and we will do it well, if we understand the need to retain a broad middle class, a middle class that sees jobs here that pay well, with benefits and opportunities in the future.

So how do we reconcile all of this? What will happen in the coming several months is—and I believe Senator SHERROD BROWN spoke about this earlier today—what will happen in the coming months is we will be requested to debate an extension of something called fast-track authority. Fast-track authority. They are going to want to

run through fast-track authority trade agreements with, yes, South Korea and Thailand and Peru and Colombia and many others. The same people who have given us this want to give us more of it, a deep canyon of red ink, downward pressure on American incomes, and substantial pressure on the movement of American jobs.

Interestingly enough, we not only move American jobs overseas, we actually decide, for those who do it, that we will give them a big fat tax break. One of the most pernicious, ignorant pieces of public policy I can conceive of is when we said: Fire your American workers, close your American plants, move your jobs to China, sell your products back in America, run your income through the Cayman Islands, and we will give you a big fat tax break for it.

Four times we have voted on eliminating that tax break, four times I have offered amendments to shut it down, and four times I have lost. Mark my words—we will be voting again and again on that proposition. The very last thing we ought to do as a country is decide we want to subsidize the flight of American jobs.

We just introduced a piece of legislation that would deal with the issue of sweatshop labor in other countries. What are the standards of this so-called global trade in a flat world? Well, at least there is one standard. The one standard is that you can't sell tube socks from a prison in China at a big-box retailer in America. Why is that? Because it is presumed that if you make tube socks or shorts or whatever you make in a prison setting, then that truly is the ultimate sweatshop labor, I guess. So you can't send prison labor products to our marketplace.

Well, if we all agree with that, and we do, because we already have a provision on that, what about the next step up? What about the product of an 11-year-old girl? What about the product of a company that hires an 11-year-old girl named Halima and works her in sweatshop conditions?

Should we decide as a country that you cannot produce products in sweatshop conditions that abuse workers abroad and send the products here—which, by the way, then asks American workers working in plants in the United States to compete with that sweatshop labor. It not only abuses foreign workers, it also abuses domestic workers because we are saying: Compete with something that is completely unsavory. If this happened in our country, we would march down the street with law enforcement and say: Shut this down.

We have heard the stories. I think my colleague, Senator HARKIN, had hearings some several years ago about this with the international labor organizations—young kids in carpet factories having their fingertips burned with sulfur. They put sulfur on the fingertips, then light them on fire. Do you know why? They create scars on the

fingertips so that as they use needles to sew the rugs, two things occur: They don't hurt themselves because they have scars from having had their fingertips burned and, second, they won't get blood on the carpets. Is this something we should accept? No, I don't think so. Is it something we should care about? You are darn right we should. But almost nothing—almost nothing—is acceptable to discuss in this mantra of free trade without being called a protectionist.

Here is what I think is going to happen. In the last election here in this country, I think there were 6 or 8 or 10 Senate races in which the winning candidate said: You know what, we are on the wrong track here. It is not that we shouldn't trade. We should trade. The origin of this great country was the shrewd Yankee trader. We were the traders, good traders, and so we should trade. But we shouldn't decide that this kind of a trade deficit can continue. It simply cannot.

Let me pull up the chart with China. The largest trade deficit we have is with the country of China, with \$232 billion last year alone. That is unbelievable.

I have mentioned before that part of our problem is just incompetent trade agreements, just fundamentally incompetent, and I will give an example of one.

I have threatened from time to time that trade negotiators should wear uniforms, like the jerseys they wear in the Olympics, so they can look down from time to time and, in a sober moment, they can see for whom they are working. It would say "U.S.A."

China. We did a bilateral agreement with China, a country with which we have a very large trade deficit—a very large deficit and growing. It is a country that is also developing a new automobile export industry, and they want to export automobiles aggressively to the United States. Here is what we said: If you export Chinese automobiles to the United States, we will impose a 2.5-percent tariff on your cars, but if we export American automobiles to be sold in China, China can impose a 25-percent tariff. We negotiated with China a deal that said: On a bilateral automobile trade, you ship a car to us and we will impose a 2.5-percent tariff, and if we ship a car to you, you can impose a tariff that is 10 times higher, and that is just fine. I am saying that is ignorant. That is ignorant of our economic interest.

One little piece of information. Most people don't know it, but you can rip open the intestines of these trade agreements and find case after case where we have traded away our own economic interests.

We are going to be confronting now, in the next 4 or 5 months, some very tough choices—not so tough for me but perhaps for some—choices about what do we do about fast-track trade authority. That is a mechanism by which the Senate decides in advance that when a

trade agreement comes here that has been negotiated in secret, behind closed doors, with no participation of any of us, it comes here under an expedited procedure with no opportunity for anyone to make any change of any type. I don't support that.

What has happened with China and the world is the deepening abyss of red ink, and what has resulted from the strategy that comes from fast track is expedited procedures and a straight-jacket for the Senate. It has come from incompetent agreements. It has come from lack of enforcement. In fact, our trade authorities cannot even find some of the agreements they have previously negotiated. They can't even find them, let alone enforce them.

I haven't talked here about the number of people who are working in our Government to enforce our trade agreements with China. It is fewer than 20. Enforcement is just the backwater of trade. Nobody wants to enforce anything. It doesn't matter. Yet, in my judgment, it does matter to this country's economic future.

What are we going to do about fast track and the extension for fast track that President Bush is requesting? I did not support fast-track trade authority for President Clinton, and I do not support it for President Bush, although President Bush has had it now for some while. But I think there is a new group of Senators who will have to sink their teeth into this discussion. What does this mean? What does this expedited procedure, fast-track strait-jacket, mean? What does it mean when we do bilateral negotiations, so-called free-trade negotiations, with the countries I previously described, and how do we resolve them? How do we deal with them?

Many of my colleagues, myself included, believe when we negotiate trade agreements we should do so with an eye on what we have created and built in this country, lifting up standards for almost a century now. We should have labor provisions in the trade agreements. We should have environmental provisions in the trade agreements. We should have a shock absorber for currency fluctuation in the trade agreements. Some say that is radical. It is not radical. I will show you what is radical. It is the sheet that shows the combined trade deficit with the world. When you talk about what is radical, this is radical: the trade strategy that gives us this is radical. The trade strategy that gives us this morning's merchandise trade deficit of \$66 billion, that is what is radical.

There is an old saying: If you don't care where you are, you are never going to be lost. You know, we have gone on here for some long while with people apparently not caring, but it is time for our country to care. There is only one United States on this planet. If you spin this globe and try to find another equivalent place, with democracy and a market system that have come together to create opportunity

for so many—there is only one place. But we are quickly losing it with this "the world is flat" approach, with free-trade agreements that tend to put downward pressure on wages in this country and strip away benefits and decide in this new market system that comparative advantage is not just who has the best natural resources to produce what product, but who has decided to have rules in their country that prohibit workers from organizing, that allow sweatshops to operate, that allows 11-year-old kids in carpet factories.

That is not comparative advantage. Ricardo would roll over in his grave. It has nothing to do with comparative advantage. We have to confront these issues, the sooner the better, and there is no question we will begin to confront them in this year, perhaps in the next 4 or 5 months. The way we confront them and the decisions we make will have a profound impact on what kind of a country we have and what kind of economy we have in the coming years. That is why it is so important.

I wanted to make a couple of comments today by pointing out that we are now confronted with choices, and those choices, I assume, will be imposed upon us in a very short period of time. I look forward to new voices in the Senate weighing in on these important issues. Not in a way that suggests we are not a part of the world economy, we are a significant part of the world economy; not in a way that suggests the world has not gotten smaller, it has. The world is not flat, but the world certainly is smaller.

We are engaged in this information technology revolution. If something happens almost anywhere in the world, I will know about it 5 minutes later, and we will see pictures of it in a half hour or less. So things have changed. But what has not changed is our need and desire as Americans to look after the well-being of our economy and the opportunities that can exist for our citizens.

That is not being selfish. That is our responsibility. We are stewards of this country's future, and that stewardship, in my judgment, is vastly compromised by this chart and what has happened with the shipping of American jobs overseas, with the decision that cheaper prices at home for products produced elsewhere for pennies an hour represent fair competition for American workers. It is not fair competition, and we do desperately need, now, a new trade strategy, one that reflects the economic interests of this country but one that still insists on being a significant part of the world economy even as we try to lift others up without pushing our standards down.

AMENDMENT NO. 286

Mr. LEAHY. Mr. President, I was pleased to join Senator SPECTER and Senator DODD in offering an amendment to restore the Great Writ of habeas corpus, a cornerstone of American liberty since the founding of this Nation. Senator SPECTER and I introduced

this legislation late last year and re-introduced it on the first day of this new Congress. This amendment continues our efforts to amend last year's Military Commissions Act, to right a wrong and to restore a basic protection to American law. This is an issue on which we continue to work together and urge Senators on both sides of the aisle to join with us.

As Justice Scalia wrote in the *Hamdi* case: "The very core of liberty secured by our Anglo-Saxon system of separated powers has been freedom from indefinite imprisonment at the will of the Executive." The remedy that secures that most basic of freedoms is habeas corpus. It provides a check against arbitrary detentions and constitutional violations. It guarantees an opportunity to go to court, with the aid of a lawyer, to prove one's innocence. This fundamental protection was rolled back in an unprecedented and unnecessary way in the run up to last fall's election by passage of the Military Commissions Act.

The Military Commissions Act eliminated that right, permanently, for any noncitizen determined to be an enemy combatant, or even "awaiting" such a determination. That includes the approximately 12 million lawful permanent residents in the United States today, people who work and pay taxes in America and are lawful residents. This new law means that any of these people can be detained, forever, without any ability to challenge their detention in Federal court—or anywhere else—simply on the Government's say-so that they are awaiting determination whether they are enemy combatants.

I deeply regret that Senator SPECTER and I were unsuccessful in our efforts to stop this injustice when the President and the Republican leadership insisted on rushing the Military Commissions Act through Congress in the weeks before the recent elections. We proposed an amendment that would have removed the habeas-stripping provision from the Military Commissions Act. We fell just three votes short in those politically charged days. It is my hope that the new Senate and new Congress will reconsider this matter, restore this fundamental protection and revitalize our tradition of checks and balances.

This amendment to the 9/11 Commission bill provides the right time and the place for the Senate to make this stand. The 9/11 Commission bill seeks to make us stronger and to protect us from the threat of terrorism. Protecting our values and the safeguards that make us a strong democracy is key to that effort. Restoring our place as an example to the world of liberty and the rule of law will only increase our security and undermine those who would seek to recruit terrorists.

Giving the Government such raw, unfettered power as the Military Commissions Act did should concern every American. Last fall, I spelled out a

nightmare scenario about a hard-working legal permanent resident who makes an innocent donation to, among other charities, a Muslim charity that the Government secretly suspects might be a source of funding for critics of the United States Government. I suggested that, on the basis of this donation and perhaps a report of "suspicious behavior" from an overzealous neighbor, the permanent resident could be brought in for questioning, denied a lawyer, confined, and even tortured. Such a person would have no recourse in the courts for years, for decades, forever.

Many people viewed this kind of nightmare scenario as fanciful, just the rhetoric of a politician. It was not. It is all spelled out clearly in the language of the law that this body passed. In November, the scenario I spelled out was confirmed by the Department of Justice itself in a legal brief submitted in a Federal court in Virginia. The Justice Department, in a brief to dismiss a detainee's habeas case, said that the Military Commissions Act allows the Government to detain any non-citizen designated an enemy combatant without giving that person any ability to challenge his detention in court. This is true, the Justice Department said, even for someone arrested and imprisoned in the United States. The *Washington Post* wrote that the brief "raises the possibility that any of the millions of immigrants living in the United States could be subject to indefinite detention if they are accused of ties to terrorist groups."

In fact, the situation is even more stark than *The Washington Post* story suggested. The Justice Department's brief says that the Government can detain any noncitizen declared to be an enemy combatant. But the law this Congress passed says the Government need not even make that declaration: They can hold people indefinitely who are awaiting determination whether or not they are enemy combatants.

It gets worse. Republican leaders in the Senate followed the White House's lead and greatly expanded the definition of "enemy combatants" in the dark of night in the final days before the bill's passage, so that enemy combatants need not be soldiers on any battlefield. They can be people who donate small amounts of money, or people that any group of decision-makers selected by the President decides to call enemy combatants. The possibilities are chilling.

We have eliminated basic legal and human rights for the 12 million lawful permanent residents who live and work among us, to say nothing of the millions of other legal immigrants and visitors who we welcome to our shores each year. We have removed a vital check that our legal system provides against the Government arbitrarily detaining people for life without charge. We may well have also made many of our remaining limits against torture and cruel and inhuman treatment obso-

lete because they are unenforceable. We have removed the mechanism the Constitution provides to check Government overreaching and lawlessness.

This is wrong. It is unconstitutional. It is un-American. It is designed to ensure that the Bush-Cheney administration will never again be embarrassed by a United States Supreme Court decision reviewing its unlawful abuses of power. The conservative Supreme Court, with seven of its nine members appointed by Republican Presidents, has been the only check on this administration's lawlessness. Certainly the last Congress did not do it. With passage of the Military Commissions Act, the Republican Congress completed the job of eviscerating its role as a check and balance on the administration.

Some Senators uneasy about the Military Commissions Act's disastrous habeas provision took solace in the thought that it would be struck down by the courts. Instead, the first court to consider that provision, a Federal court in the District of Columbia, upheld the provision. The DC Circuit, in a sharply divided 2-1 decision, upheld that ruling, holding that at least the hundreds of detainees held in Guantanamo Bay cannot go to court to challenge their detention. We should not outsource our moral, legal and constitutional responsibility to the courts. We cannot count on the courts to fix our mistakes. Congress must be accountable for its actions, and we should act to right this wrong.

Following the DC Circuit's decision, newspapers and experts from across the country and across the political spectrum have called on Congress to take action. Editorial boards from the *Washington Post* and the *New York Times* to the *Evansville Courier & Press* in Indiana, and the *Columbia Tribune* in Missouri have called for reversing the MCA's habeas provision. Prominent conservatives like Bob Barr and Bruce Fein, along with Alberto Mora, former Navy General Counsel in the Bush Administration, have echoed this call. I ask that a selection of these editorials be placed in the record.

A group of four distinguished admirals and generals who have served as senior military lawyers argued passionately for fixing this problem in a letter they sent to me earlier this week. They wrote, "In discarding habeas corpus, we are jettisoning one of the core principles of our Nation precisely when we should be showcasing to the world our respect for the rule of law and basic rights. These are the characteristics that make our nation great. These are the values our men and women in uniform are fighting to preserve."

Abolishing habeas corpus for anyone who the Government thinks might have assisted enemies of the United States is unnecessary and morally wrong. It is a betrayal of the most basic values of freedom for which America stands. It makes a mockery of the administration's lofty rhetoric about exporting freedom across the globe.

We should take steps to ensure that our enemies can be brought to justice efficiently and quickly. I introduced a bill to do that back in 2002, as did Senator SPECTER, when we each proposed a set of laws to establish military commissions. The Bush-Cheney administration rejected our efforts and designed a regime the U.S. Supreme Court determined to be unlawful. Establishing appropriate military commissions is not the question. We all agree to do that. What we need to revisit is the suspension of the writ of habeas corpus for millions of legal immigrants and others, denying their right to challenge indefinite detention on the Government's say-so.

It is from strength that America should defend our values and our Constitution. It takes commitment to those values to demand accountability from the Government. We should not be legislating from fear. In standing up for American values and security, I will keep working on this issue until we restore the checks and balances that are fundamental to preserving the liberties that define us as a nation. We can ensure our security without giving up our liberty. That is what the 9/11 Commission bill aims to do, and that is what this amendment will help to achieve.

Mr. President, I ask unanimous consent that the following editorials be printed in the RECORD.

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

[From the Washington Post, Mar. 4, 2007]

EXTEND LEGAL RIGHTS TO GUANTANAMO

(By Alberto J. Mora and Thomas R. Pickering)

For more than 200 years, the courts have served as the ultimate safeguard for our civil liberties. A critical part of this role has been the judicial branch's ability to consider writs of habeas corpus, through which people who have been imprisoned can challenge the decision to hold them in government custody. In this way, habeas corpus has provided an important check on executive power. However, because of a provision of the Military Commissions Act passed last fall, this fundamental role of the courts has been seriously reduced.

Habeas corpus—the Great Writ—has been the preeminent safeguard of individual liberty for centuries by providing meaningful judicial review of executive action and ensuring that our government has complied with the Constitution and the laws of the United States. Habeas review has always been most critical in cases of executive detention without charge because it provides prisoners a meaningful opportunity to contest their detention before a neutral decision maker.

In 2004, the Supreme Court held that the protections of habeas corpus extend to detainees at Guantanamo Bay, who may rely on them to challenge the lawfulness of their indefinite detentions. The court noted that at its historical core, “the writ of habeas corpus has served as a means of reviewing the legality of Executive detention, and it is in that context that its protections have been strongest.”

But the Military Commissions Act eliminates the federal courts' ability to hear habeas petitions filed by certain noncitizens

detained by the United States at Guantanamo Bay and elsewhere. Late last month the U.S. Court of Appeals for the D.C. Circuit upheld this provision and dismissed the lawsuits filed by many of the Guantanamo detainees.

We fully recognize that our government must have the power to detain suspected foreign terrorists to protect national security. But removing the federal courts' ability to hear habeas corpus claims does not serve that goal. On the contrary, habeas corpus is crucial to ensure that the government's power to detain is exercised wisely, lawfully and consistently with American values. That is why we have joined with the Constitution Project's broad and bipartisan group of judges, former members of Congress, executive branch officials, scholars and others to urge Congress to restore federal court jurisdiction to hear these habeas corpus petitions.

The unconventional nature of the “war on terrorism” makes habeas corpus more, not less, important. Unlike what is found in traditional conflicts, there is no clearly defined enemy, no identifiable battlefield and no foreseeable end to the fighting. The government claims the power to imprison individuals without charge indefinitely, potentially forever. It is essential that there be a meaningful process to ensure that the United States does not mistakenly deprive innocent people of their liberty. Habeas corpus provides that process.

We recognize that the Military Commissions Act still enables the Guantanamo detainees to have hearings before a Combatant Status Review Tribunal, which is charged with determining whether the detainee is in fact an “enemy combatant.” But unlike court hearings, the tribunal hearings rely on secret evidence, deny detainees the chance to obtain and present their own evidence, and allow the government to use evidence obtained by coercive interrogation methods. While these tribunals have some utility, they cannot replace the critical role of habeas corpus.

The government has detained some Guantanamo prisoners for more than five years without giving them a meaningful opportunity to be heard. The United States cannot expect other nations to afford its citizens the basic guarantees provided by habeas corpus unless it provides those guarantees to others.

And in our constitutional system of checks and balances, it is unwise for the legislative branch to limit an established and traditional avenue of judicial review.

Americans should be proud of their commitment to the rule of law and not diminish the protections it provides. Our country's detention policy has undermined its reputation around the world and has weakened support for the fight against terrorism. Restoring habeas corpus rights would help repair the damage and demonstrate U.S. commitment to a counterterrorism policy that is tough but that also respects individual rights. Congress should restore the habeas corpus rights that were eliminated by the Military Commissions Act, and President Bush should sign that bill into law.

[From the Washington Times, Feb. 27, 2007]

RULE OF LAW CRIPPLED

(By Bruce Fein)

The Great Writ of habeas corpus is to the rule of law what oxygen is to life.

The U.S. Court of Appeals imprudently crippled the writ last week in *Lakhdar Boumediene v. Bush* (Feb. 20). A divided three-judge panel declared suspected alien enemy combatants held indefinitely at Guantanamo Bay may not question their de-

tentions in federal courts though petitions for writs of habeas corpus under the Military Commissions Act of 2006 (MCA). Writing for a 2-1 majority, Judge Raymond Randolph mistakenly endorsed a cramped interpretation of habeas corpus as though he were addressing a tax exemption in the Internal Revenue Code.

Absolute power corrupts absolutely. Accordingly, the Great Writ prevents the president from disappearing political opponents or the unpopular into dungeons based on his say-so alone, a frightening power that has earmarked despots from time immemorial. The writ enables detainees to require the president to establish the factual and legal foundations for their detentions before an independent judiciary.

The goal is justice, the end of civil society as James Madison explained in the *Federalist Papers*. The president may be inclined to detain bogus enemy combatants in the war against global terrorism to inflate public fear and to justify executive aggrandizements, for example, spying without judicial or legislative oversight in contravention of the Foreign Intelligence Surveillance Act of 1978. A former commandant and deputy commandant at Guantanamo Bay have averred that most of its detainees do not belong there.

The Great Writ does not threaten to release a single genuine enemy combatant. The burden to defeat the Great Writ is modest: plausible evidence (far short of proof beyond a reasonable doubt) that the detainee was implicated in active hostilities against the United States. In *Rasul v. Bush* (2004), the Supreme Court held the federal habeas corpus statute extended to aliens at Guantanamo. Two years later, Congress overruled *Rasul* in the MCA by suspending the Great Writ for alien enemy combatants detained anywhere. Its proponents were unable to cite a single habeas case either before or after *Rasul* that precipitated the release of an authentic terrorist. Such a case might be hypothesized with a fevered enough imagination. But the law would become “a ass, a idiot,” in the words of Charles Dickens' Mr. Bumble, if required to answer jumbo speculations that never happen in the real world.

Article I, section 9, clause 2 of the Constitution (Suspension Clause) declares “The Privilege of the Writ of Habeas Corpus shall not be suspended, unless in Cases of Rebellion or Invasion the public Safety may require it.” Judge Randolph tacitly acknowledged in *Boumediene* that neither habeas exception justified the MCA, i.e., global terrorists have not invaded America. He insisted, however, that the Great Writ has no application to aliens detained outside the sovereignty of the United States; and, that Guantanamo Bay is under the sovereignty of Cuba, albeit subject to a perpetual United States lease.

The latter observation is risible. Fidel Castro has no more access or control over Guantanamo than he does over Washington, D.C., or Des Moines. If Mr. Castro formally abandoned sovereignty over Guantanamo tomorrow, nothing would change. Judge Randolph maintained that a declaration by the political branches in the MCA that Guantanamo is not part of the United States is conclusive on the courts. But the dimensions of the Great Writ which defines what we are as a people should not be so easily contracted by semantic jugglery.

Judge Randolph observed that historically the Great Writ in Great Britain was withheld from remote islands, garrisons and dominions. Compliance with a writ from overseas would have been impractical because of time limitations for producing the detainee. But as Chief Justice John Marshall taught in *McCulloch v. Maryland* (1819), the Constitution was designed to endure for the ages and

to be construed accordingly to achieve its purposes. Congress is empowered to create an Air Force, although the Constitution speaks only of armies and navies. The Fourth Amendment protects against indiscriminate government interceptions of e-mails and conversations, although its language speaks only of persons, houses, papers and effects. Similarly, the Great Writ should apply to suspected alien enemy combatants detained abroad unless compliance would be impractical or unworkable.

No civilized Constitution risks injustice for the sake of injustice, aside from the folly of creating poster children to boost al Qaeda's recruitments. The Supreme Court should grant review of Boumediene and reverse the appeals court.

[From the Washington Post, Feb. 23, 2007]

A CONGRESSIONAL DUTY

ON THE FIRST day of the new Congress, two leading senators announced they would join in an attempt to reverse the hasty and ill-considered decision of the previous Congress to deprive foreign prisoners at Guantanamo Bay of the ancient right of habeas corpus, which allows the appeal of imprisonment to a judge. One of the senators, Arlen Specter (R-Pa.), predicted that the courts would rule that the provision of the Military Commissions Act eliminating habeas corpus was unconstitutional; he nevertheless joined the incoming chairman of the Senate Judiciary Committee, Patrick J. Leahy (D-Vt.), in sponsoring a bill restoring the appeal right.

Now Mr. Specter's prediction is looking less sure: The U.S. Court of Appeals for the D.C. Circuit ruled this week that Congress's act was constitutional, and it threw the cases of dozens of Guantanamo detainees out of federal court. That ruling will almost certainly be reviewed by the Supreme Court on appeal, but Congress should not wait for its decision. It should move quickly on the Habeas Corpus Restoration Act.

The Supreme Court has already twice overruled decisions by the D.C. Circuit denying Guantanamo detainees habeas rights, but it is hard to predict whether it will do so again. The court's composition has changed since those rulings, with the addition of justices more likely to be sympathetic to the arguments of the Bush administration. Congress has reversed part of the basis for the court's previous rulings by enacting a statute saying that persons found to be "enemy combatants" by military review panels, including detainees held at Guantanamo, have only a limited right of appeal.

The principal remaining question is whether Congress's action is permitted under Article I, Section 9 of the Constitution, which says, "The Privilege of the Writ of Habeas Corpus shall not be suspended" except in cases of "Rebellion or Invasion." Two judges of the three-member appeals court panel ruled that the provision does not apply at Guantanamo because it is not on U.S. territory and the detainees are foreigners. A dissent written by Judge Judith Rogers pointed out that one of the earlier Supreme Court rulings stated that giving appeal rights to Guantanamo inmates "is consistent with the historical reach of the writ of habeas corpus." But the court has not ruled squarely on the constitutional issue.

Rather than wait for the court's decision, Congress should correct its own mistake. The 51 to 48 vote rejecting Mr. Specter's previous attempt to restore habeas condemned hundreds of foreign prisoners to indefinite detention without trial at Guantanamo; only a few score are expected to be prosecuted by the military commissions. Since 2002 it has become clear that a number of prisoners at the facility were arrested in error, are not

terrorists and pose no threat to the United States. Moreover, improvements in the prisoners' treatment have come about largely because of their court appeals. Congress has both a practical and a moral interest in ensuring that this basic human right is restored.

[From the New York Times, Feb. 22, 2007]

AMERICAN LIBERTY AT THE PRECIPICE

In another low moment for American justice, a federal appeals court ruled on Tuesday that detainees held at the prison camp at Guantánamo Bay, Cuba, do not have the right to be heard in court. The ruling relied on a shameful law that President Bush stamped through Congress last fall that gives dangerously short shrift to the Constitution.

The right of prisoners to challenge their confinement—habeas corpus—is enshrined in the Constitution and is central to American liberty. Congress and the Supreme Court should act quickly and forcefully to undo the grievous damage that last fall's law—and this week's ruling—have done to this basic freedom.

The Supreme Court ruled last year on the jerry-built system of military tribunals that the Bush Administration established to try the Guantánamo detainees, finding it illegal. Mr. Bush responded by driving through Congress the Military Commissions Act, which presumed to deny the right of habeas corpus to any noncitizen designated as an "enemy combatant." This frightening law raises insurmountable obstacles for prisoners to challenge their detentions. And it gives the government the power to take away habeas rights from any noncitizen living in the United States who is unfortunate enough to be labeled an enemy combatant.

The United States Court of Appeals for the District of Columbia Circuit, which rejected the detainees' claims by a vote of 2 to 1, should have permitted the detainees to be heard in court—and it should have ruled that the law is unconstitutional.

As Judge Judith Rogers argued in a strong dissent, the Supreme Court has already rejected the argument that detainees do not have habeas rights because Guantánamo is located outside the United States. Judge Rogers also rightly noted that the Constitution limits the circumstances under which Congress can suspend habeas to "cases of Rebellion or invasion," which is hardly the situation today. Moreover, she said, the act's alternative provisions for review of cases are constitutionally inadequate. The Supreme Court should add this case to its docket right away and reverse it before this term ends.

Congress should not wait for the Supreme Court to act. With the Democrats now in charge, it is in a good position to pass a new law that fixes the dangerous mess it has made. Senators Patrick Leahy, Democrat of Vermont, and Arlen Specter, Republican of Pennsylvania, have introduced a bill that would repeal the provision in the Military Commissions Act that purports to obliterate the habeas corpus rights of detainees.

The Bush administration's assault on civil liberties does not end with habeas corpus. Congress should also move quickly to pass another crucial bill, introduced by Senator Christopher Dodd, Democrat of Connecticut, that, among other steps, would once and for all outlaw the use of evidence obtained through torture.

When the Founding Fathers put habeas corpus in Article I of the Constitution, they were underscoring the vital importance to a democracy of allowing prisoners to challenge their confinement in a court of law. Much has changed since Sept. 11, but the bedrock principles of American freedom must remain.

[From the Columbia Tribune, Feb. 22, 2007]

ENEMY COMBATANTS: A FAST TRACK TO JUSTICE

Under the president's shortcut plan for wartime justice, anyone he labels an "enemy combatant" loses normal constitutional rights. The government denies hundreds of detainees in Guantánamo Bay, Cuba, the right to a hearing in court.

Last year the U.S. Supreme Court declared this denial unconstitutional. In response, the Bush administration pushed through Congress the Military Commissions Act authorizing the use of such commissions instead of courts for hearing these cases.

This week the District of Columbia appeals court upheld the new law, a decision certain to be appealed, sending the issue back to the highest court, where I hope this latest gambit will be denied.

I suppose President George W. Bush and his crew refuse to let these prisoners have habeas corpus hearings in the U.S. court system because they fear the outcome. Why else? And if so, what does that say about their expectations for the military commissions? That these extra-judicial bodies will affirm the government's extralegal detention policies? What else?

This dogged insistence is but one example of Bush's eagerness to ignore essential constitutional guarantees, ranking right up there with his programs of warrantless wiretapping and other surveillance of U.S. citizens.

Bush simply refuses to go to court for oversight of his administration's actions in denial of civil rights. Before he took office, it was simple. When a person is arrested, he has a right to a real court hearing to determine the legitimacy of the arrest and his ultimate guilt or innocence. When citizens' privacy is invaded by government, it is to be done only with court permission.

We see signs that the American public is getting fed up with these constitutional shortcuts. These practices alone are enough to unwarrant this administration. Let us pray the Supreme Court again slaps them down.

[From the Evansville Courier & Press, Feb. 21, 2007]

A MATTER OF RIGHT: FEDERAL COURT UPHOLDS DENIAL OF HABEAS CORPUS TO DETAINEES OUTSIDE THE U.S.

Congress should tear itself away from the pointless business of passing nonbinding resolutions on Iraq and begin cleaning up the damage we've done to ourselves in the war on terror.

That task became more urgent this week when the federal court of appeals for the District of Columbia upheld the constitutionality of a provision denying the right of habeas corpus to detainees held outside the United States.

The Military Commissions Act (MCA) was passed last year, hastily and without much thought like so much anti-terrorism legislation, after the Supreme Court told the Bush administration that it had to get congressional permission for its plan to try the detainees before military tribunals.

Part of that law banned the detainees at U.S. prisons in Guantánamo Bay, Cuba, and Afghanistan from challenging in civilian courts the legality of their detention. That right of habeas corpus is a bedrock principle of Anglo-Saxon law going back eight centuries. It is a fundamental right enshrined in the U.S. Constitution.

Carving out an exception to that right based on a sketchy designation as an "enemy combatant" was a terrible precedent, essentially justifying arbitrary imprisonment.

The senior members of the Senate Judiciary Committee, Arlen Specter, R-Pa., and

Patrick Leahy, D-Vt., tried to rectify this departure from U.S. respect for the rule of law last year and failed by three votes.

They have reintroduced their bill in the new Congress.

Another bill, by Leahy and Sen. Chris Dodd, D-Conn., would restore the right of habeas corpus and clean up some other unfortunate provisions in the MCA by sharpening the definition of "illegal combatant," excluding evidence obtained by coercion and allowing military judges to exclude hearsay evidence.

If the circuit-court ruling stands, the practical effect would be to force the federal courts to dismiss more than 400 habeas-corpus appeals. The ruling will certainly be appealed to the Supreme Court, and one hopes that the high court would stand up for this ancient and fundamental right.

But it would be better if Congress acted first to demonstrate our faith and confidence in our own system.

Mr. KYL. Mr. President, I rise today in support of amendment No. 366, offered by my colleague, Senator SCHUMER. This important amendment would restore the export restrictions on highly enriched, HEU, bomb-grade uranium for use as a reactor fuel or as targets to produce medical isotopes, except on an interim basis to facilities that are actively pursuing conversion to low-enriched uranium LEU.

Let's look at the history behind this amendment. From 1992 until 2005, we had a law that worked. Under that law, we allowed the exportation of HEU for the production of medical isotopes as long as the recipient of that highly enriched uranium cooperated with the United States to get to the point where the production of these medical isotopes could be done with low-enriched uranium. Low-enriched uranium is not of sufficient grade to make bombs. This law provided the incentive to work with the United States to attain conversion to LEU. Most important, it furthered our antiproliferation goal of reducing the circulation of HEU outside the United States. It is important to note that from 1992 until 2005, licenses for the shipments of HEU were never denied and the medical isotopes needed for radiopharmaceuticals were never in short supply.

Then in 2005 this effective, 13-year-old law was gutted through an amendment to the Energy Policy Act and the export restrictions on HEU were eliminated. These restrictions were lifted over the objection of a majority of this body, which voted in favor of retaining existing law, 52 to 46, after a thorough debate. You may ask why an amendment to allow weapons-grade uranium to leave the United States without restriction would resurface in conference and end up enacted into law. I ask that same question. There are no good explanations. One thing is certain, though; we need to fix it.

The major producers of medical isotopes are all foreign companies operating outside the United States. Under the previous law, these companies were moving toward conversion to LEU, and many have developed the capability to produce medical isotopes from LEU. Australia and the Netherlands are two

good examples. The other major producer of medical isotopes is in Canada. That Canadian company has resisted conversion to LEU and in 2005 that company had enough HEU-material stockpiled to build at least four bombs. Today, who knows how much it may have stockpiled. One thing we do know is, if this material is lost or stolen, the United States would be faced with a serious nuclear threat. We must rectify this mistake. I urge my colleagues to adopt this amendment.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. DORGAN. Mr. President, I make a point of order, en bloc, that the pending amendments are not germane under the provisions of rule XXII, with the exception of the following: Reid No. 275, Landrieu No. 321, Schumer No. 336, Coburn No. 325, Coburn No. 294, Kyl No. 357, Biden No. 383, Schumer No. 367, Stevens No. 299, Schumer No. 337, Bond No. 389.

Mr. President, I make that point of order on behalf of Senator LIEBERMAN. I believe it has been cleared on both sides.

The PRESIDING OFFICER. The point of order is well taken and the amendments fall.

Mr. DORGAN. 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. REID. 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. REID. Mr. President, it has been a productive week for the Senate. We have moved closer to completing the long overdue work of the 9/11 Commission—work that will make our country more safe, more secure.

It has been over 2½ years since the 9/11 Commission gave Congress a roadmap to follow to secure our country. This bipartisan Commission met for over a year, had hearings all over the country, did excellent work. It is important we do not delay their recommendations any longer. The safety and security of our country is too important.

Before we adjourn today, I wish to say a few words in praise of my friend and colleague, the senior Senator from Louisiana, MARY LANDRIEU. In the face of many objections from the minority, Senator LANDRIEU has been tireless in working to eliminate rules that are nothing more than miles of redtape and mountains of paperwork that are delaying the rebuilding and recovery of

the gulf coast, which was devastated by a natural disaster we now know as Katrina.

Her amendment No. 295 is very simple. It would waive the requirement that local communities put up a 10-percent match for every Federal dollar we spend to rebuild public facilities such as schools and fire stations destroyed by Katrina, Rita, and Wilma. These were all devastating hurricanes.

The President has the authority to do this with a single stroke of the pen. In fact, I joined with Senators LANDRIEU and LIEBERMAN urging him a month ago to do just that, to use his office to lift these significant burdens to recovery. To this day, he simply has not done that. He waived these rules for New York after 9/11. The first President Bush waived these rules after Hurricane Andrew, which was devastating but does not compare to what Katrina did. In fact, these rules have been waived every time disaster recovery costs have grown to even a fraction of those we are now seeing. But not with Katrina and its pals, Rita and Wilma.

So that brings us to why we are here today. What the President would not do we must do legislatively. I would say to all those who are from the administration who are listening to us talk today, when the President gets back from Latin America, let's have him do this. It would save our having to do it in the supplemental. He could call down here. Even maybe he could get some of the people to back off on the other side so we could do it before this bill passes. The President does not need legislation. He has the authority to do that right now. I would hope he would do that. The Senator from Louisiana has been patient and very aggressive. That is what is necessary. I would hope her patience would be rewarded with the President signing his name waiving this 10 percent. It is something that needs to be done. If not, I have committed to her and the people of Louisiana, through her Governor and others who have come to see me, that we are going to do what is right.

This is important. It has happened for every other major disaster, and it should happen for this one. If we cannot do it on this bill, and the President will not do it, then we will have to do it on the supplemental that will be here in a little over 2 weeks. The House has already said they intend to do this. We also intend to do this.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Thank you, Mr. President.

I thank the majority leader for those words and for him restating publicly and unequivocally his commitment to getting this job done, not just for the people of Louisiana but for the people of the gulf coast. We have spent a lot of time on the floor, as the majority leader knows, talking about rebuilding other places in the world. The leader is correct, and the Democratic caucus is

leading to try to redirect some of that attention to right here at home.

We have over 30 million people who live on the gulf coast right now, today, this Friday. The work of rebuilding is being thwarted, is being hampered, is being delayed by outmoded, unrealistic Federal regulations and bureaucratic redtape that is choking this recovery.

Now, normally this redtape is a nuisance. We work through it. It is inconvenient. It is a nuisance. But we just sort of move through the redtape of Government. But in this case, it is literally a noose that is around the necks of people, of business owners, large and small, family members—strangling their efforts to recover their communities that were devastated.

Just to put some pieces in the picture I am trying to paint, I would like to just share some details about Cameron Parish. You do not hear much about Cameron Parish because there are only 9,658 people who live there. We hear a lot about New Orleans. We hear a lot about Jefferson Parish. We hear a lot about even St. Bernard Parish. But little Cameron Parish, down on the southwest border, that was directly hit by Rita, the “forgotten storm.” We have not. The legislative delegation from Louisiana has not forgotten it, but many others fail to remember it.

Cameron Parish lost five fire stations, four community recreation centers, four public libraries, three maintenance barns, two parish multipurpose buildings, Courthouse Circle; Cameron Parish Police Jury Annex Building—destroyed; Cameron Parish Sheriff’s Department Investigative Office—destroyed. The health unit was destroyed. The school board office was destroyed. The mosquito control barn was destroyed. And the waterworks district No. 10 office was destroyed. Virtually every public building was destroyed, except the courthouse, which was built in the early part of the century. It is several stories high, and it sort of shines white on the coast. If you flew over it, you could actually see it. It is quite large, and many people’s lives have actually been saved by going to the courthouse during storms, where they have been kept from the high water. But everything else in the parish is gone. This little parish can no more put up a 10-percent match to rebuild four libraries, all their schools, than the man in the moon.

Now, normally, if the hurricane was not so bad, the State of Louisiana, which is a big State—not huge, but we are not small, we are medium-sized—would be strong enough to step up, give Cameron Parish the 10 percent of each of these very important public works for the 10,000 people or so who live there. But the problem is, Katrina and Rita were so devastating to the whole State that our State is not strong enough.

That is why we have a Federal Government. When the State is not strong enough, because of the storms, the Nation steps up. I am asking the Presi-

dent of the United States to step up and use his authority to waive this 10-percent match so the people of Cameron and the people right next door to them on the Texas line who were equally hard hit and the people to the right of them on the map—the good people of Mississippi—there are towns in Mississippi that lost every school, every library. The State of Mississippi will have a difficult time as well. But the State of Louisiana is having an unusually difficult time because of the devastation.

I want to say again—because I think numbers can paint a picture or tell a story better than even words can—the per capita damage to Florida from Hurricane Andrew was \$139. The per capita damage to the State of New York was \$390 from the attacks on the World Trade Center. These two events were unprecedented and unheard of. Most storms are like \$20 per capita, \$50 per capita. They hardly ever go over \$50 per capita.

When Hurricane Andrew came through, it really woke us up to the poor people of Florida. It wrecked Homestead, FL, and was a great weight for the State of Florida. But we all pitched in and helped, and this match was waived.

When 9/11 hit, it shook the foundations of this Nation. It also shook the great city of New York. But it was waived, and we all pitched in and helped.

Here we have Hurricanes Katrina and Rita, and we sit here wondering: Where is the Government? Where is the President? Where is the minority’s thinking on this subject? Our per capita damage is \$6,700. It defies anything we have ever seen.

Our State has been asking for this 10 percent reduction for 18 months. Do we have to keep asking for it? Do we have to keep supplying data like this? What is it going to take to get them to understand if there was ever a situation where the 10 percent should be waived, if there was ever an example like Cameron Parish, this is it.

So this amendment is pending. It is being opposed by an undisclosed person. But the minority is opposing it. I will meet the minority more than halfway. I am asking the administration, please, over the weekend, to reconsider. Let us get this done on this bill. Every day, every week counts. If we cannot, the majority leader has said—and I, of course, will support the effort, and many of the members of this caucus are supporting it—we will do it on the supplemental. The problem is, it will take us weeks. Perhaps the supplemental will run into a veto threat. Who knows? Because there are lots of issues that are going to come up on that supplemental. But this issue is clear. It could be easily fixed on this bill. I am going to work through the weekend to see if we can find any kind of compromise that could give a green light to the people of Cameron Parish. Let me say that even without that light,

we visited Cameron Parish several times. Their little girls’ softball team that was in contention when the storm hit went on to win the championship. Without a cafeteria, without a school, without a gym to practice, with most of their teachers’ homes underwater and their own homes underwater, and most of them living in trailers or in tents, this team went on to win the championship. So when people say that people in Louisiana don’t have resilience, we are being as resilient as we possibly can be under these circumstances. All we are asking is to please look at the data, please consider our case and allow us to get this 10 percent waiver so that the public works can move forward on fire stations, police stations, libraries, and infrastructure, most certainly essential to communities rebuilding. As we rebuild, we are rebuilding on higher ground. We are rebuilding with better building materials. We are mitigating against future storms. We are not building in the old-fashioned ways. But if this 10 percent doesn’t get waived, we are not going to be building new or old or otherwise. We won’t be building.

As I said, we may not be a fancy coast, but we are America’s energy coast. We are proud of the fish that we bring in right off of Cameron Parish. We are proud of the shipping industry. We are proud of the ship channel that brings liquefied natural gas to keep the lights on in this Chamber and sends gas to New York and Philadelphia and California every day.

This is Cameron Parish. They are not sunbathing down in Cameron Parish. Yet we can’t find it out of the goodwill of our hearts—we are spending all of this money to rebuild Iraq, and I have 10,000 people down on the coast. Does anybody remember they are Americans, taxpaying Americans with no libraries, no schools, and no possible way to put up their 10 percent match because they lost everything? I would think that somewhere in this trillion-dollar budget and maybe in the heart of the minority they could find some room for the people of Cameron Parish. Please consider our request over this weekend to get this 10 percent waived.

I thank the Chair.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. LINCOLN). Without objection, it is so ordered.

MORNING BUSINESS

Mr. WHITEHOUSE. Madam 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.

EPIDEMIC OF GUN VIOLENCE

Mr. LEVIN. Madam President, the epidemic of gun violence is endangering many in our communities both large and small. Illegal guns are being used at an increasing rate to harm our children, our neighbors, and our police officers. We must not allow this spiral to continue.

One example of a community heavily affected by gun violence is in Pennsylvania, where in 2004 the State led the Nation in homicide rates among African-American victims. Handguns were used in 81 percent of the State's murders. In Pennsylvania's largest city, Philadelphia, more than 2,000 people were injured by firearms last year alone. According to the Philadelphia police department, this represents an increase of 31 percent in just 3 years. Philadelphia saw 406 people murdered in 2006, up from 380 in 2005.

Just a short trip south of Pennsylvania lies another example of the how guns are affecting our communities. According to the nonprofit organization Ceasefire Maryland, a crime is committed with an assault rifle every 48 hours in the State of Maryland. The Maryland State Legislature is attempting to address this horrifying statistic by considering a bill backed by Governor Martin O'Malley that would ban 45 different assault weapons statewide. This action could serve as an excellent example of a legislature taking a commonsense approach to reducing gun violence. Congress and President Bush have allowed the Federal assault weapons ban to expire.

Month after month, we watch these tragedies unfold on the news and yet Congress has not taken the necessary steps to help control these acts of violence or ease the anxiety that many parents and families feel each day as their loved ones go to school, church, or work. According to the Brady Center to Prevent Gun Violence, gun crime rose 49.4 percent nationally between 2004 and 2005. Almost 5.9 million people were victims of gun violence between 1996 and 2005.

The American people have a right to demand that their schools, places of worship, and other public places be better protected from gun violence. Much more can be done to break the cycle of gun violence that plagues our communities. I urge my colleagues to take up and pass commonsense legislation that will help address this problem.

MESSAGE FROM THE HOUSE

At 11:30 a.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. 700. An act to amend the Federal Water Pollution Control Act to extend the

pilot program for alternative water source projects.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 700. An act to amend the Federal Water Pollution Control Act to extend the pilot program for alternative water source projects; to the Committee on Environment and Public Works.

MEASURES PLACED ON THE CALENDAR

The following joint resolution was read the second time, and placed on the calendar:

S.J. Res. 9. Joint resolution to revise United States policy on Iraq.

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

H.R. 987. An act to endorse further enlargement of the North Atlantic Treaty Organization (NATO) and to facilitate the timely admission of new members to NATO, 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-905. A communication from the Executive Director, Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Membership in a Registered Futures Association" (RIN3038-AC29) received on March 7, 2007; to the Committee on Agriculture, Nutrition, and Forestry.

EC-906. A communication from the Executive Director, Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Conflicts of Interest in Self-Regulation and Self-Regulatory Organizations" (RIN3038-AC28) received on March 7, 2007; to the Committee on Agriculture, Nutrition, and Forestry.

EC-907. A communication from the Executive Director, Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Advertising by Commodity Pool Operators, Commodity Trading Advisors, and the Principals Thereof" (RIN3038-AC35) received on March 7, 2007; to the Committee on Agriculture, Nutrition, and Forestry.

EC-908. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Entry of Certain Cement Products from Mexico Requiring a Commerce Department Import License" (RIN1505-AB68) received on March 6, 2007; to the Committee on Commerce, Science, and Transportation.

EC-909. A communication from the Director, National Park Service, Department of the Interior, transmitting, the report of proposed legislation entitled "National Park Centennial Challenge Fund Act"; to the Committee on Energy and Natural Resources.

EC-910. A communication from the Secretary of Energy, transmitting, the report of proposed legislation entitled "Nuclear Fuel

Management and Disposal Act"; to the Committee on Energy and Natural Resources.

EC-911. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans and Operating Permits Program; State of Missouri" (FRL No. 8284-8) received on March 7, 2007; to the Committee on Environment and Public Works.

EC-912. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Iowa; Interstate Transport of Pollution" (FRL No. 8285-1) received on March 7, 2007; to the Committee on Environment and Public Works.

EC-913. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Kansas; Interstate Transport of Pollution" (FRL No. 8286-3) received on March 7, 2007; to the Committee on Environment and Public Works.

EC-914. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; State of Missouri" (FRL No. 8286-1) received on March 7, 2007; to the Committee on Environment and Public Works.

EC-915. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Polymer of 2-Ethyl-2-(Hydroxymethyl)-1,3-Propanediol, Oxirane, Methyloxirane, 1,2-Epoxyalkanes; Tolerance Exemption" (FRL No. 8116-9) received on March 7, 2007; to the Committee on Environment and Public Works.

EC-916. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Prothioconazole; Pesticide Tolerance" (FRL No. 8113-6) received on March 7, 2007; to the Committee on Environment and Public Works.

EC-917. A communication from the Assistant General Counsel for Regulatory Services, Office of the Chief Financial Officer, Department of Education, transmitting, pursuant to law, the report of a rule entitled "State-Administered Programs" (RIN1890-AA13) received on March 7, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC-918. A communication from the Acting Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Interim Final Rule Relating to Time and Order of Issuance of Domestic Relations Orders" (RIN1210-AB15) received on March 7, 2007; to the Committee on Health, Education, Labor, and Pensions.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BIDEN, from the Committee on Foreign Relations, without amendment:

S. 377. A bill to establish a United States-Poland parliamentary youth exchange program, and for other purposes (Rept. No. 110-33).

S. 494. A bill to endorse further enlargement of the North Atlantic Treaty Organization (NATO) and to facilitate the timely admission of new members to NATO, and for other purposes (Rept. No. 110-34).

S. 676. A bill to provide that the Executive Director of the Inter-American Development Bank or the Alternate Executive Director of the Inter-American Development Bank may serve on the Board of Directors of the Inter-American Foundation (Rept. No. 110-35).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. HATCH (for himself and Mr. BENNETT):

S. 832. A bill to provide for the sale of approximately 25 acres of public land to the Turnabout Ranch, Escalante, Utah, at fair market value; to the Committee on Energy and Natural Resources.

By Mr. COLEMAN (for himself and Mr. PRYOR):

S. 833. A bill to make the United States competitive in a global economy; to the Committee on Finance.

By Mr. HATCH:

S. 834. A bill to require annual testimony before Congress by the Securities and Exchange Commission, the Financial Accounting Standards Board, and the Public Company Accounting Oversight Board, relating to efforts to promote transparency in financial reporting; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. ALEXANDER (for himself and Mr. CORKER):

S. 835. A bill to redesignate the Federal building located at 167 North Main Street in Memphis, Tennessee, as the "Clifford Davis and Odell Horton Federal Building"; to the Committee on Environment and Public Works.

By Mr. LAUTENBERG (for himself, Ms. SNOWE, Mr. MENENDEZ, and Mr. VOINOVICH):

S. 836. A bill to amend the Federal Water Pollution Control Act to authorize appropriations for sewer overflow control grants; to the Committee on Environment and Public Works.

By Mrs. CLINTON:

S. 837. A bill to develop a generation of school leaders who are committed to, and effective in, increasing student achievement and to ensure that all low-income, under-performing schools are led by effective school leaders who are well-prepared to foster student success; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. BIDEN (for himself, Mrs. BOXER, Ms. CANTWELL, Mrs. CLINTON, Mrs. FEINSTEIN, Ms. KLOBUCHAR, Ms. LANDRIEU, Ms. MIKULSKI, Mrs. MURRAY, and Ms. STABENOW):

S. Res. 102. A resolution supporting the goals of "International Women's Day"; considered and agreed to.

By Mr. LUGAR (for himself, Mr. DURBIN, Mr. COCHRAN, Ms. MIKULSKI, Ms. SNOWE, Mr. HAGEL, Mr. STEVENS, Mr. BENNETT, Mr. KERRY, Mr. DEMINT, Mr. LAUTENBERG, Mrs. CLINTON, Ms.

MURKOWSKI, Mr. VITTER, Mrs. FEINSTEIN, and Mr. COLEMAN):

S. Res. 103. A resolution commending the Kingdom of Lesotho, on the occasion of International Women's Day, for the enactment of a law to improve the status of married women and ensure the access of married women to property rights; considered and agreed to.

By Mrs. HUTCHISON:

S. Res. 104. A resolution commending the national explosives detection canine team program for 35 years of service to the safety and security of the transportation systems within the United States; to the Committee on Commerce, Science, and Transportation.

By Mr. REID (for himself and Ms. SNOWE):

S. Con. Res. 17. A concurrent resolution authorizing the use of Capitol grounds for Live Earth Concert; to the Committee on Rules and Administration.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. Con. Res. 18. A concurrent resolution honoring the life of Ernest Gallo; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 169

At the request of Mr. ALLARD, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 169, a bill to amend the National Trails System Act to clarify Federal authority relating to land acquisition from willing sellers for the majority of the trails in the System, and for other purposes.

S. 430

At the request of Mr. LEAHY, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 430, a bill to amend title 10, United States Code, to enhance the national defense through empowerment of the Chief of the National Guard Bureau and the enhancement of the functions of the National Guard Bureau, and for other purposes.

S. 573

At the request of Ms. STABENOW, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 573, a bill to amend the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act to improve the prevention, diagnosis, and treatment of heart disease, stroke, and other cardiovascular diseases in women.

S. 626

At the request of Mr. KENNEDY, the names of the Senator from Washington (Mrs. MURRAY), the Senator from California (Mrs. BOXER) and the Senator from Connecticut (Mr. LIEBERMAN) were added as cosponsors of S. 626, a bill to amend the Public Health Service Act to provide for arthritis research and public health, and for other purposes.

S. 659

At the request of Mr. HAGEL, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 659, a bill to amend section 1477 of title 10, United States Code, to provide for the payment of the death gratuity with

respect to members of the Armed Forces without a surviving spouse who are survived by a minor child.

S. 725

At the request of Mr. LEVIN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 725, a bill to amend the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 to reauthorize and improve that Act.

S. 727

At the request of Mr. COCHRAN, the names of the Senator from New Mexico (Mr. BINGAMAN) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 727, a bill to improve and expand geographic literacy among kindergarten through grade 12 students in the United States by improving professional development programs for kindergarten through grade 12 teachers offered through institutions of higher education.

S. 793

At the request of Mr. KENNEDY, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from New York (Mrs. CLINTON) were added as cosponsors of S. 793, a bill to provide for the expansion and improvement of traumatic brain injury programs.

S. 831

At the request of Mr. DURBIN, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 831, a bill to authorize States and local governments to prohibit the investment of State assets in any company that has a qualifying business relationship with Sudan.

S.J. RES. 5

At the request of Mr. DURBIN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S.J. Res. 5, a joint resolution proclaiming Casimir Pulaski to be an honorary citizen of the United States posthumously.

S. RES. 82

At the request of Mr. HAGEL, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. Res. 82, a resolution designating August 16, 2007 as "National Airborne Day".

AMENDMENT NO. 312

At the request of Mr. VITTER, his name was added as a cosponsor of amendment No. 312 proposed to S. 4, a bill to make the United States more secure by implementing unfinished recommendations of the 9/11 Commission to fight the war on terror more effectively, to improve homeland security, and for other purposes.

AMENDMENT NO. 393

At the request of Ms. CANTWELL, the name of the Senator from Illinois (Mr. OBAMA) was added as a cosponsor of amendment No. 393 intended to be proposed to S. 4, a bill to make the United States more secure by implementing unfinished recommendations of the 9/11 Commission to fight the war on terror more effectively, to improve homeland security, and for other purposes.

AMENDMENT NO. 430

At the request of Mr. LIEBERMAN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of amendment No. 430 intended to be proposed to S. 4, a bill to make the United States more secure by implementing unfinished recommendations of the 9/11 Commission to fight the war on terror more effectively, to improve homeland security, and for other purposes.

AMENDMENT NO. 431

At the request of Ms. COLLINS, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of amendment No. 431 intended to be proposed to S. 4, a bill to make the United States more secure by implementing unfinished recommendations of the 9/11 Commission to fight the war on terror more effectively, to improve homeland security, and for other purposes.

AMENDMENT NO. 435

At the request of Mr. PRYOR, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of amendment No. 435 intended to be proposed to S. 4, a bill to make the United States more secure by implementing unfinished recommendations of the 9/11 Commission to fight the war on terror more effectively, to improve homeland security, and for other purposes.

AMENDMENT NO. 440

At the request of Mr. KOHL, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of amendment No. 440 intended to be proposed to S. 4, a bill to make the United States more secure by implementing unfinished recommendations of the 9/11 Commission to fight the war on terror more effectively, to improve homeland security, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HATCH (for himself and Mr. BENNETT):

S. 832. A bill to provide for the sale of approximately 25 acres of public land to the Turnabout Ranch, Escalante, Utah, at fair market value; to the Committee on Energy and Natural Resources.

Mr. HATCH. Mr. President, I rise to introduce legislation that would correct a property trespass question involving a 25-acre parcel of Bureau of Land Management (BLM) land in Garfield County, UT. The parcel is part of the Turnabout Ranch, which hosts a successful and popular program to rehabilitate troubled youth.

The trespass conflict is the result of an erroneous survey in January 1999, at the time the Congress approved a major land exchange, P.L. 105-335, between the State of Utah and the BLM and erroneously included a part of the Turnabout Ranch. The land is located along the border of the Grand Staircase-Escalante (GSE) Monument. My bill makes a slight boundary change to re-

solve the trespass question. This would grant the owners of the ranch the opportunity to purchase the erroneously surveyed land at fair market value so that this very important program for at-risk youth can continue unhindered.

Since 1995, Turn-About Ranch has graduated some 500 troubled and at-risk teenagers through an intense program of training and rehabilitation. The ranch employs about 35 Garfield County residents. The Turn-About Ranch program has strong support from the local community and the Garfield County Commission.

Historically used for agriculture and grazing purposes, the ranch was purchased by the Townsend Family who leased the land to Turn-About Ranch, Inc., for the exclusive purpose of restoring dignity and self-esteem to wayward teenagers. Because government-owned land administered by the BLM surrounds the private land, the only way to resolve the trespass is for the Congress to pass legislation.

This legislation offers a simple and fair solution to a fairly technical problem on our public lands. I hope Congress can use this legislation to resolve this problem in the very near future.

By Mr. COLEMAN (for himself and Mr. PRYOR):

S. 833. A bill to make the United States competitive in a global economy; to the Committee on Finance.

Mr. COLEMAN. Mr. President, I rise to introduce the Competitiveness Through Education, Technology, and Enterprise Act otherwise known as the COMPETE Act. The bill I introduce today is similar to legislation I have introduced in the 109th Congress. I am very pleased to be joined by my very good friend and colleague, Senator MARK PRYOR, who shares my commitment to keeping the U. S. competitive not just for today but for tomorrow as well.

Earlier this week Microsoft's Bill Gates came before the Health, Education, Labor and Pensions Committee to talk about keeping our country competitive. He said that "the U.S. cannot maintain its economic leadership unless our workforce consists of people who have the knowledge and skills needed to drive innovation." Moreover he said that "we simply cannot sustain an economy based on innovation unless our citizens are educated in math, science and engineering."

My bill is inspired by the same line of thinking. The COMPETE Act is based on three simple, fundamental ideas: 1. The U.S. needs to remain a leader when it comes to technology and innovation; 2. We must prepare our future workforce and "up-skill" our current workforce for our increasingly global and information technology driven economy; and 3. We must better utilize existing private-public partnerships to achieve these goals.

The challenges we face are stark especially when it comes to the future competitiveness of our workforce.

Today, China graduates four times as many engineers as the U.S. while the small nation of South Korea graduates just as many as we do. In three short years, Asia will be home to more than 90 percent of the world's scientists and engineers.

According to a recent poll, 84 percent of middle school students preferred to eat their vegetables than do their math homework. As Tom Friedman wrote in his book *The World is Flat* when he was growing up as a kid his mother used to tell him to eat all his vegetables because kids in China were starving. Today, his mother would say do your homework because the kids in China are starving for our jobs.

As if this were not enough, we also need to concern ourselves with the coming retirement wave of high-skilled workers in the fields of engineering, science, technology and math. According to the National Science Foundation, about a third of American scientists and engineers are over 50 years old.

To encourage and promote our students to seek out these types of careers we need to improve the performance of students in science and math. Several reports have indicated that U.S. students do not perform at the level of their international counterparts in math and science. Our fourth graders compare fairly well internationally, but by high school American students slip to 24th place out of 29 developing nations in math literacy and problem solving.

We must make sure that our educational system is up to the task in preparing our future workforce. To reward elementary and secondary schools for a job well done, COMPETE provides bonus grants to high performing elementary and secondary schools that show the greatest improvement in their State assessments in math and science. COMPETE also increases the alternative percentage limitation for corporate charitable contributions to the mathematics and science partnership program in order to encourage greater support from the corporate world.

To help ensure that more students receive a higher education and have the skills necessary to compete in today's global economy COMPETE puts the Senate on record in support of raising the maximum Pell Grant to \$5,400.

In addition to undergraduate education, COMPETE also establishes a matching grant program where Federal and private resources will be used to help graduate students in science, technology, engineering and mathematics meet the cost of getting a graduate degree. This grant program will also support outreach and mentoring activities to increase the participation of underrepresented groups in these fields at every level of education.

To keep today's workforce competitive and prepare our future workforce, COMPETE creates a tax credit to help "up-skill" America's workers so that

they can compete in today's increasingly information and technology-driven global economy. COMPETE also creates a workforce development grant pilot program to encourage leading innovative small businesses to provide short-term workforce training opportunities for college students who major in the fields of science, technology, engineering and math. Our employers need more than just raw materials. They need a highly skilled workforce that provides extra value to their products and services.

Finally in order to ensure our leadership in innovation, COMPETE makes the research and development credit permanent. We must look at ways to ensure the ability of American companies to stay at the forefront of the technological revolution. Temporarily extending the R&D tax credit makes it difficult for our businesses to undertake research and development activities necessary for our continued long-term competitiveness in the global economy.

Earlier this week, bipartisan comprehensive competitiveness legislation known as the America Competes Act was introduced. I am a proud original cosponsor of this bill which seeks to respond to the recommendations made by the National Academies' "Rising Above the Gathering Storm" report and the Council on Competitiveness' "Innovate America" report.

In an effort to contribute to this important discussion I am introducing COMPETE, which complements the America Competes Act through its emphasis on innovation and workforce development and public-private education partnership in the areas of science, technology, engineering and math.

We must realize the fact that our competitiveness relative to the global economy is in real danger. This situation is smoldering—it's not a five-alarm fire yet—I just hope we don't act too late. If you throw a frog into boiling water, it jumps out. If you throw a frog into warm water, it will sit there comfortably until its internal organs overheat and it dies. Let's not let ourselves wake up in a few years to see that our global competitiveness has slipped away.

I am committed to working on this issue now. While the challenges to our leadership in the global economy are indeed significant, I am confident and optimistic that we will successfully address challenges to our leadership in the global economy.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 833

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

(a) IN GENERAL.—This Act may be cited as the "Competitiveness through Education,

Technology, and Enterprise Act of 2007" or the "COMPETE Act of 2007".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title.

TITLE I—RESEARCH AND DEVELOPMENT INCENTIVES

Sec. 101. Permanent extension of research credit.

TITLE II—WORKFORCE DEVELOPMENT INCENTIVES

Sec. 201. Credit for information and communications technology education and training program expenses.

Sec. 202. Eligible educational institution.

Sec. 203. SBIR—STEM Workforce Development Grant Pilot Program.

TITLE III—PUBLIC PARTNERSHIP PROVISIONS

Sec. 301. Alternative percentage limitation for corporate charitable contributions to the mathematics and science partnership program.

TITLE IV—EDUCATION PROVISIONS

Sec. 401. Federal Pell Grants.

Sec. 402. Matching funds program to promote American competitiveness through graduate education.

Sec. 403. Mathematics and science partnership bonus grants.

TITLE I—RESEARCH AND DEVELOPMENT INCENTIVES

SEC. 101. PERMANENT EXTENSION OF RESEARCH CREDIT.

(a) IN GENERAL.—Section 41 of the Internal Revenue Code of 1986 is amended by striking subsection (h).

(b) CONFORMING AMENDMENT.—Paragraph (1) of section 45C(b) of such Code is amended by striking subparagraph (D).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts paid or incurred after the date of the enactment of this Act.

TITLE II—WORKFORCE DEVELOPMENT INCENTIVES

SEC. 201. CREDIT FOR INFORMATION AND COMMUNICATIONS TECHNOLOGY EDUCATION AND TRAINING PROGRAM EXPENSES.

(a) IN GENERAL.—Subpart B of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following:

"SEC. 30D. INFORMATION AND COMMUNICATIONS TECHNOLOGY EDUCATION AND TRAINING PROGRAM EXPENSES.

"(a) ALLOWANCE OF CREDIT.—

"(1) IN GENERAL.—There shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to 50 percent of information and communications technology education and training program expenses paid or incurred by the taxpayer for the benefit of—

"(A) in the case of a taxpayer engaged in a trade or business, an employee of the taxpayer, or

"(B) in the case of a taxpayer who is an individual not so engaged, such individual.

"(2) COORDINATION OF CREDITS.—Credit shall be allowable to the employer with respect to an employee only to the extent that the employee assigns some or all of the limitation applicable to such employee under subsection (b) to such employer.

"(b) LIMITATIONS.—

"(1) IN GENERAL.—The amount of expenses with respect to any individual which may be taken into account under subsection (a) for the taxable year shall not exceed \$4,000.

"(2) INCREASE IN CREDIT AMOUNT FOR PARTICIPATION IN CERTAIN PROGRAMS AND FOR

CERTAIN INDIVIDUALS.—Paragraph (1) shall be applied by substituting '\$5,000' for '\$4,000' in the case of expenses—

"(A) with respect to a program operated—

"(i) by an employer who has 200 or fewer employees for each business day in each of 20 or more calendar weeks in the current or preceding calendar year,

"(ii) in an empowerment zone or enterprise community designated under part I of subchapter U or a renewal community designated under part I of subchapter X,

"(iii) in a school district in which at least 50 percent of the students attending schools in such district are eligible for free or reduced-cost lunches under the school lunch program established under the Richard B. Russell National School Lunch Act,

"(iv) in an area designated as a disaster area by the Secretary of Agriculture under section 321 of the Consolidated Farm and Rural Development Act or by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act in the taxable year or the 4 preceding taxable years,

"(v) in a rural enterprise community designated under section 766 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999 (112 Stat. 2681–37),

"(vi) in an area designated by the Secretary of Agriculture as a Rural Economic Area Partnership Zone, or

"(vii) in an area over which an Indian tribal government (as defined in section 7701(a)(40)) has jurisdiction, or

"(B) in the case of an individual with a disability.

"(c) INFORMATION TECHNOLOGY EDUCATION AND TRAINING PROGRAM EXPENSES.—For purposes of this section—

"(1) IN GENERAL.—The term 'information technology education and training program expenses' means expenses paid or incurred by reason of the participation of the taxpayer (or any employee of the taxpayer) in any information and communications technology education and training program. Such expenses shall include expenses paid in connection with—

"(A) course work,

"(B) certification testing,

"(C) programs carried out under the Act of August 16, 1937 (50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.) which are registered by the Department of Labor, and

"(D) other expenses that are essential to assessing skill acquisition.

"(2) INFORMATION TECHNOLOGY EDUCATION AND TRAINING PROGRAM.—The term 'information technology education and training program' means a training program in information and communications technology workplace disciplines or other skill sets which is provided in the United States by an accredited college, university, private career school, postsecondary educational institution, a commercial information technology provider, or an employer-owned information technology training organization.

"(3) COMMERCIAL INFORMATION TECHNOLOGY TRAINING PROVIDER.—The term 'commercial information technology training provider' means a private sector organization providing an information and communications technology education and training program.

"(4) EMPLOYER-OWNED INFORMATION TECHNOLOGY TRAINING ORGANIZATION.—The term 'employer-owned information technology training organization' means a private sector organization that provides information technology training to its employees using internal training development and delivery personnel. The training programs must use industry-recognized training disciplines and evaluation methods, comparable to institutional and commercial training providers.

"(d) DENIAL OF DOUBLE BENEFIT.—

“(1) DISALLOWANCE OF OTHER CREDITS AND DEDUCTIONS.—No deduction or credit shall be allowed under any other provision of this chapter for expenses taken into account in determining the credit under this section.

“(2) REDUCTION FOR HOPE AND LIFETIME LEARNING CREDITS.—The amount taken into account under subsection (a) shall be reduced by the information technology education and training program expenses taken into account in determining the credits under section 25A.

“(e) CERTAIN RULES MADE APPLICABLE.—For purposes of this section, rules similar to the rules of section 45A(e)(2) and subsections (c), (d), and (e) of section 52 shall apply.

“(f) APPLICATION WITH OTHER CREDITS.—The credit allowed by subsection (a) for any taxable year shall not exceed the excess (if any) of—

“(1) the regular tax for the taxable year reduced by the sum of the credits allowable under the subpart A and the previous sections of this subpart, over

“(2) the tentative minimum tax for the taxable year.”.

(b) CLERICAL AMENDMENT.—The table of sections for subpart B of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following:

“Sec. 30D. Information and communications technology education and training program expenses.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts paid or incurred in taxable years beginning after December 31, 2006.

SEC. 202. ELIGIBLE EDUCATIONAL INSTITUTION.

(a) IN GENERAL.—Section 25A(f)(2) of the Internal Revenue Code of 1986 (relating to eligible educational institution) is amended to read as follows:

“(2) ELIGIBLE EDUCATIONAL INSTITUTION.—The term ‘eligible educational institution’ means—

“(A) an institution—

“(i) which is described in section 101(b) or 102(a) of the Higher Education Act of 1965, and

“(ii) which is eligible to participate in a program under title IV of such Act, or

“(B) a commercial information and communications technology training provider (as defined in section 30D(c)(3)).”.

(b) CONFORMING AMENDMENT.—The second sentence of section 221(d)(2) of the Internal Revenue Code of 1986 is amended by striking “section 25A(f)(2)” and inserting “section 25A(f)(2)(A)”.

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

SEC. 203. SBIR-STEM WORKFORCE DEVELOPMENT GRANT PILOT PROGRAM.

(a) DEFINITIONS.—In this section—

(1) the term “Administrator” means the Administrator of the Small Business Administration;

(2) the term “eligible entity” means a grantee under the SBIR Program that provides an internship program for STEM college students;

(3) the terms “Phase I” and “Phase II” mean Phase I and Phase II grants under the SBIR Program, respectively;

(4) the term “pilot program” means the SBIR-STEM Workforce Development Grant Pilot Program established under subsection (b);

(5) the term “SBIR Program” has the meaning given that term in section 9(e) of the Small Business Act (15 U.S.C. 638(e)); and

(6) the term “STEM college student” means a college student in the field of science, technology, engineering, or math.

(b) PILOT PROGRAM ESTABLISHED.—From amounts made available to carry out this

section, the Administrator shall establish an SBIR-STEM Workforce Development Grant Pilot Program to encourage the business community to provide workforce development opportunities to STEM college students, by providing an SBIR bonus grant to eligible entities.

(c) AWARDS.—A bonus grant to an eligible entity under the pilot program shall be in an amount equal to 10 percent of either a Phase I or Phase II grant, as applicable, with a total award maximum of not more than \$10,000 per year.

(d) EVALUATION.—Following the fifth year of funding under this section, the Administrator shall submit a report to Congress on the results of the pilot program.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

- (1) \$1,000,000 for fiscal year 2007;
- (2) \$1,000,000 for fiscal year 2008;
- (3) \$1,000,000 for fiscal year 2009;
- (4) \$1,000,000 for fiscal year 2010; and
- (5) \$1,000,000 for fiscal year 2011.

TITLE III—PUBLIC PARTNERSHIP PROVISIONS

SEC. 301. ALTERNATIVE PERCENTAGE LIMITATION FOR CORPORATE CHARITABLE CONTRIBUTIONS TO THE MATHEMATICS AND SCIENCE PARTNERSHIP PROGRAM.

(a) IN GENERAL.—Section 170(b) of the Internal Revenue Code of 1986 (related to percentage limitations) is amended by adding at the end the following new paragraph:

“(3) SPECIAL RULE FOR CORPORATE CONTRIBUTIONS TO THE MATHEMATICS AND SCIENCE PARTNERSHIP PROGRAM.—

“(A) IN GENERAL.—In the case of a corporation which makes an eligible mathematics and science contribution—

“(i) the limitation under paragraph (2) shall apply separately with respect to all such contributions and all other charitable contributions, and

“(ii) paragraph (2) shall be applied with respect to all eligible mathematics and science contributions by substituting ‘15 percent’ for ‘10 percent’.

“(B) ELIGIBLE MATHEMATICS AND SCIENCE CONTRIBUTION.—

“(i) IN GENERAL.—For purposes of this paragraph, the term ‘eligible mathematics and science contribution’ means a charitable contribution (other than a contribution of used equipment) to a qualified partnership for the purpose of an activity described in section 2202(c) of the Elementary and Secondary Education Act of 1965.

“(ii) QUALIFIED PARTNERSHIP.—The term ‘qualified partnership’ means an eligible partnership (within the meaning of section 2201(b)(1) of the Elementary and Secondary Education Act of 1965), but only to the extent that such partnership does not include a person other than a person described in paragraph (1)(A).”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to contributions made after the date of the enactment of this Act.

TITLE IV—EDUCATION PROVISIONS

SEC. 401. FEDERAL PELL GRANTS.

It is the sense of the Senate that the maximum Federal Pell Grant should be increased to—

- (1) \$4,600 for academic year 2008–2009;
- (2) \$4,800 for academic year 2009–2010;
- (3) \$5,000 for academic year 2010–2011;
- (4) \$5,200 for academic year 2011–2012; and
- (5) \$5,400 for academic year 2012–2013.

SEC. 402. MATCHING FUNDS PROGRAM TO PROMOTE AMERICAN COMPETITIVENESS THROUGH GRADUATE EDUCATION.

(a) PURPOSE.—The purpose of this section is to promote American economic competitiveness and job creation by—

(1) assisting graduate students studying the sciences, technology, engineering, and mathematics;

(2) advancing education in the sciences, technology, engineering, and mathematics;

(3) stimulating greater links between private industry and graduate education; and

(4) enabling the Office of Science of the Department of Energy to establish a matching funds program for eligible institutions of higher education.

(b) DEFINITIONS.—In this section:

(1) ELIGIBLE INSTITUTION OF HIGHER EDUCATION.—The term “eligible institution of higher education” means an institution of higher education, as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001), that offers an established program of post-baccalaureate study leading to a graduate degree in the sciences, technology, engineering, or mathematics.

(2) SECRETARY.—The term “Secretary” means the Secretary of Energy.

(c) GRANTS.—

(1) GRANTS AUTHORIZED.—The Secretary, acting through the Undersecretary for Energy, Science, and Environment, is authorized to award grants, on a competitive basis, to eligible institutions of higher education to enable the eligible institutions of higher education to carry out the authorized activities described in subsection (e).

(2) MATCHING FUNDS REQUIRED.—In order to receive a grant under this subsection, an eligible institution of higher education shall agree to provide matching funds, toward the cost of the authorized activities to be assisted under the grant, in an amount equal to 25 percent of the funds received under the grant.

(3) AWARD CONSIDERATIONS.—In awarding grants under this subsection, the Secretary shall take into consideration—

(A) the demonstrated commitment of the eligible institution of higher education to providing matching funds (including tuition remission, tuition waivers, and other types of institutional support) toward the cost of the authorized activities to be assisted under the grant;

(B) the demonstrated capacity of the eligible institution of higher education to raise matching funds from private sources;

(C) the demonstrated ability of the eligible institution of higher education to work with private corporations and organizations to promote economic competitiveness and job creation;

(D) the demonstrated ability of the eligible institution of higher education to increase the number of graduates of the eligible institution of higher education's graduate programs in the sciences, technology, engineering, or mathematics with the interdisciplinary background and the technical, professional, and personal skills needed to contribute to American competitiveness and job creation in the future;

(E) the potential for the grant assistance to increase the number of graduates of the eligible institution of higher education's graduate programs in the sciences, technology, engineering, or mathematics; and

(F) the demonstrated track record of the eligible institution of higher education in outreach and mentoring activities that have the expressed purpose of recruiting and retaining women, recognized minorities, and individuals with disabilities in the sciences, technology, engineering, or mathematics.

(4) AMOUNT.—The Secretary shall award each grant under this subsection in an amount that is not more than \$1,000,000 for each fiscal year.

(5) EQUITABLE DISTRIBUTION.—In awarding grants under this subsection, the Secretary shall ensure—

(A) an equitable geographic distribution of the grants; and

(B) an equitable distribution of the grants among public and private eligible institutions of higher education.

(d) APPLICATIONS.—Each eligible institution of higher education desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information and assurances as the Secretary may require. Each such application shall describe—

(1) the authorized activities under subsection (e) for which assistance is sought;

(2) the source and amount of the matching funds to be provided; and

(3) the amount of funds raised by the eligible institution of higher education from private sources that will be allocated and spent to carry out the authorized activities described in subsection (e).

(e) AUTHORIZED ACTIVITIES; AGREEMENT.—Each eligible institution of higher education desiring a grant under this section shall enter into a written agreement with the Secretary under which the eligible institution of higher education agrees to use all of the grant funds—

(1) to provide stipends or other financial assistance (such as tuition assistance and related expenses) for students who are enrolled in graduate programs in the sciences, technology, engineering, or mathematics at the eligible institution of higher education, as described in the application submitted under subsection (d); and

(2) to support outreach and mentoring activities to increase the participation of underrepresented groups in the sciences, technology, engineering, or mathematics at all levels or any level of education, including elementary, secondary, and post-secondary education, as described in the application submitted under subsection (d).

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

- (1) \$50,000,000 for fiscal year 2008;
- (2) \$60,000,000 for fiscal year 2009;
- (3) \$70,000,000 for fiscal year 2010;
- (4) \$80,000,000 for fiscal year 2011; and
- (5) \$90,000,000 for fiscal year 2012.

SEC. 403. MATHEMATICS AND SCIENCE PARTNERSHIP BONUS GRANTS.

Part B of title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6661 et seq.) is amended by adding at the end the following:

“SEC. 2204. MATHEMATICS AND SCIENCE PARTNERSHIP BONUS GRANTS.

“(a) IN GENERAL.—From amounts appropriated under subsection (d), the Secretary shall award a grant—

“(1) for each of the school years 2007–2008 through 2016–2017, to each of the 5 elementary schools and each of the 5 secondary schools in each State, whose students demonstrate the most improvement in mathematics, as measured by the improvement in the students’ average score on the State’s assessments in mathematics for the school year for which the grant is awarded, as compared to the school year preceding the school year for which the grant is awarded; and

“(2) for each of the school years 2011–2012 through 2016–2017, to each of the 5 elementary schools and each of the 5 secondary schools in each State, whose students demonstrate the most improvement in science, as measured by the improvement in the students’ average score on the State’s assessments in science for the school year for which the grant is awarded, as compared to the school year preceding the school year for which the grant is awarded.

“(b) GRANT AMOUNT.—The amount of each grant awarded under this section shall be \$500,000.

“(c) APPLICABILITY.—Sections 2201, 2202, and 2203 shall not apply to this section.

“(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$130,000,000 for each of the fiscal years 2008 through 2011, and \$260,000,000 for each of the fiscal years 2012 through 2017.”.

By Mr. HATCH:

S. 834. A bill to require annual testimony before Congress by the Securities and Exchange Commission, the Financial Accounting Standards Board, and the Public Company Accounting Oversight Board, relating to efforts to promote transparency in financial reporting; to the Committee on Banking, Housing, and Urban Affairs.

Mr. HATCH. Mr. President, I rise today to introduce a bill that would take a small but significant step toward identifying and repairing some of the regulatory problems currently found in our country’s financial markets.

In 2002, our financial markets were in serious trouble. In the wake of Enron and other prominent accounting scandals, the public’s confidence in the markets was low. Investors expressed their lack of confidence by taking their money out of the stock market, and the market indices plummeted. In response to this crisis—and that is exactly what it was, a crisis—Congress passed the Sarbanes-Oxley Act of 2002.

The law did what it was designed to do—re-establish faith in our financial markets—but it came at a cost. Complying with several of the bill’s provisions has increased significantly the costs of doing business as a public corporation. Many large corporations continue to spend millions of dollars every year in order to comply with the Sarbanes-Oxley law. This, they can afford. However, many smaller firms have found the costs of compliance with the Act to be crushing, burdensome, and negatively affecting their ability to compete in a global marketplace.

The result of this problem is twofold. First, a good number of smaller, publicly traded firms have been taken private by investors, with others expected to meet this same fate. Second, we have seen fewer companies going public, at least in the United States. During the year 2000, 50 percent of all new Initial Public Offerings, IPOs, were done in the United States. By 2006 that number had fallen below 10 percent. In 2006, Hong Kong supplanted New York as the number one market for stock offerings world-wide.

A number of my colleagues have pointed out that the dearth of IPOs threatens our standing as the premier financial market in the world. In the short term, we worry about this costing us prestige and jobs, but the real costs are much, much greater. Businesses that want to keep growing eventually need to become publicly-traded corporations in order to raise sufficient capital. With the costs of crossing that threshold greatly higher than they were a few years ago, many companies

either delay or forego becoming a publicly traded corporation. Companies that become or remain privately-held firms eventually run into capital constraints of some sort that limit their growth.

The resulting cost to our economy is a financial market where it is more difficult for corporations to raise sufficient capital to expand capacity or increase productivity, ultimately resulting in slower economic growth. Given the truly awesome problems we face in the upcoming years with regard to our unfunded entitlement obligations, we are going to need every bit of economic growth we can muster to satisfy them. Even those who are ambivalent about the benefits of economic growth on the standard of living of all Americans should appreciate its importance in meeting our future obligations.

The bill I am introducing today would help us to identify and, I hope, ultimately address, many of the regulatory problems facing our financial markets. Specifically, it requires the Chairman of the Securities and Exchange Commission, the Chairman of the Financial Accounting Standards Board, and the Chairman of the Public Company Accounting Oversight Board to annually testify to the relevant Senate and House committees on their efforts to reduce complexity in financial reporting and to provide more accurate and clear financial information to investors. I expect that this requirement would result in more awareness of these problems by policymakers in the Legislative and Executive Branches, as well as in the private sector, along with suggested solutions to these challenges.

While this bill would be a relatively small step, I believe it can help us understand exactly what must be done to address what ails our financial markets and help us achieve a consensus on how to fix these problems.

Mr. President, a nearly identical bill was passed by the House of Representatives recently with no opposition. I urge the leadership of the Senate on both sides of the aisle, along with the members of the Committee on Banking, Housing, and Urban Affairs to support this bill, and join the House in making this important step toward increasing the efficiency of our financial markets.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 834

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Promoting Transparency in Financial Reporting Act of 2007”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Transparent and clear financial reporting is integral to the continued growth and

strength of our capital markets and the confidence of investors.

(2) The increasing detail and volume of accounting, auditing, and reporting guidance pose a major challenge.

(3) The complexity of accounting and auditing standards in the United States has added to the costs and effort involved in financial reporting.

SEC. 3. ANNUAL TESTIMONY ON REDUCING COMPLEXITY IN FINANCIAL REPORTING.

The Securities and Exchange Commission, the Financial Accounting Standards Board, and the Public Company Accounting Oversight Board shall annually provide oral testimony by their respective chairpersons, or a designee thereof, beginning in 2007, and for 5 years thereafter, to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives on their efforts to reduce the complexity in financial reporting, so that investors are provided with more accurate and clear financial information. That testimony shall address—

(1) complex and outdated accounting standards;

(2) improving the understandability, consistency, and overall usability of the existing accounting and auditing literature;

(3) developing principles-based accounting standards;

(4) encouraging the use and acceptance of interactive data; and

(5) promoting disclosures in "plain English".

By Mr. ALEXANDER (for himself and Mr. CORKER):

S. 835. A bill to redesignate the Federal building located at 167 North Main Street in Memphis, Tennessee, as the "Clifford Davis and Odell Horton Federal Building"; to the Committee on Environment and Public Works.

Mr. ALEXANDER. Mr. President, today I rise to introduce a bill to rename the Federal building in Memphis as the Clifford Davis and Odell Horton Federal Building. My colleague Senator CORKER is a cosponsor. It is the same legislation that was introduced in the House of Representatives by our new Representative STEVE COHEN, and it is cosponsored by the rest of the House delegation, both Republicans and Democrats.

Representative COHEN's bill, H.R. 753, was approved by the House Committee on Transportation and Infrastructure on March 1 and awaits further action by the full House.

Judge Horton has a remarkable legacy. He was the first African-American federal district court judge appointed in Tennessee since Reconstruction. He was recommended by former Senator Jim Sasser and appointed by President Carter on May 12, 1980.

I remember those days of transition very well. It was in that same year that I was Governor of Tennessee. I appointed the first African-American supreme court justice in Tennessee, Judge George Brown, who served with distinction.

At that time, there had not been an African-American chancellor, which is one of our lower court's State judges. I appointed Irwin Kilcrease to that position, and he served with a distinguished record and retired only within the last couple of years.

Judge Horton was a real pioneer who came at a time of transition in Memphis, where he lived, and in our State's history. He served as chief judge of the U.S. District Court for the Western District of Tennessee from January 1, 1987, until December 31, 1993.

Odell Horton was born in Bolivar, TN, just outside of Memphis, on May 13, 1929. He said he grew up in a "typically rural Southern and typically segregated [environment], with all of the attendant consequences of that".

At about the same time, growing up maybe 40 miles away was a young man named Alex Haley who would sit on the front porch of his grandparents' home and listen to his great-aunt tell stories of Kunta Kinte, which ultimately became the story of "Roots."

Odell Horton's father was a laborer. His mother took in laundry. His first job at the age of 6 was delivering laundry for his mom. He and his three siblings also picked cotton, stacked lumber, and took other odd jobs.

After high school, he enlisted in the Marine Corps. He enrolled in Morehouse College using the GI bill. He served with the Marines during the Korean war. He graduated from the U.S. Navy School of Journalism.

After the Marines, he earned a law degree from Howard University, and after graduating from Howard Law School in 1956, he moved to Memphis and rented a one-room office on Beale Street—the music street of Memphis—and opened his own law practice.

He did that for 5 years. He served as an assistant U.S. attorney after that.

In 1968, he was director of the city's hospitals, making him the only Black division director at city hall at that time.

He served as judge on the Shelby County Criminal Court. He was a commentator on a local television station. He ran for district attorney general in 1974, narrowly losing the primary, at that time considered a very strong showing by an African-American candidate in a county that today has an African-American mayor of Memphis and an African-American mayor of Shelby County.

He was a U.S. Bankruptcy Court judge before being appointed as a U.S. district judge by President Carter.

He was married to his wife Evie for 50 years, with two sons, Odell, Jr., and Christopher. He died on February 22, 2006.

I commend Representative COHEN for his bill to rename the Clifford Davis Federal Building to the Clifford Davis and Odell Horton Federal Building. Representative Davis was a Congressman who served in the House of Representatives from 1940 to 1965. He was one of those five Congressmen in the U.S. Capitol when four Puerto Rican nationalists opened fire from the visitors' balcony in the Chamber. He was shot in the leg at the time.

Keeping both names on the Federal building is symbolic of the transition that took place in Memphis and across

the South during Odell's lifetime and my lifetime and reminds us that our country is committed to equal opportunity, but it has been and is and will be for a long time a work in progress.

Odell Horton is one of the finest examples of that work in progress. Having his name on a Federal building will remind all of us of that.

Mr. CORKER. Mr. President, today I am pleased to cosponsor a bill to rename the Memphis Federal Building in order to commemorate a great Tennessean, the Honorable Odell Horton.

Judge Horton, born in Bolivar, TN, on May 13, 1929, was the son of a laborer and a laundress. After high school he performed two tours as a U.S. marine, including service in the Korean war. He was a graduate of Morehouse College, the United States Navy School of Journalism, and Howard University School of Law.

Horton's distinguished legal career began in 1956 in a one room office at 145 Beale Street, where he remained in private practice for 6 years. In 1962 he began service as an assistant U.S. attorney in Memphis. He remained in this position until he was appointed to the Shelby County Criminal Court, where he was later elected without opposition. Judge Horton also served in the capacity as the city of Memphis' director of Hospital and Health Services, where he ordered the desegregation of the Bowld Hospital in 1968. In 1970, Judge Horton left public service to serve as the President of LeMoyne-Owen College, a historically African-American liberal arts college.

In 1976, he began service as a U.S. bankruptcy judge until 1980 when he became the first African-American since Reconstruction to be appointed to a Tennessee Federal judicial appointment. He was a well regarded and respected judge who served as the chief judge for the Western District from 1987 through 1993. On May 16, 1995, Judge Horton took senior status and 2 years later closed his office.

He and his wife Evie were married for over 50 years and had two sons, Odell, Jr. and Christopher. Unfortunately, Judge Horton left us on February 22, 2006. His colleagues remember him as a thorough, patient judge who brought a pleasant demeanor to the bench. Judge Horton was a man who admirably served his country and State. He was a great Tennessean and it is my honor today to cosponsor a bill to memorialize his contribution to our country and the State of Tennessee.

By Mrs. CLINTON:

S. 837. A bill to develop a generation of school leaders who are committed to, and effective in, increasing student achievement and to ensure that all low-income, under-performing schools are led by effective school leaders who are well-prepared to foster student success; to the Committee on Health, Education, Labor, and Pensions.

Mrs. CLINTON. Mr. President, I rise today to introduce legislation to help

ensure that State and local educational agencies implement an effective certification process for school leaders. My legislation will address the need to effectively train and retain school leaders to prepare our children to compete in the global economy.

The Fordham Foundation conducted a study on the effectiveness of current state licensing procedures and noted that they have "little relevance to the task at hand [and] discourage the leaders we need from entering our public schools." As a result, school leaders, particularly those in under-performing schools, are often unprepared to foster student success. That is why I am sponsoring the Improving the Leadership and Effectiveness of Administrators for Districts (I LEAD) Act.

As the number of openings for school leaders is expected to increase by 20 percent in the next five years, districts will find it increasingly difficult to recruit and retain effective principals. We need to ensure outgoing school leaders are replaced with effective, well-trained school leaders who are prepared to raise student achievement.

The I LEAD Act would allow State and local educational agencies to evaluate the effectiveness of their current school leadership licensure requirements by examining the impact on student achievement, graduation rates, parental involvement, and safety within their schools. It also provides grants to implement a plan to recruit and effectively train school leaders by providing on-the-job experience during the licensure process, financial incentives, ongoing professional development, and mentors during their first two years on the job.

Under this bill, the Department of Education would conduct a study on the effectiveness of these grants on student achievement. Upon successful implementation of new procedures, state education agencies may apply for additional grant money through the Department for assistance in replicating the success of this "model leadership zone" throughout the state. Grants would also be used to reform the state certification process.

School leaders have a significant impact on student achievement. An effective and capable school leader can make the difference in providing the tools and instructional support staff needed to foster the type of school environment conducive to student academic success. This legislation would ensure that our principals are given the training and support they need to foster student success.

The I LEAD Act addresses the need to effectively train and retain school leaders to prepare our children to compete in the global economy. I am hopeful that my Senate colleagues from both sides of the aisle will join me today to move this legislation to the floor without delay.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 102—SUPPORTING THE GOALS OF "INTERNATIONAL WOMEN'S DAY"

Mr. BIDEN (for himself, Mrs. BOXER, Ms. CANTWELL, Mrs. CLINTON, Mrs. FEINSTEIN, Ms. KLOBUCHAR, Ms. LANDRIEU, and Ms. MIKULSKI, Mrs. MURRAY, and Ms. STABENOW) submitted the following resolution; which was considered and agreed to:

S. RES. 102

Whereas there are more 3,000,000,000 women in the world, representing 49.7 percent of the world's population;

Whereas women continue to play the predominant role in caring for families within the home, as well as increasingly supporting their families economically by working outside the home;

Whereas women worldwide participate in diplomacy and politics, contribute to the growth of economies, and improve the quality of the lives of their families, communities, and countries;

Whereas women leaders have recently made significant strides, including through the 2007 election of Representative Nancy Pelosi as the first female Speaker of the United States House of Representatives, the 2006 election of Michelle Bachelet as the first female President of Chile, the 2006 election of Ellen Johnson-Sirleaf as President of Liberia and the first female President in the history of Africa, and the 2005 election of Angela Merkel as the first female Chancellor of Germany and who will also serve in 2007 as the second woman to chair a G-8 summit;

Whereas women now account for 80 percent of the world's 70,000,000 micro-borrowers, 75 percent of the 28,000 United States loans supporting small business in Afghanistan are given to women, and 11 women are chief executive officers of Fortune 500 companies in the United States;

Whereas, in the United States, women are graduating from high school and earning bachelor's degrees and graduate degrees at rates greater than men, with 88 percent of women between the ages of 25 and 29 having obtained high school diplomas and 31 percent of women between the ages of 25 of 29 having earned bachelor's degrees;

Whereas even with the tremendous gains for women during the past 20 years, women still face political and economic obstacles, struggle for basic rights, face discrimination, and are targets of gender-based violence all over the world;

Whereas women remain vastly underrepresented worldwide in national and local legislatures, accounting on average for less than 10 percent of the seats in legislatures in most countries, and in no developing region do women hold more than 8 percent of legislative positions;

Whereas women work two-thirds of the world's working hours and produce half of the world's food, yet earn only 1 percent of the world's income and own less than 1 percent of the world's property;

Whereas, in the United States between 1995 and 2000, female managers earned less than their male counterparts in the 10 industries that employ the vast majority of all female employees;

Whereas, of the 1,300,000,000 people living in poverty around the world, 70 percent are women;

Whereas, according to the United States Agency for International Development, two-thirds of the 876,000,000 illiterate individuals worldwide are women, two-thirds of the

125,000,000 school-aged children who are not attending school worldwide are girls, and girls around the world are less likely to complete school than boys;

Whereas women account for half of all cases of HIV/AIDS worldwide, approximately 42,000,000 cases, and in countries with a high prevalence of HIV, young women are at a higher risk than young men of contracting HIV;

Whereas each year over 500,000 women globally die during childbirth or pregnancy;

Whereas domestic violence causes more deaths and disabilities among women between the ages of 15 and 44 than cancer, malaria, traffic accidents, and war;

Whereas worldwide at least 1 out of every 3 women and girls has been beaten in her lifetime, and usually the abuser is a member of the victim's family or is someone else known to the victim;

Whereas, according to the Centers for Disease Control and Prevention, at least 1 out of every 6 women and girls in the United States has been sexually abused in her lifetime;

Whereas, in the United States, one-third of the women murdered each year are killed by current or former husbands or boyfriends;

Whereas 130,000,000 girls and young women worldwide have been subjected to female genital mutilation and it is estimated that 10,000 girls are at risk of being subjected to the practice in the United States;

Whereas, according to the Congressional Research Service and the Department of State, illegal trafficking in women and children for forced labor, domestic servitude, or sexual exploitation involves between 600,000 and 900,000 women and children each year, of whom 17,500 are transported into the United States;

Whereas between 75 and 80 percent of the world's 27,000,000 refugees are women and children;

Whereas, in Iraq, women are increasingly becoming the targets of violence by Islamic extremists and street gangs;

Whereas, in Darfur, a growing number of women and girls are being raped, mainly by militia members who use sexual violence as a weapon of war;

Whereas, in Afghanistan, Safia Ama Jan, the former Director of Women's Affairs, became the first female assassinated since the fall of the Taliban; and

Whereas March 8 of each year has been known as "International Women's Day" for the last century, and is a day on which people, often divided by ethnicity, language, culture, and income, come together to celebrate a common struggle for women's equality, justice, and peace: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals of "International Women's Day";

(2) recognizes and honors the women in the United States and in other countries who have fought and continue to struggle for gender equality and women's rights;

(3) reaffirms its commitment to ending discrimination and violence against women and girls, to ensuring the safety and welfare of women and girls, and to pursuing policies that guarantee the basic rights of women and girls both in the United States and in other countries; and

(4) encourages the people of the United States to observe International Women's Day with appropriate programs and activities.

**SENATE RESOLUTION 103—COM-
MENDING THE KINGDOM OF LE-
SOTHO, ON THE OCCASION OF
INTERNATIONAL WOMEN'S DAY,
FOR THE ENACTMENT OF A LAW
TO IMPROVE THE STATUS OF
MARRIED WOMEN AND ENSURE
THE ACCESS OF MARRIED
WOMEN TO PROPERTY RIGHTS**

Mr. LUGAR (for himself, Mr. DURBIN, Mr. COCHRAN, Ms. MIKULSKI, Ms. SNOWE, Mr. HAGEL, Mr. STEVENS, Mr. BENNETT, Mr. KERRY, Mr. DEMINT, Mr. LAUTENBERG, Mrs. CLINTON, Ms. MURKOWSKI, Mr. VITTER, Mrs. FEINSTEIN, and Mr. COLEMAN) submitted the following resolution; which was considered and agreed to:

S. RES. 103

Whereas International Women's Day, observed on March 8 each year, has become a day on which people come together to recognize the accomplishments of women and to reaffirm their commitment to continue the struggle for equality, justice, and peace;

Whereas the Kingdom of Lesotho is a parliamentary constitutional monarchy that has been an independent country since 1966;

Whereas Lesotho is a low income country with a gross national income per capita of \$960 and 50 percent of the population lives below the poverty line;

Whereas, in Lesotho, the HIV prevalence is estimated at 23 percent for the total adult population and 56 percent for pregnant women between the ages of 25 and 29, and the current average life expectancy at birth is estimated to be 34.4 years;

Whereas the Kingdom of Lesotho, referred to by some as the "Kingdom in the Sky", was a strong public supporter of the end of apartheid in South Africa and the Government of Lesotho granted political asylum to a number of refugees from South Africa during the apartheid era;

Whereas the Government of Lesotho has demonstrated a strong commitment to ruling justly, investing in people, ensuring economic freedom, and controlling corruption;

Whereas the Government of Lesotho has been named eligible by the Millennium Challenge Corporation (MCC) for a Compact of financial assistance that, as currently proposed, would strongly focus on improving and safeguarding the health of the people of Lesotho, in addition to supporting projects for sustainable water resource management and private sector development;

Whereas historically a married woman in Lesotho was considered a legal minor during the lifetime of her husband, was severely restricted in economic activities, was unable to enter into legally binding contracts without her husband's consent, and had no standing in civil court;

Whereas legislation elevating the legal status of married women and providing property and inheritance rights to women in Lesotho was introduced as early as 1992;

Whereas for years women's groups, non-governmental organizations, the Federation of Women Lawyers, officials of the Government of Lesotho, and others in Lesotho have pushed for passage of legislation strengthening rights of married women;

Whereas in a letter to the Government of Lesotho in September 2006, the chief executive officer of the MCC stated that gender inequality is a constraint on economic growth and poverty reduction and is related to the high prevalence of HIV/AIDS, and that inattention to issues of gender inequality could undermine the potential impact of the Compact proposed to be entered into between the MCC and the Government of Lesotho;

Whereas the Legal Capacity of Married Persons Act was passed by the Parliament of Lesotho and enacted into law in November 2006;

Whereas the MCC has already provided assistance to further full and meaningful implementation of the new law;

Whereas the MCC has promulgated and is currently implementing a new gender policy to integrate gender into all phases of the development and implementation of the Compact between the MCC and the Government of Lesotho; and

Whereas the MCC's advocacy of gender equity played a supportive role in the enactment of the Legal Capacity of Married Persons Act in the Kingdom of Lesotho: Now, therefore, be it

Resolved, That the Senate—

(1) acknowledges the observance of March 8, 2007, as International Women's Day;

(2) applauds the enactment of the Legal Capacity of Married Persons Act by the Kingdom of Lesotho;

(3) lauds the Kingdom of Lesotho for demonstrating its commitment to improve gender equity;

(4) encourages the Kingdom of Lesotho to continue its effort to ensure gender equity; and

(5) commends the Millennium Challenge Corporation (MCC) for developing and implementing policies to advance gender equity in the Kingdom of Lesotho and other countries eligible for financial assistance from the MCC.

**SENATE RESOLUTION 104—COM-
MENDING THE NATIONAL EXPLO-
SIVES DETECTION CANINE TEAM
PROGRAM FOR 35 YEARS OF
SERVICE TO THE SAFETY AND
SECURITY OF THE TRANSPOR-
TATION SYSTEMS WITHIN THE
UNITED STATES**

Mrs. HUTCHISON submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 104

Whereas the national explosives detection canine team program was created as a result of a bomb being placed on a Trans World Airlines jet bound for Los Angeles from John F. Kennedy International Airport on March 9, 1972;

Whereas Brandy, a bomb sniffing dog assigned to the New York City Police Department, searched the plane and found the explosive device just 12 minutes before it was set to detonate;

Whereas President Richard Nixon directed the Secretary of Transportation to use innovative means to combat the problems plaguing civil aviation;

Whereas the Federal Aviation Administration canine explosives detection team program was created to deter and detect the introduction of explosive devices into the national transportation system;

Whereas the national explosives detection program provides premier explosives detection canine team capabilities, through partnerships established with State and local law enforcement agencies;

Whereas the national explosives detection canine team program has expanded significantly over recent years as a result of recommendations by the White House Commission on Aviation Safety and Security, the Security Baseline Working Group of the Aviation Security Advisory Committee, the tragic events of September 11, 2001, and the targeted bombings of mass transit systems in London, India, and Madrid;

Whereas the national explosives detection canine team program has grown from 40 teams at 20 airports to over 425 teams at over 75 airports and 13 mass transit systems;

Whereas the national explosives detection canine team program has deployed highly trained explosives detection canine teams as a proven deterrent to terrorism directed towards transportation systems;

Whereas the national explosives detection canine team program provides a timely and mobile response support to facilities, rail stations, airports, aircraft, passenger terminals, seaports and surface carriers;

Whereas the transportation systems of the United States have benefited greatly from the partnership that exists between the national explosives detection canine team program and State and local law enforcement agencies and key industry stakeholders;

Whereas the operations branch of the national explosives detection canine team program is responsible for day-to-day operational issues for operations at specified transportation systems;

Whereas the canine training and evaluation branch of the national explosives detection canine team program is responsible for the procurement, training, and evaluation of assigned handlers and canines attending the National Explosives Detection Canine Training Facility, at Lackland Air Force Base, San Antonio, Texas;

Whereas the explosives branch of the national explosives detection canine team program is responsible for explosive training and procurement, preparation, and distribution and associated explosives training and related issues: Now, therefore, be it

Resolved, That the national explosives detection canine team program be commended for 35 years of service and dedication to the safety and security of the citizens of the United States.

**SENATE CONCURRENT RESOLU-
TION 17—AUTHORIZING THE USE
OF CAPITOL GROUNDS FOR LIVE
EARTH CONCERT**

Mr. REID (for himself and Ms. SNOWE) submitted the following concurrent resolution; which was referred to the Committee on Rules and Administration:

S. CON. RES. 17

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. AUTHORIZATION OF USE OF CAPITOL GROUNDS FOR LIVE EARTH CONCERT.

(a) IN GENERAL.—The Live Earth organization and the Alliance for Climate Protection (in this resolution referred to as the "sponsors"), may sponsor the Live Earth Concert (in this resolution referred to as the "event") on the Capitol Grounds.

(b) DATE OF EVENT.—The event shall be held on July 7, 2007, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate jointly designate.

SEC. 2. TERMS AND CONDITIONS.

(a) IN GENERAL.—Under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board, the event shall be—

(1) free of admission charge and open to the public; and

(2) arranged not to interfere with the needs of Congress.

(b) EXPENSES AND LIABILITIES.—The sponsors shall assume full responsibility for all expenses and liabilities incident to all activities associated with the event.

SEC. 3. EVENT PREPARATIONS.

(a) **STRUCTURES AND EQUIPMENT.**—Subject to the approval of the Architect of the Capitol, the sponsors may cause to be placed on the Capitol grounds such stage, seating, booths, sound amplification and video devices, and other related structures and equipment as may be required for the event, including equipment for the broadcast of the event over radio, television, and other media outlets.

(b) **ADDITIONAL ARRANGEMENTS.**—The Architect of the Capitol and the Capitol Police Board may make any additional arrangements as may be required to carry out the event.

SEC. 4. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 4 of the Act of July 31, 1946 (40 U.S.C. 193d; 60 Stat. 718), concerning sales, displays, advertisements, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds in connection with the event.

SENATE CONCURRENT RESOLUTION 18—HONORING THE LIFE OF ERNEST GALLO

Mrs. FEINSTEIN (for herself and Mrs. BOXER) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 18

Whereas Ernest Gallo was born March 18, 1909, in Jackson, California, the son of Italian immigrants, graduated from Modesto High School in 1927, earned a degree from Modesto Junior College, and married Amelia Franzia, daughter of the founders of Franzia Winery, in 1931;

Whereas Ernest Gallo, with his brother Julio Gallo, founded E & J. Gallo Winery at the end of the Prohibition Era in 1933, with only \$5,900 in savings and a winemaking pamphlet from the Modesto Public Library;

Whereas the Gallo brothers took their small family-owned winery and turned it into the world's second largest winery by volume, selling an estimated 75,000,000 cases a year worldwide under approximately 100 different labels;

Whereas Ernest Gallo began his illustrious career at a young age, working in his parents' vineyard while attending Modesto High School and demonstrating his entrepreneurial spirit early in life by traveling at the age of 17 to complete his first business deal;

Whereas Ernest Gallo, demonstrating great vision, anticipated the growth of the wine industry and developed the first-of-its-kind vertically integrated company, with vineyards stretching across California, an on-site bottling plant, and an art department to design bottles and labels, changing the face of California's wine industry;

Whereas the Gallo Winery employs 4,600 people in the State of California, providing critical highly-skilled employment opportunities in the San Joaquin Valley and greatly contributing to the economic strength of the State;

Whereas Ernest Gallo and the Gallo Winery were bestowed countless awards for achievement in winemaking, including—

(1) in 1964, the American Society of Enologists Merit Award, the wine industry's highest honor, for outstanding leadership in the wine industry;

(2) the Gold Vine Award from the Brotherhood of the Knights of the Vine wine fraternity;

(3) the 1983 Distinguished Service Award from The Wine Spectator; and

(4) the Winery of the Year Award in both 1996 and 1998 by the San Francisco International Wine Competition; and

Whereas Ernest Gallo was widely known for his generous philanthropic work in the City of Modesto and throughout the state of California, including an endowment for the Gallo Center for the Arts in Modesto, the establishment of the Ernest Gallo Clinic and Research Center at the University of California at San Francisco for research into genetic, biochemical, and neurobiological aspects of alcohol abuse, and countless other healthcare and educational endeavors: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress honors the life of Ernest Gallo, a pioneer in the field of winemaking, dedicated philanthropist, and community leader.

AMENDMENTS SUBMITTED AND PROPOSED

SA 442. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 364 submitted by Mrs. HUTCHISON and intended to be proposed to the amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S. 4, to make the United States more secure by implementing unfinished recommendations of the 9/11 Commission to fight the war on terror more effectively, to improve homeland security, and for other purposes; which was ordered to lie on the table.

SA 443. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 411 submitted by Mr. LIEBERMAN (for himself and Mr. MCCAIN) and intended to be proposed to the amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S. 4, supra; which was ordered to lie on the table.

SA 444. Mr. SESSIONS submitted an amendment intended to be proposed to amendment SA 398 submitted by Mr. BINGAMAN (for himself, Mr. DOMENICI, and Ms. CANTWELL) and intended to be proposed to the amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S. 4, supra; which was ordered to lie on the table.

SA 445. Mr. SESSIONS submitted an amendment intended to be proposed to amendment SA 295 proposed by Ms. LANDRIEU to the amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S. 4, supra; which was ordered to lie on the table.

SA 446. Mr. ENSIGN submitted an amendment intended to be proposed to amendment SA 294 proposed by Mr. COBURN to the amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S. 4, supra; which was ordered to lie on the table.

SA 447. Mr. ENSIGN submitted an amendment intended to be proposed to amendment SA 321 proposed by Ms. LANDRIEU to the amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S. 4, supra; which was ordered to lie on the table.

SA 448. Mr. ENSIGN submitted an amendment intended to be proposed to amendment SA 337 submitted by Mr. SCHUMER (for himself and Mrs. CLINTON) to the amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S. 4, supra; which was ordered to lie on the table.

SA 449. Mr. ENSIGN submitted an amendment intended to be proposed to amendment SA 383 proposed by Mr. BIDEN to the amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S. 4, supra; which was ordered to lie on the table.

SA 450. Mr. ENSIGN submitted an amendment intended to be proposed to amendment SA 389 proposed by Mr. BOND (for himself, Mr. ROCKEFELLER, Mr. WARNER, and Mr. BURR) to the amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S. 4, supra; which was ordered to lie on the table.

SA 451. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 325 proposed by Mr. COBURN to the amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S. 4, supra; which was ordered to lie on the table.

SA 452. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 361 submitted by Mr. LIEBERMAN (for himself and Mr. MCCAIN) and intended to be proposed to the amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S. 4, supra; which was ordered to lie on the table.

SA 453. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 411 submitted by Mr. LIEBERMAN (for himself and Mr. MCCAIN) and intended to be proposed to the amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S. 4, supra; which was ordered to lie on the table.

SA 454. Mr. CARPER submitted an amendment intended to be proposed to amendment SA 325 proposed by Mr. COBURN to the amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S. 4, supra; which was ordered to lie on the table.

SA 455. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 4, supra; which was ordered to lie on the table.

SA 456. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill S. 4, supra; which was ordered to lie on the table.

SA 457. Mr. LIEBERMAN (for himself and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 4, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 442. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 364 submitted Mrs. HUTCHISON and intended to be proposed to the amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S. 4, to make the United States more secure by implementing unfinished recommendations of the 9/11 Commission to fight the war on terror more effectively, to improve homeland security, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. — ENHANCEMENT OF DOMESTIC NURSING SUPPLY

(a) **ENHANCEMENT OF DOMESTIC NURSING SUPPLY.**—

(1) Each employer who files a petition for one or more aliens to enter the United States to perform labor as a nurse for whom labor certification is required under INA §212(a)(5)(A) shall pay to the Secretary of Homeland Security a fee of \$1,500 for each alien for whom a petition is approved.

(2) There is established in the general fund of the Treasury a separate account which shall be known as the "Domestic Nursing Enhancement Account." Notwithstanding any other section of this title, there shall be

deposited as offsetting receipts into the account all fees collected under paragraph (1) above.

(3) GRANTS.—Part D of title VIII of the Public Health Service Act (42 U.S.C. 296p) is amended by adding at the end the following: **“SEC. 832. CAPITATION GRANTS.**

“(a) IN GENERAL.—For the purpose described in subsection (b), the Secretary, acting through the Health Resources and Services Administration, shall award a grant each fiscal year in an amount determined in accordance with subsection (c) to each eligible school of nursing that submits an application in accordance with this section.

“(b) PURPOSE.—A funding agreement for a grant under this section is that the eligible school of nursing involved will expend the grant to increase the number of nursing faculty and students at the school, including by hiring new faculty, retaining current faculty, purchasing educational equipment and audiovisual laboratories, enhancing clinical laboratories, repairing and expanding infrastructure, or recruiting students.

“(c) GRANT COMPUTATION.—

“(1) AMOUNT PER STUDENT.—Subject to paragraph (2), the amount of a grant to an eligible school of nursing under this section for a fiscal year shall be the total of the following:

“(A) \$1,800 for each full-time or part-time student who is enrolled at the school in a graduate program in nursing that—

“(i) leads to a master's degree, a doctoral degree, or an equivalent degree; and

“(ii) prepares individuals to serve as faculty through additional course work in education and ensuring competency in an advanced practice area.

“(B) \$1,405 for each full-time or part-time student who—

“(i) is enrolled at the school in a program in nursing leading to a bachelor of science degree, a bachelor of nursing degree, a graduate degree in nursing if such program does not meet the requirements of subparagraph (A), or an equivalent degree; and

“(ii) has not more than 3 years of academic credits remaining in the program.

“(C) \$966 for each full-time or part-time student who is enrolled at the school in a program in nursing leading to an associate degree in nursing or an equivalent degree.

“(2) LIMITATION.—In calculating the amount of a grant to a school under paragraph (1), the Secretary may not make a payment with respect to a particular student—

“(A) for more than 2 fiscal years in the case of a student described in paragraph (1)(A) who is enrolled in a graduate program in nursing leading to a master's degree or an equivalent degree;

“(B) for more than 4 fiscal years in the case of a student described in paragraph (1)(A) who is enrolled in a graduate program in nursing leading to a doctoral degree or an equivalent degree;

“(C) for more than 3 fiscal years in the case of a student described in paragraph (1)(B); or

“(D) for more than 2 fiscal years in the case of a student described in paragraph (1)(C).

“(d) ELIGIBILITY.—For purposes of this section, the term ‘eligible school of nursing’ means a school of nursing that—

“(1) is accredited by a nursing accrediting agency recognized by the Secretary of Education;

“(2) has a passage rate on the National Council Licensure Examination for Registered Nurses of not less than 80 percent for each of the 3 school years preceding submission of the grant application; and

“(3) has a graduation rate (based on the number of students in a class who graduate

relative to, for a baccalaureate program, the number of students who were enrolled in the class at the beginning of junior year or, for an associate degree program, the number of students who were enrolled in the class at the end of the first year) of not less than 80 percent for each of the 3 school years preceding submission of the grant application.

“(e) REQUIREMENTS.—The Secretary may award a grant under this section to an eligible school of nursing only if the school gives assurances satisfactory to the Secretary that, for each school year for which the grant is awarded, the school will comply with the following:

“(1) The school will maintain a passage rate on the National Council Licensure Examination for Registered Nurses of not less than 80 percent.

“(2) The school will maintain a graduation rate (as described in subsection (d)(3)) of not less than 80 percent.

“(3)(A) Subject to subparagraphs (B) and (C), the first-year enrollment of full-time nursing students in the school will exceed such enrollment for the preceding school year by 5 percent or 5 students, whichever is greater.

“(B) Subparagraph (A) does not apply to the first school year for which a school receives a grant under this section.

“(C) With respect to any school year, the Secretary may waive application of subparagraph (A) if—

“(i) the physical facilities at the school involved limit the school from enrolling additional students; or

“(ii) the school has increased enrollment in the school (as described in subparagraph (A)) for each of the 2 preceding school years.

“(4) Not later than 1 year after receipt of the grant, the school will formulate and implement a plan to accomplish at least 2 of the following:

“(A) Establishing or significantly expanding an accelerated baccalaureate degree nursing program designed to graduate new nurses in 12 to 18 months.

“(B) Establishing cooperative interdisciplinary education among schools of nursing with a view toward shared use of technological resources, including information technology.

“(C) Establishing cooperative interdisciplinary training between schools of nursing and schools of allied health, medicine, dentistry, osteopathy, optometry, podiatry, pharmacy, public health, or veterinary medicine, including training for the use of the interdisciplinary team approach to the delivery of health services.

“(D) Integrating core competencies on evidence-based practice, quality improvements, and patient-centered care.

“(E) Increasing admissions, enrollment, and retention of qualified individuals who are financially disadvantaged.

“(F) Increasing enrollment of minority and diverse student populations.

“(G) Increasing enrollment of new graduate baccalaureate nursing students in graduate programs that educate nurse faculty members.

“(H) Developing post-baccalaureate residency programs to prepare nurses for practice in specialty areas where nursing shortages are most severe.

“(I) Increasing integration of geriatric content into the core curriculum.

“(J) Partnering with economically disadvantaged communities to provide nursing education.

“(K) Expanding the ability of nurse managed health centers to provide clinical education training sites to nursing students.

“(5) The school will submit an annual report to the Secretary that includes updated information on the school with respect to

student enrollment, student retention, graduation rates, passage rates on the National Council Licensure Examination for Registered Nurses, the number of graduates employed as nursing faculty or nursing care providers within 12 months of graduation, and the number of students who are accepted into graduate programs for further nursing education.

“(6) The school will allow the Secretary to make on-site inspections, and will comply with the Secretary's requests for information, to determine the extent to which the school is complying with the requirements of this section.

“(f) REPORTS TO CONGRESS.—The Secretary shall evaluate the results of grants under this section and submit to the Congress—

“(1) not later than 18 months after the date of the enactment of this section, an interim report on such results; and

“(2) not later than the end of fiscal year 2017, a final report on such results.

“(g) APPLICATION.—To seek a grant under this section, a school of nursing shall submit an application to the Secretary at such time, in such manner, and containing such information and assurances as the Secretary may require.

“(h) FUNDING.—Amounts deposited into the Domestic Nursing Enhancement Account established by the Improving America's Security Act of 2007 shall remain available to the Secretary until expended for the costs of carrying out this section.

“(i) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—For any additional costs of carrying out this section, there are authorized to be appropriated such sums as may be necessary.

“(2) ADMINISTRATIVE COSTS.—For the costs of administering this section, including the costs of evaluating the results of grants and submitting reports to the Congress, there are authorized to be appropriated such sums as may be necessary.”.

SEC. 317A. GLOBAL HEALTHCARE COOPERATION.

(a) GLOBAL HEALTHCARE COOPERATION.—Title III of the Immigration and Nationality Act (8 U.S.C. 1401 et seq.) is amended by inserting after section 317 the following:

“SEC. 317A. TEMPORARY ABSENCE OF ALIENS PROVIDING HEALTHCARE IN DEVELOPING COUNTRIES.

“(a) IN GENERAL.—Notwithstanding any other provision of this Act, the Secretary of Homeland Security shall allow an eligible alien and the spouse or child of such alien to reside in a candidate country during the period that the eligible alien is working as a physician or other healthcare worker in a candidate country. During such period the eligible alien and such spouse or child shall be considered—

“(1) to be physically present and residing in the United States for purposes of naturalization under section 316(a); and

“(2) to meet the continuous residency requirements under section 316(b).

“(b) DEFINITIONS.—In this section:

“(I) CANDIDATE COUNTRY.—The term ‘candidate country’ means a country that the Secretary of State determines is—

“(A) eligible for assistance from the International Development Association, in which the per capita income of the country is equal to or less than the historical ceiling of the International Development Association for the applicable fiscal year, as defined by the International Bank for Reconstruction and Development;

“(B) classified as a lower middle income country in the then most recent edition of the World Development Report for Reconstruction and Development published by the International Bank for Reconstruction and Development and having an income greater

than the historical ceiling for International Development Association eligibility for the applicable fiscal year; or

“(C) qualifies to be a candidate country due to special circumstances, including natural disasters or public health emergencies.

“(2) ELIGIBLE ALIEN.—The term ‘eligible alien’ means an alien who—

“(A) has been lawfully admitted to the United States for permanent residence; and

“(B) is a physician or other healthcare worker.

“(c) CONSULTATION.—The Secretary of Homeland Security shall consult with the Secretary of State in carrying out this subsection.

“(d) PUBLICATION.—The Secretary of State shall publish—

“(1) not later than 6 months after the date of the enactment of this Act, and annually thereafter, a list of candidate countries; and

“(2) an immediate amendment to such list at any time to include any country that qualifies as a candidate country due to special circumstances under subsection (b)(1)(C).”.

(b) RULEMAKING.—

(1) REQUIREMENT.—Not later than 6 months after the date of the enactment of this Act, the Secretary shall promulgate regulations to carry out the amendments made by this section.

(2) CONTENT.—The regulations required by paragraph (1) shall—

(A) permit an eligible alien (as defined in section 317A of the Immigration and Nationality Act, as added by subsection (a)) and the spouse or child of the eligible alien to reside in a foreign country to work as a physician or other healthcare worker as described in subsection (a) of such section 317A for not less than a 12-month period and not more than a 24-month period, and shall permit the Secretary to extend such period for an additional period not to exceed 12 months, if the Secretary determines that such country has a continuing need for such a physician or other healthcare worker;

(B) provide for the issuance of documents by the Secretary to such eligible alien, and such spouse or child, if appropriate, to demonstrate that such eligible alien, and such spouse or child, if appropriate, is authorized to reside in such country under such section 317A; and

(C) provide for an expedited process through which the Secretary shall review applications for such an eligible alien to reside in a foreign country pursuant to subsection (a) of such section 317A if the Secretary of State determines a country is a candidate country pursuant to subsection (b)(1)(C) of such section 317A.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—The Immigration and Nationality Act is amended as follows:

(1) Section 101(a)(13)(C)(ii) (8 U.S.C. 1101(a)(13)(C)(ii)) is amended by adding at the end “except in the case of an eligible alien, or the spouse or child of such alien, authorized to be absent from the United States pursuant to section 317A”.

(2) Section 211 (b) (8 U.S.C. 1181 (b)) is amended by inserting, “including an eligible alien authorized to reside in a foreign country pursuant to section 317A and the spouse or child of such eligible alien, if appropriate, after 101(a)(27)(A).”.

(3) Section 212(a)(7)(A)(i)(I) (8 U.S.C. 1182(a)(7)(A)(i)(I)) is amended by inserting “other than an eligible alien authorized to reside in a foreign country pursuant to section 317A and the spouse or child of such eligible alien, if appropriate,” after “Act.”.

(4) Section 319(b)(1)(B) (8 U.S.C. 1430(b)(1)(B)) is amended by inserting “an eligible alien who is residing or has resided in a foreign country pursuant to section 317A” before “and” at the end.

(5) The table of contents is amended by inserting after the item relating to section 317 the following:

“SEC. 317A. Temporary absence of aliens providing healthcare in developing countries.”.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Bureau of Citizenship and Immigration Services such sums as may be necessary to carry out this section and the amendments made by this section.

SEC. ____ . ATTESTATION BY HEALTHCARE WORKERS.

(a) REQUIREMENT FOR ATTESTATION.—Section 212(a)(5) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(5)) is amended by adding at the end the following new subparagraph:

“(E) HEALTHCARE WORKERS WITH OTHER OBLIGATIONS.—

“(i) IN GENERAL.—An alien who seeks to enter the United States for the purpose of performing labor as a physician or other healthcare worker is inadmissible unless the alien submits to the Secretary of Homeland Security or the Secretary of State, as appropriate, an attestation that the alien is not seeking to enter the United States for such purpose during any period in which the alien has an outstanding obligation to the government of the alien’s country of origin or the alien’s country of residence.

“(ii) OBLIGATION DEFINED.—In this subparagraph, the term ‘obligation’ means an obligation incurred as part of a valid, voluntary individual agreement in which the alien received financial assistance to defray the costs of education or training to qualify as a physician or other healthcare worker in consideration for a commitment to work as a physician or other healthcare worker in the alien’s country of origin or the alien’s country of residence.

“(iii) WAIVER.—The Secretary of Homeland Security may waive a finding of inadmissibility under clause (i) if the Secretary determines that—

“(I) the obligation was incurred by coercion or other improper means;

“(II) the alien and the government of the country to which the alien has an outstanding obligation have reached a valid, voluntary agreement, pursuant to which the alien’s obligation has been deemed satisfied, or the alien has shown to the satisfaction of the Secretary that the alien has been unable to reach such an agreement because of coercion or other improper means; or

“(III) the obligation should not be enforced due to other extraordinary circumstances, including undue hardship that would be suffered by the alien in the absence of a waiver.”.

(b) EFFECTIVE DATE AND APPLICATION.—

(1) EFFECTIVE DATE.—The amendment made by subsection (a) shall become effective 180 days after the date of the enactment of this Act.

(2) APPLICATION BY THE SECRETARY.—The Secretary shall begin to carry out the subparagraph (E) of section 212(a)(5) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(5)), as added by subsection (a), not later than the effective date described in paragraph (1), including the requirement for the attestation and the granting of a waiver described in such subparagraph, regardless of whether regulations to implement such subparagraph have been promulgated.

SA 443. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 411 submitted by Mr. LIEBERMAN (for himself and Mr. MCCAIN) and intended to be proposed to the amendment SA 275 proposed by Mr.

REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S. 4, to make the United States more secure by implementing unfinished recommendations of the 9/11 Commission to fight the war on terror more effectively, to improve homeland security, and for other purposes; which was ordered to lie on the table; as follows:

On page 7 of the matter proposed, between lines 9 and 10, insert the following:

(c) EXCEPTION.—A Democracy Fellow may not be assigned to any congressional office until the Secretary of Defense certifies to the Committee on Armed Services and the Committee on Foreign Relations of the Senate and the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives that the request of the Commander of the United States Central Command for the Department of State for personnel and foreign service officers has been fulfilled.

SEC. 1612A. TRANSPARENCY OF UNITED STATES BROADCASTING TO ASSIST IN OVERSIGHT AND ENSURE PROMOTION OF HUMAN RIGHTS AND DEMOCRACY IN INTERNATIONAL BROADCASTS.

(a) TRANSCRIPTS.—The Broadcasting Board of Governors shall transcribe into English all original broadcasting content.

(b) PUBLIC TRANSPARENCY.—The Broadcasting Board of Governors shall post all English transcripts from its broadcasting content on a publicly available website within 30 days of the original broadcast.

(c) DEFINITIONS.—In this section, the term “broadcasting content” includes programming produced or broadcast by United States international broadcasters including the following:

- (1) Voice of America.
- (2) Alhurra.
- (3) Radio Sawa.
- (4) Radio Farda.
- (5) Radio Free Europe/Radio Liberty.
- (6) Radio Free Asia.
- (7) The Office of Cuba Broadcasting.

SA 444. Mr. SESSIONS submitted an amendment intended to be proposed to amendment SA 398 submitted by Mr. BINGAMAN (for himself, Mr. DOMENICI, and Ms. CANTWELL) and intended to be proposed to the amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S. 4, to make the United States more secure by implementing unfinished recommendations of the 9/11 Commission to fight the war on terror more effectively, to improve homeland security, and for other purposes; which was ordered to lie on the table; as follows:

On page 8, strike lines 8 through 13 and insert the following:

SEC. ____ . LAW ENFORCEMENT AUTHORITY OF STATES AND POLITICAL SUBDIVISIONS OF STATES.

(a) AUTHORITY.—Notwithstanding any other provision of law, law enforcement personnel of a State, or a political subdivision of a State, have the inherent authority of a sovereign entity to investigate, apprehend, arrest, detain, or transfer to Federal custody (including the transportation across State lines to detention centers) an alien for the purpose of assisting in the enforcement of the immigration laws of the United States in the normal course of carrying out the law enforcement duties of such personnel. This State authority has never been displaced or preempted by a Federal law.

(b) CONSTRUCTION.—Nothing in this section shall be construed to require law enforcement personnel of a State or a political subdivision to assist in the enforcement of the immigration laws of the United States.

SEC. ____ . LISTING OF IMMIGRATION VIOLATORS IN THE NATIONAL CRIME INFORMATION CENTER DATABASE.

(a) PROVISION OF INFORMATION TO THE NATIONAL CRIME INFORMATION CENTER.—

(1) IN GENERAL.—Except as provided in paragraph (3), not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall provide to the head of the National Crime Information Center of the Department of Justice the information that the Secretary has or maintains related to any alien—

(A) against whom a final order of removal has been issued;

(B) who enters into a voluntary departure agreement, or is granted voluntary departure by an immigration judge, whose period for departure has expired under subsection (a)(2) of section 240B of the Immigration and Nationality Act (8 U.S.C. 1229c), subsection (b)(2) of such section 240B, or who has violated a condition of a voluntary departure agreement under such section 240B;

(C) whom a Federal immigration officer has confirmed to be unlawfully present in the United States; or

(D) whose visa has been revoked.

(2) REMOVAL OF INFORMATION.—The head of the National Crime Information Center should promptly remove any information provided by the Secretary under paragraph (1) related to an alien who is granted lawful authority to enter or remain legally in the United States.

(3) PROCEDURE FOR REMOVAL OF ERRONEOUS INFORMATION.—The Secretary, in consultation with the head of the National Crime Information Center of the Department of Justice, shall develop and implement a procedure by which an alien may petition the Secretary or head of the National Crime Information Center, as appropriate, to remove any erroneous information provided by the Secretary under paragraph (1) related to such alien. Under such procedures, failure by the alien to receive notice of a violation of the immigration laws shall not constitute cause for removing information provided by the Secretary under paragraph (1) related to such alien, unless such information is erroneous. Notwithstanding the 180-day time period set forth in paragraph (1), the Secretary shall not provide the information required under paragraph (1) until the procedures required by this paragraph are developed and implemented.

(b) INCLUSION OF INFORMATION IN THE NATIONAL CRIME INFORMATION CENTER DATABASE.—Section 534(a) of title 28, United States Code, is amended—

(1) in paragraph (3), by striking “and” at the end;

(2) by redesignating paragraph (4) as paragraph (5); and

(3) by inserting after paragraph (3) the following new paragraph:

“(4) acquire, collect, classify, and preserve records of violations of the immigration laws of the United States; and”.

SA 445. Mr. SESSIONS submitted an amendment intended to be proposed to amendment SA 295 proposed by Ms. LANDRIEU to the amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S. 4, to make the United States more secure by implementing unfinished recommendations of the 9/11 Commission to fight the war on terror more effectively, to improve homeland

security, and for other purposes; which was ordered to lie on the table; as follows:

On page 1, line 2, strike “**FEDERAL SHARE**” and all that follows through the end of the amendment and insert the following: **EMERGENCY AND MAJOR DISASTER FRAUD PENALTIES.**

(a) FRAUD IN CONNECTION WITH MAJOR DISASTER OR EMERGENCY BENEFITS.—

(1) IN GENERAL.—Chapter 47 of title 18, United States Code, is amended by adding at the end the following:

“§ 1040. Fraud in connection with major disaster or emergency benefits

“(a) Whoever, in a circumstance described in subsection (b) of this section, knowingly—

“(1) falsifies, conceals, or covers up by any trick, scheme, or device any material fact; or

“(2) makes any materially false, fictitious, or fraudulent statement or representation, or makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or representation,

in any matter involving any benefit authorized, transported, transmitted, transferred, disbursed, or paid in connection with a major disaster declaration under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) or an emergency declaration under section 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5191), or in connection with any procurement of property or services related to any emergency or major disaster declaration as a prime contractor with the United States or as a subcontractor or supplier on a contract in which there is a prime contract with the United States, shall be fined under this title, imprisoned not more than 30 years, or both.

“(b) A circumstance described in this subsection is any instance where—

“(1) the authorization, transportation, transmission, transfer, disbursement, or payment of the benefit is in or affects interstate or foreign commerce;

“(2) the benefit is transported in the mail at any point in the authorization, transportation, transmission, transfer, disbursement, or payment of that benefit; or

“(3) the benefit is a record, voucher, payment, money, or thing of value of the United States, or of any department or agency thereof.

“(c) In this section, the term ‘benefit’ means any record, voucher, payment, money or thing of value, good, service, right, or privilege provided by the United States, a State or local government, or other entity.”.

(2) CLERICAL AMENDMENT.—The table of sections for chapter 47 of title 18, United States Code, is amended by adding at the end the following new item:

“1040. Fraud in connection with major disaster or emergency benefits.”.

(b) INCREASED CRIMINAL PENALTIES FOR ENGAGING IN WIRE, RADIO, AND TELEVISION FRAUD DURING AND RELATION TO A PRESIDENTIALLY DECLARED MAJOR DISASTER OR EMERGENCY.—Section 1343 of title 18, United States Code, is amended by inserting: “occurs in relation to, or involving any benefit authorized, transported, transmitted, transferred, disbursed, or paid in connection with, a presidentially declared major disaster or emergency (as those terms are defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)), or” after “If the violation”.

(c) INCREASED CRIMINAL PENALTIES FOR ENGAGING IN MAIL FRAUD DURING AND RELATION TO A PRESIDENTIALLY DECLARED MAJOR DISASTER OR EMERGENCY.—Section 1341 of title

18, United States Code, is amended by inserting: “occurs in relation to, or involving any benefit authorized, transported, transmitted, transferred, disbursed, or paid in connection with, a presidentially declared major disaster or emergency (as those terms are defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)), or” after “If the violation”.

(d) DIRECTIVE TO SENTENCING COMMISSION.—

(1) IN GENERAL.—Pursuant to its authority under section 994(p) of title 28, United States Code, and in accordance with this subsection, the United States Sentencing Commission forthwith shall—

(A) promulgate sentencing guidelines or amend existing sentencing guidelines to provide for increased penalties for persons convicted of fraud or theft offenses in connection with a major disaster declaration under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) or an emergency declaration under section 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5191); and

(B) submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives an explanation of actions taken by the Commission pursuant to subparagraph (A) and any additional policy recommendations the Commission may have for combating offenses described in that subparagraph.

(2) REQUIREMENTS.—In carrying out this subsection, the Sentencing Commission shall—

(A) ensure that the sentencing guidelines and policy statements reflect the serious nature of the offenses described in paragraph (1) and the need for aggressive and appropriate law enforcement action to prevent such offenses;

(B) assure reasonable consistency with other relevant directives and with other guidelines;

(C) account for any aggravating or mitigating circumstances that might justify exceptions, including circumstances for which the sentencing guidelines currently provide sentencing enhancements;

(D) make any necessary conforming changes to the sentencing guidelines; and

(E) assure that the guidelines adequately meet the purposes of sentencing as set forth in section 3553(a)(2) of title 18, United States Code.

(3) EMERGENCY AUTHORITY AND DEADLINE FOR COMMISSION ACTION.—The Commission shall promulgate the guidelines or amendments provided for under this subsection as soon as practicable, and in any event not later than the 30 days after the date of enactment of this Act, in accordance with the procedures set forth in section 21(a) of the Sentencing Reform Act of 1987, as though the authority under that Act had not expired.

SA 446. Mr. ENSIGN submitted an amendment intended to be proposed to amendment SA 294 proposed by Mr. COBURN to the amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S. 4, to make the United States more secure by implementing unfinished recommendations of the 9/11 Commission to fight the war on terror more effectively, to improve homeland security, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 15. LAW ENFORCEMENT ASSISTANCE FORCE.

(a) **ESTABLISHMENT.**—The Secretary shall establish a Law Enforcement Assistance Force to facilitate the contributions of retired law enforcement officers and agents during major disasters.

(b) **ELIGIBLE PARTICIPANTS.**—An individual may participate in the Law Enforcement Assistance Force if that individual—

(1) has experience working as an officer or agent for a public law enforcement agency and left that agency in good standing;

(2) holds current certifications for firearms, first aid, and such other skills determined necessary by the Secretary;

(3) submits to the Secretary an application, at such time, in such manner, and accompanied by such information as the Secretary may reasonably require, that authorizes the Secretary to review the law enforcement service record of that individual; and

(4) meets such other qualifications as the Secretary may require.

(c) **LIABILITY; SUPERVISION.**—Each eligible participant shall, upon acceptance of an assignment under this section—

(A) be detailed to a Federal, State, or local government law enforcement agency; and

(B) work under the direct supervision of an officer or agent of that agency.

(d) **MOBILIZATION.**—

(1) **IN GENERAL.**—In the event of a major disaster, the Secretary, after consultation with appropriate Federal, State, and local government law enforcement agencies, may request eligible participants to volunteer to assist the efforts of those agencies responding to such emergency and assign each willing participant to a specific law enforcement agency.

(2) **ACCEPTANCE.**—If the eligible participant accepts an assignment under this subsection, that eligible participant shall agree to remain in such assignment for a period equal to not less than the shorter of—

(A) the period during which the law enforcement agency needs the services of such participant;

(B) 30 days;

(C) such other period of time agreed to between the Secretary and the eligible participant.

(3) **REFUSAL.**—An eligible participant may refuse an assignment under this subsection without any adverse consequences.

(e) **EXPENSES.**—

(1) **IN GENERAL.**—Each eligible participant shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while carrying out an assignment under subsection (d).

(2) **SOURCE OF FUNDS.**—Expenses incurred under paragraph (1) shall be paid from amounts appropriated to the Federal Emergency Management Agency.

(f) **TERMINATION OF ASSISTANCE.**—The availability of eligible participants of the Law Enforcement Assistance Force shall continue for a period equal to the shorter of—

(1) the period of the major disaster; or

(2) 1 year.

(g) **DEFINITIONS.**—In this section—

(1) the term “eligible participant” means an individual participating in the Law Enforcement Assistance Force;

(2) the term “Law Enforcement Assistance Force” means the Law Enforcement Assistance Force established under subsection (a); and

(3) the term “major disaster” has the meaning given that term in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

(h) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated such

sums as may be necessary to carry out this section.

SA 447. Mr. ENSIGN submitted an amendment intended to be proposed to amendment SA 321 proposed by Ms. LANDRIEU to the amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S. 4, to make the United States more secure by implementing unfinished recommendations of the 9/11 Commission to fight the war on terror more effectively, to improve homeland security, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 15. LAW ENFORCEMENT ASSISTANCE FORCE.

(a) **ESTABLISHMENT.**—The Secretary shall establish a Law Enforcement Assistance Force to facilitate the contributions of retired law enforcement officers and agents during major disasters.

(b) **ELIGIBLE PARTICIPANTS.**—An individual may participate in the Law Enforcement Assistance Force if that individual—

(1) has experience working as an officer or agent for a public law enforcement agency and left that agency in good standing;

(2) holds current certifications for firearms, first aid, and such other skills determined necessary by the Secretary;

(3) submits to the Secretary an application, at such time, in such manner, and accompanied by such information as the Secretary may reasonably require, that authorizes the Secretary to review the law enforcement service record of that individual; and

(4) meets such other qualifications as the Secretary may require.

(c) **LIABILITY; SUPERVISION.**—Each eligible participant shall, upon acceptance of an assignment under this section—

(A) be detailed to a Federal, State, or local government law enforcement agency; and

(B) work under the direct supervision of an officer or agent of that agency.

(d) **MOBILIZATION.**—

(1) **IN GENERAL.**—In the event of a major disaster, the Secretary, after consultation with appropriate Federal, State, and local government law enforcement agencies, may request eligible participants to volunteer to assist the efforts of those agencies responding to such emergency and assign each willing participant to a specific law enforcement agency.

(2) **ACCEPTANCE.**—If the eligible participant accepts an assignment under this subsection, that eligible participant shall agree to remain in such assignment for a period equal to not less than the shorter of—

(A) the period during which the law enforcement agency needs the services of such participant;

(B) 30 days;

(C) such other period of time agreed to between the Secretary and the eligible participant.

(3) **REFUSAL.**—An eligible participant may refuse an assignment under this subsection without any adverse consequences.

(e) **EXPENSES.**—

(1) **IN GENERAL.**—Each eligible participant shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while carrying out an assignment under subsection (d).

(2) **SOURCE OF FUNDS.**—Expenses incurred under paragraph (1) shall be paid from amounts appropriated to the Federal Emergency Management Agency.

(f) **TERMINATION OF ASSISTANCE.**—The availability of eligible participants of the Law Enforcement Assistance Force shall continue for a period equal to the shorter of—

(1) the period of the major disaster; or

(2) 1 year.

(g) **DEFINITIONS.**—In this section—

(1) the term “eligible participant” means an individual participating in the Law Enforcement Assistance Force;

(2) the term “Law Enforcement Assistance Force” means the Law Enforcement Assistance Force established under subsection (a); and

(3) the term “major disaster” has the meaning given that term in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

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

SA 448. Mr. ENSIGN submitted an amendment intended to be proposed to amendment SA 337 submitted by Mr. SCHUMER (for himself and Mrs. CLINTON) to the amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S. 4, to make the United States more secure by implementing unfinished recommendations of the 9/11 Commission to fight the war on terror more effectively, to improve homeland security, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 15. LAW ENFORCEMENT ASSISTANCE FORCE.

(a) **ESTABLISHMENT.**—The Secretary shall establish a Law Enforcement Assistance Force to facilitate the contributions of retired law enforcement officers and agents during major disasters.

(b) **ELIGIBLE PARTICIPANTS.**—An individual may participate in the Law Enforcement Assistance Force if that individual—

(1) has experience working as an officer or agent for a public law enforcement agency and left that agency in good standing;

(2) holds current certifications for firearms, first aid, and such other skills determined necessary by the Secretary;

(3) submits to the Secretary an application, at such time, in such manner, and accompanied by such information as the Secretary may reasonably require, that authorizes the Secretary to review the law enforcement service record of that individual; and

(4) meets such other qualifications as the Secretary may require.

(c) **LIABILITY; SUPERVISION.**—Each eligible participant shall, upon acceptance of an assignment under this section—

(A) be detailed to a Federal, State, or local government law enforcement agency; and

(B) work under the direct supervision of an officer or agent of that agency.

(d) **MOBILIZATION.**—

(1) **IN GENERAL.**—In the event of a major disaster, the Secretary, after consultation with appropriate Federal, State, and local government law enforcement agencies, may request eligible participants to volunteer to assist the efforts of those agencies responding to such emergency and assign each willing participant to a specific law enforcement agency.

(2) **ACCEPTANCE.**—If the eligible participant accepts an assignment under this subsection, that eligible participant shall agree to remain in such assignment for a period equal to not less than the shorter of—

(A) the period during which the law enforcement agency needs the services of such participant;

(B) 30 days; or

(C) such other period of time agreed to between the Secretary and the eligible participant.

(3) REFUSAL.—An eligible participant may refuse an assignment under this subsection without any adverse consequences.

(e) EXPENSES.—

(1) IN GENERAL.—Each eligible participant shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while carrying out an assignment under subsection (d).

(2) SOURCE OF FUNDS.—Expenses incurred under paragraph (1) shall be paid from amounts appropriated to the Federal Emergency Management Agency.

(f) TERMINATION OF ASSISTANCE.—The availability of eligible participants of the Law Enforcement Assistance Force shall continue for a period equal to the shorter of—

(1) the period of the major disaster; or

(2) 1 year.

(g) DEFINITIONS.—In this section—

(1) the term “eligible participant” means an individual participating in the Law Enforcement Assistance Force;

(2) the term “Law Enforcement Assistance Force” means the Law Enforcement Assistance Force established under subsection (a); and

(3) the term “major disaster” has the meaning given that term in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

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

SA 449. Mr. ENSIGN submitted an amendment intended to be proposed to amendment SA 383 proposed by Mr. BIDEN to the amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S. 4, to make the United States more secure by implementing unfinished recommendations of the 9/11 Commission to fight the war on terror more effectively, to improve homeland security, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 15. LAW ENFORCEMENT ASSISTANCE FORCE.

(a) ESTABLISHMENT.—The Secretary shall establish a Law Enforcement Assistance Force to facilitate the contributions of retired law enforcement officers and agents during major disasters.

(b) ELIGIBLE PARTICIPANTS.—An individual may participate in the Law Enforcement Assistance Force if that individual—

(1) has experience working as an officer or agent for a public law enforcement agency and left that agency in good standing;

(2) holds current certifications for firearms, first aid, and such other skills determined necessary by the Secretary;

(3) submits to the Secretary an application, at such time, in such manner, and accompanied by such information as the Secretary may reasonably require, that authorizes the Secretary to review the law enforcement service record of that individual; and

(4) meets such other qualifications as the Secretary may require.

(c) LIABILITY; SUPERVISION.—Each eligible participant shall, upon acceptance of an assignment under this section—

(A) be detailed to a Federal, State, or local government law enforcement agency; and

(B) work under the direct supervision of an officer or agent of that agency.

(d) MOBILIZATION.—

(1) IN GENERAL.—In the event of a major disaster, the Secretary, after consultation with appropriate Federal, State, and local government law enforcement agencies, may request eligible participants to volunteer to assist the efforts of those agencies responding to such emergency and assign each willing participant to a specific law enforcement agency.

(2) ACCEPTANCE.—If the eligible participant accepts an assignment under this subsection, that eligible participant shall agree to remain in such assignment for a period equal to not less than the shorter of—

(A) the period during which the law enforcement agency needs the services of such participant;

(B) 30 days; or

(C) such other period of time agreed to between the Secretary and the eligible participant.

(3) REFUSAL.—An eligible participant may refuse an assignment under this subsection without any adverse consequences.

(e) EXPENSES.—

(1) IN GENERAL.—Each eligible participant shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while carrying out an assignment under subsection (d).

(2) SOURCE OF FUNDS.—Expenses incurred under paragraph (1) shall be paid from amounts appropriated to the Federal Emergency Management Agency.

(f) TERMINATION OF ASSISTANCE.—The availability of eligible participants of the Law Enforcement Assistance Force shall continue for a period equal to the shorter of—

(1) the period of the major disaster; or

(2) 1 year.

(g) DEFINITIONS.—In this section—

(1) the term “eligible participant” means an individual participating in the Law Enforcement Assistance Force;

(2) the term “Law Enforcement Assistance Force” means the Law Enforcement Assistance Force established under subsection (a); and

(3) the term “major disaster” has the meaning given that term in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

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

SA 450. Mr. ENSIGN submitted an amendment intended to be proposed to amendment SA 389 proposed by Mr. BOND (for himself, Mr. ROCKEFELLER, Mr. WARNER, and Mr. BURR) to the amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S. 4, to make the United States more secure by implementing unfinished recommendations of the 9/11 Commission to fight the war on terror more effectively, to improve homeland security, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 15. LAW ENFORCEMENT ASSISTANCE FORCE.

(a) ESTABLISHMENT.—The Secretary shall establish a Law Enforcement Assistance Force to facilitate the contributions of retired law enforcement officers and agents during major disasters.

(b) ELIGIBLE PARTICIPANTS.—An individual may participate in the Law Enforcement Assistance Force if that individual—

(1) has experience working as an officer or agent for a public law enforcement agency and left that agency in good standing;

(2) holds current certifications for firearms, first aid, and such other skills determined necessary by the Secretary;

(3) submits to the Secretary an application, at such time, in such manner, and accompanied by such information as the Secretary may reasonably require, that authorizes the Secretary to review the law enforcement service record of that individual; and

(4) meets such other qualifications as the Secretary may require.

(c) LIABILITY; SUPERVISION.—Each eligible participant shall, upon acceptance of an assignment under this section—

(A) be detailed to a Federal, State, or local government law enforcement agency; and

(B) work under the direct supervision of an officer or agent of that agency.

(d) MOBILIZATION.—

(1) IN GENERAL.—In the event of a major disaster, the Secretary, after consultation with appropriate Federal, State, and local government law enforcement agencies, may request eligible participants to volunteer to assist the efforts of those agencies responding to such emergency and assign each willing participant to a specific law enforcement agency.

(2) ACCEPTANCE.—If the eligible participant accepts an assignment under this subsection, that eligible participant shall agree to remain in such assignment for a period equal to not less than the shorter of—

(A) the period during which the law enforcement agency needs the services of such participant;

(B) 30 days; or

(C) such other period of time agreed to between the Secretary and the eligible participant.

(3) REFUSAL.—An eligible participant may refuse an assignment under this subsection without any adverse consequences.

(e) EXPENSES.—

(1) IN GENERAL.—Each eligible participant shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while carrying out an assignment under subsection (d).

(2) SOURCE OF FUNDS.—Expenses incurred under paragraph (1) shall be paid from amounts appropriated to the Federal Emergency Management Agency.

(f) TERMINATION OF ASSISTANCE.—The availability of eligible participants of the Law Enforcement Assistance Force shall continue for a period equal to the shorter of—

(1) the period of the major disaster; or

(2) 1 year.

(g) DEFINITIONS.—In this section—

(1) the term “eligible participant” means an individual participating in the Law Enforcement Assistance Force;

(2) the term “Law Enforcement Assistance Force” means the Law Enforcement Assistance Force established under subsection (a); and

(3) the term “major disaster” has the meaning given that term in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such

sums as may be necessary to carry out this section.

SA 451. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 325 proposed by Mr. COBURN to the amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S. 4, to make the United States more secure by implementing unfinished recommendations of the 9/11 Commission to fight the war on terror more effectively, to improve homeland security, and for other purposes; which was ordered to lie on the table; as follows:

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

(b) **REQUIREMENT FOR COMPLIANCE CERTIFICATION AND REPORT.**—

(1) **IN GENERAL.**—Except for grants under section 1809 of the Homeland Security Act of 2002, as added by this Act, the Secretary shall not award any grants or distribute any grant funds on or after October 1, 2008, under any grant program under this Act or an amendment made by this Act, until the Secretary submits a report to the appropriate committees that—

(A) contains a certification that the Department has, for each program and activity of the Department (except for the grant program under section 1809 of the Homeland Security Act of 2002, as added by this Act), performed and completed a risk assessment to determine programs and activities that are at significant risk of making improper payments; and

(B) for each program and activity of the Department, describes the actions to be taken to achieve compliance with the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note), including benchmarks and an estimated date of such compliance.

(2) **ESTIMATES OF IMPROPER PAYMENTS.**—The Secretary shall not award any grants or distribute any grant funds on or after October 1, 2010, under any grant program under this Act or an amendment made by this Act, until the Secretary submits a report to the appropriate committees that contains a certification that the Department has, for each program and activity of the Department, estimated the total number of improper payments for each program and activity determined to be at significant risk of making improper payments.

SA 452. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 361 submitted by Mr. LIEBERMAN (for himself and Mr. MCCAIN) and intended to be proposed to the amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S. 4, to make the United States more secure by implementing unfinished recommendations of the 9/11 Commission to fight the war on terror more effectively, to improve homeland security, and for other purposes; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

TITLE XVI—ADVANCEMENT OF DEMOCRATIC VALUES

SECTION 1601. SHORT TITLE.

This title may be cited as the “Advance Democratic Values, Address Non-democratic Countries, and Enhance Democracy Act of 2007” or the “ADVANCE Democracy Act of 2007”.

SEC. 1602. FINDINGS.

Congress finds that in order to support the expansion of freedom and democracy in the world, the foreign policy of the United States should be organized in support of transformational diplomacy that seeks to work through partnerships to build and sustain democratic, well-governed states that will respect human rights and respond to the needs of their people and conduct themselves responsibly in the international system.

SEC. 1603. STATEMENT OF POLICY.

It should be the policy of the United States—

(1) to promote freedom and democracy in foreign countries as a fundamental component of the foreign policy of the United States;

(2) to affirm internationally recognized human rights standards and norms and to condemn offenses against those rights;

(3) to use instruments of United States influence to support, promote, and strengthen democratic principles, practices, and values, including the right to free, fair, and open elections, secret balloting, and universal suffrage;

(4) to protect and promote fundamental freedoms and rights, including the freedom of association, of expression, of the press, and of religion, and the right to own private property;

(5) to protect and promote respect for and adherence to the rule of law;

(6) to provide appropriate support to nongovernmental organizations working to promote freedom and democracy;

(7) to provide political, economic, and other support to countries that are willingly undertaking a transition to democracy;

(8) to commit to the long-term challenge of promoting universal democracy; and

(9) to strengthen alliances and relationships with other democratic countries in order to better promote and defend shared values and ideals.

SEC. 1604. DEFINITIONS.

In this title:

(1) **ANNUAL REPORT ON ADVANCING FREEDOM AND DEMOCRACY.**—The term “Annual Report on Advancing Freedom and Democracy” refers to the annual report submitted to Congress by the Department of State pursuant to section 665(c) of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107-228; 22 U.S.C. 2151n note), in which the Department reports on actions taken by the United States Government to encourage respect for human rights and democracy.

(2) **ASSISTANT SECRETARY.**—The term “Assistant Secretary” means the Assistant Secretary of State for Democracy, Human Rights, and Labor.

(3) **COMMUNITY OF DEMOCRACIES AND COMMUNITY.**—The terms “Community of Democracies” and “Community” mean the association of democratic countries committed to the global promotion of democratic principles, practices, and values, which held its First Ministerial Conference in Warsaw, Poland, in June 2000.

(4) **DEPARTMENT.**—The term “Department” means the Department of State.

(5) **UNDER SECRETARY.**—The term “Under Secretary” means the Under Secretary of State for Democracy and Global Affairs.

Subtitle A—Liaison Officers and Fellowship Program to Enhance the Promotion of Democracy

SEC. 1611. DEMOCRACY LIAISON OFFICERS.

(a) **IN GENERAL.**—The Secretary of State shall establish and staff Democracy Liaison Officer positions, under the supervision of the Assistant Secretary, who may be assigned to the following posts:

(1) United States missions to, or liaison with, regional and multilateral organiza-

tions, including the United States missions to the European Union, African Union, Organization of American States and any other appropriate regional organization, Organization for Security and Cooperation in Europe, the United Nations and its relevant specialized agencies, and the North Atlantic Treaty Organization.

(2) Regional public diplomacy centers of the Department.

(3) United States combatant commands.

(4) Other posts as designated by the Secretary of State.

(b) **RESPONSIBILITIES.**—Each Democracy Liaison Officer should—

(1) provide expertise on effective approaches to promote and build democracy;

(2) assist in formulating and implementing strategies for transitions to democracy; and

(3) carry out other responsibilities as the Secretary of State and the Assistant Secretary may assign.

(c) **NEW POSITIONS.**—The Democracy Liaison Officer positions established under subsection (a) should be new positions that are in addition to existing officer positions with responsibility for other human rights and democracy related issues and programs.

(d) **RELATIONSHIP TO OTHER AUTHORITIES.**—Nothing in this section may be construed as removing any authority or responsibility of a chief of mission or other employee of a diplomatic mission of the United States provided under any other provision of law, including any authority or responsibility for the development or implementation of strategies to promote democracy.

SEC. 1612. DEMOCRACY FELLOWSHIP PROGRAM.

(a) **REQUIREMENT FOR PROGRAM.**—

(1) **IN GENERAL.**—The Secretary of State shall establish a Democracy Fellowship Program to enable Department officers to gain an additional perspective on democracy promotion abroad by working on democracy issues in congressional committees with oversight over the subject matter of this title, including the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives, and in nongovernmental organizations involved in democracy promotion.

(2) **EXCEPTION.**—A Democracy Fellow may not be assigned to any congressional office until the Secretary of Defense certifies to the Committee on Armed Services and the Committee on Foreign Relations of the Senate and the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives that the request of the Commander of the United States Central Command for the Department of State for personnel and foreign service officers has been fulfilled.

(b) **SELECTION AND PLACEMENT.**—The Assistant Secretary shall play a central role in the selection of Democracy Fellows and facilitate their placement in appropriate congressional offices and nongovernmental organizations.

Subtitle B—Annual Report on Advancing Freedom and Democracy

SEC. 1621. ANNUAL REPORT.

(a) **REPORT TITLE.**—Section 665(c) of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107-228; 22 U.S.C. 2151n note) is amended in the first sentence by inserting “entitled the Advancing Freedom and Democracy Report” before the period at the end.

(b) **SCHEDULE FOR SUBMISSION.**—If a report entitled the Advancing Freedom and Democracy Report pursuant to section 665(c) of the Foreign Relations Authorization Act, Fiscal Year 2003, as amended by subsection (a), is submitted under such section, such report

shall be submitted not later than 90 days after the date of submission of the report required by section 116(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(d)).

(c) CONFORMING AMENDMENT.—Section 665(c) of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107-228; 2151n note) is amended by striking “30 days” and inserting “90 days”.

SEC. 1622. SENSE OF CONGRESS ON TRANSFORMATION OF HUMAN RIGHTS REPORTS.

It is the sense of Congress that the Secretary of State should continue to ensure and expand the timely translation of Human Rights and International Religious Freedom reports and the Annual Report on Advancing Freedom and Democracy prepared by personnel of the Department of State into the principal languages of as many countries as possible. Translations are welcomed because information on United States support for universal enjoyment of freedoms and rights serves to encourage individuals around the globe seeking to advance the cause of freedom in their countries.

Subtitle C—Advisory Committee on Democracy Promotion and the Internet Website of the Department of State

SEC. 1631. ADVISORY COMMITTEE ON DEMOCRACY PROMOTION.

Congress commends the Secretary of State for creating an Advisory Committee on Democracy Promotion, and it is the sense of Congress that the Committee should play a significant role in the Department's transformational diplomacy by advising the Secretary of State regarding United States efforts to promote democracy and democratic transition in connection with the formulation and implementation of United States foreign policy and foreign assistance.

SEC. 1632. SENSE OF CONGRESS ON THE INTERNET WEBSITE OF THE DEPARTMENT OF STATE.

It is the sense of Congress that—

(1) the Secretary of State should continue and further expand the Secretary's existing efforts to inform the public in foreign countries of the efforts of the United States to promote democracy and defend human rights through the Internet website of the Department of State;

(2) the Secretary of State should continue to enhance the democracy promotion materials and resources on that Internet website, as such enhancement can benefit and encourage those around the world who seek freedom; and

(3) such enhancement should include where possible and practical, translated reports on democracy and human rights prepared by personnel of the Department, narratives and histories highlighting successful nonviolent democratic movements, and other relevant material.

Subtitle D—Training in Democracy and Human Rights; Promotions

SEC. 1641. SENSE OF CONGRESS ON TRAINING IN DEMOCRACY AND HUMAN RIGHTS.

It is the sense of Congress that—

(1) the Secretary of State should continue to enhance and expand the training provided to foreign service officers and civil service employees on how to strengthen and promote democracy and human rights; and

(2) the Secretary of State should continue the effective and successful use of case studies and practical workshops addressing potential challenges, and work with non-state actors, including nongovernmental organizations that support democratic principles, practices, and values.

SEC. 1642. SENSE OF CONGRESS ON ADVANCE DEMOCRACY AWARD.

It is the sense of Congress that—

(1) the Secretary of State should further strengthen the capacity of the Department

to carry out result-based democracy promotion efforts through the establishment of awards and other employee incentives, including the establishment of an annual award known as Outstanding Achievements in Advancing Democracy, or the ADVANCE Democracy Award, that would be awarded to officers or employees of the Department; and

(2) the Secretary of State should establish the procedures for selecting recipients of such award, including any financial terms, associated with such award.

SEC. 1643. PROMOTIONS.

The precepts for selection boards responsible for recommending promotions of foreign service officers, including members of the senior foreign service, should include consideration of a candidate's experience or service in promotion of human rights and democracy.

SEC. 1644. PROGRAMS BY UNITED STATES MISSIONS IN FOREIGN COUNTRIES AND ACTIVITIES OF CHIEFS OF MISSION.

It is the sense of Congress that each chief of mission should provide input on the actions described in the Advancing Freedom and Democracy Report submitted under section 665(c) of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107-228; 22 U.S.C. 2151n note), as amended by section 1621, and should intensify democracy and human rights promotion activities.

SEC. 1645. TRANSPARENCY OF UNITED STATES BROADCASTING TO ASSIST IN OVERSIGHT AND ENSURE PROMOTION OF HUMAN RIGHTS AND DEMOCRACY IN INTERNATIONAL BROADCASTS.

(a) TRANSCRIPTS.—The Broadcasting Board of Governors shall transcribe into English all original broadcasting content.

(b) PUBLIC TRANSPARENCY.—The Broadcasting Board of Governors shall post all English transcripts from its broadcasting content on a publicly available website within 30 days of the original broadcast.

(c) DEFINITIONS.—In this section, the term “broadcasting content” includes programming produced or broadcast by United States international broadcasters including the following:

- (1) Voice of America.
- (2) Alhurra.
- (3) Radio Sawa.
- (4) Radio Farda.
- (5) Radio Free Europe/Radio Liberty.
- (6) Radio Free Asia.
- (7) The Office of Cuba Broadcasting.

Subtitle E—Alliances With Democratic Countries

SEC. 1651. ALLIANCES WITH DEMOCRATIC COUNTRIES.

(a) ESTABLISHMENT OF AN OFFICE FOR THE COMMUNITY OF DEMOCRACIES.—The Secretary of State should, and is authorized to, establish an Office for the Community of Democracies with the mission to further develop and strengthen the institutional structure of the Community of Democracies, develop interministerial projects, enhance the United Nations Democracy Caucus, manage policy development of the United Nations Democracy Fund, and enhance coordination with other regional and multilateral bodies with jurisdiction over democracy issues.

(b) SENSE OF CONGRESS ON INTERNATIONAL CENTER FOR DEMOCRATIC TRANSITION.—It is the sense of Congress that the International Center for Democratic Transition, an initiative of the Government of Hungary, serves to promote practical projects and the sharing of best practices in the area of democracy promotion and should be supported by, in particular, other European countries with experiences in democratic transitions, the United States, and private individuals.

Subtitle F—Funding for Promotion of Democracy

SEC. 1661. SENSE OF CONGRESS ON THE UNITED NATIONS DEMOCRACY FUND.

It is the sense of Congress that the United States should work with other countries to enhance the goals and work of the United Nations Democracy Fund, an essential tool to promote democracy, and in particular support civil society in their efforts to help consolidate democracy and bring about transformational change.

SEC. 1662. THE HUMAN RIGHTS AND DEMOCRACY FUND.

The purpose of the Human Rights and Democracy Fund should be to support innovative programming, media, and materials designed to uphold democratic principles, support and strengthen democratic institutions, promote human rights and the rule of law, and build civil societies in countries around the world.

SA 453. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 411 submitted by Mr. LIEBERMAN (for himself and Mr. MCCAIN) and intended to be proposed to the amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S. 4, to make the United States more secure by implementing unfinished recommendations of the 9/11 Commission to fight the war on terror more effectively, to improve homeland security, and for other purposes; which was ordered to lie on the table; as follows:

On page 7 of the matter proposed, between lines 9 and 10, insert the following:

(c) EXCEPTION.—A Democracy Fellow may not be assigned to any congressional office until the Secretary of Defense certifies to the Committee on Armed Services and the Committee on Foreign Relations of the Senate and the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives that the request of the Commander of the United States Central Command for the Department of State for personnel and foreign service officers has been fulfilled.

SEC. 1612A. TRANSPARENCY OF UNITED STATES BROADCASTING TO ASSIST IN OVERSIGHT AND ENSURE PROMOTION OF HUMAN RIGHTS AND DEMOCRACY IN INTERNATIONAL BROADCASTS.

(a) TRANSCRIPTS.—The Broadcasting Board of Governors shall transcribe into English all original broadcasting content.

(b) PUBLIC TRANSPARENCY.—The Broadcasting Board of Governors shall post all English transcripts from its broadcasting content on a publicly available website within 30 days of the original broadcast.

(c) DEFINITIONS.—In this section, the term “broadcasting content” includes programming produced or broadcast by United States international broadcasters including the following:

- (1) Voice of America.
- (2) Alhurra.
- (3) Radio Sawa.
- (4) Radio Farda.
- (5) Radio Free Europe/Radio Liberty.
- (6) Radio Free Asia.
- (7) The Office of Cuba Broadcasting.

SA 454. Mr. CARPER submitted an amendment intended to be proposed to amendment SA 325 proposed by Mr. COBURN to the amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S. 4, to make the United States

more secure by implementing unfinished recommendations of the 9/11 Commission to fight the war on terror more effectively, to improve homeland security, and for other purposes; which was ordered to lie on the table; as follows:

On page 1, line 5, strike all through page 3, line 4, and insert the following:

(a) DEFINITION.—In this section, the term “appropriate committees” means—

(1) the Committee on Homeland Security and Governmental Affairs of the Senate; and
(2) the Committee on Oversight and Government Reform of the House of Representatives.

(b) REPORT BY SECRETARY.—Not later than 6 months after the date of enactment of this Act, the Secretary shall submit a report to the appropriate committees that—

(1) details the actions the Department is taking to comply with the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note); and

(2) includes—

(A) goals and timelines for compliance with the requirements of that Act; and

(B) recommendations for improving compliance with that Act.

(c) REPORT BY OMB.—Not later than 6 months after the date of enactment of this Act, the Director of the Office of Management and Budget shall submit a report to the appropriate committees that includes—

(1) a discussion of the problems agencies have had in complying with the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note) with respect to programs involving non-Federal funds recipients, including grant programs;

(2) a description of the actions the Office of Management and Budget has taken to assist agencies in coming into compliance with that Act with respect to the programs involving non-Federal funds recipients; and

(3) recommendations for improving the compliance of agencies with that Act.

SA 455. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 4, to make the United States more secure by implementing unfinished recommendations of the 9/11 Commission to fight the war on terror more effectively, to improve homeland security, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . COMPENSATION FOR UNITED STATES CITIZENS TAKEN HOSTAGE BY TERRORISTS OR STATE SPONSORS OF TERRORISM.

(a) IN GENERAL.—In accordance with such procedures as the President may by regulation establish, the President or his designee shall receive the claims of, and pay compensation to, any national of the United States, or to the estate of any such national, who—

(1) as of the date of enactment of this Act has a claim pending in a court of the United States against a foreign state seeking compensation for injuries caused by an act of hostage-taking or has obtained a judgment on such a claim that has not been fully satisfied;

(2) at any time on or after August 2, 1990, and while not serving on active duty in the Armed Forces of the United States, was taken hostage by a terrorist party; or

(3) was a representative plaintiff or class member in Case Number 1:00CV03110(EGS) in the United States District Court for the Dis-

trict of Columbia or a plaintiff in Case Number 1:00CV00716 (HHK) in the United States District Court for the District of Columbia.

(b) LIMIT ON AMOUNT OF AWARD.—The amount that may be awarded to any person seeking compensation under this section shall not exceed \$500,000, adjusted to reflect the annual percentage change in the Consumer Price Index, from the date on which the hostage-taking occurred to the date on which compensation is paid.

(c) TYPE OF AWARD.—Subject to the limit in subsection (b), any person seeking compensation for hostage-taking under this section shall be awarded the following amounts with respect to which the United States shall enjoy full subrogation rights in the event such person obtains any recovery in litigation or otherwise as a result of such hostage-taking:

(1) In the case of any person who has been issued a final judgment for compensatory damages, the unsatisfied amount of such judgment.

(2) In the case of any person who survived his captivity and who has not been issued a final judgment for compensatory damages, \$10,000 per day for each day that such person was held or, if he died or was tortured during the course of his captivity, the maximum amount in subsection (b).

(d) PROHIBITION ON CIVIL ACTIONS AGAINST FOREIGN STATES.—A person who has accepted compensation under subsection (c)(2) may not commence or maintain in a court of the United States a civil action seeking compensation for such injuries or damages associated with such hostage taking against a foreign state or its agencies or instrumentalities.

(e) DEFINITIONS.—In this section:

(1) HOSTAGE TAKING.—The term “hostage taking” has the meaning given that term in Article 1 of the International Convention Against the Taking of the Hostages and includes any act that caused a person to be in “hostage status” within the meaning of section 599C(d)(1) of Public Law 101-513.

(2) TERRORIST PARTY.—The term “terrorist party” has the meaning given that term in the Terrorism Risk Insurance Act (section 201(d)(4) of Public Law 107-297) and includes any person, organization, or foreign state that was designated as such either at the time or as a result of the act of hostage-taking for which compensation is sought.

(f) FUNDING.—Funds sufficient to pay persons to whom compensation is due under this section shall be made available from the Hostage Victims Fund, into which the President shall direct deposits, in proportions the President so allocates in the discretion of the President, from—

(1) the “blocked assets” of terrorist parties, as that term is defined in the Terrorism Risk Insurance Act (section 201(d)(2) of Public Law 107-297);

(2) amounts received by the United States by reason of any legal action taken by the United States against any person relating to improper conduct in connection with the Oil for Food Program of the United Nations, including any fines, forfeitures, or disgorgements of amounts received through any activity related to said Program; or

(3) amounts received as a result of any fine or forfeiture obtained from any person or entity in connection with a violation of—

(A) the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.);

(B) section 5(b) of the Trading With the Enemy Act (50 U.S.C. App 5(b));

(C) the United and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT) Act of 2001 (Public Law 107-56; 115 Stat. 272);

(D) the Bank Secrecy Act (codified at title 12 U.S.C. 1829 (b) and 1951-1959 and 31 U.S.C. 5311-5313 and 5316-5332);

(E) the Export Administration Act (50 U.S.C. App. 2401-2410); or

(F) any regulations promulgated under an Act listed in subparagraphs (A) through (E).

(g) ADDITIONAL COMPENSATION FOR VICTIMS OF IRANIAN HOSTAGE TAKING IN TEHRAN.—In addition to any amounts that may be awarded under subsection (c), the President or his designee shall from monies deposited for Iran in the Iran Foreign Military Sales Fund account within the Foreign Military Sales Fund (including any amounts accrued as interest thereon)—

(1) pay any person who qualifies for payment under subsection (a)(3) who was taken hostage by the Islamic Republic of Iran on November 4, 1979 or who was taken hostage by Hezbollah on December 4, 1984 and flown to Tehran additional compensation of \$500,000, adjusted to reflect the annual percentage change in the Consumer Price Index, from the date on which the hostage taking occurred to the date on which the compensation is paid; and

(2) pay any person who was, at the time of such hostage-taking, the spouse or child of such person, 50 percent of the total amount of compensation paid to the hostage.

SA 456. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill S. 4, to make the United States more secure by implementing unfinished recommendations of the 9/11 Commission to fight the war on terror more effectively, to improve homeland security, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place insert “The Secretary shall include levees in the Department’s list of critical infrastructure sectors”.

SA 457. Mr. LIEBERMAN (for himself and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 4, to make the United States more secure by implementing unfinished recommendations of the 9/11 Commission to fight the war on terror more effectively, to improve homeland security, and for other purposes; which was ordered to lie on the table; as follows:

On page 54, strike line 5 and all that follows through page 57, line 9, and insert the following:

“(a) GRANTS AUTHORIZED.—The Secretary, through the Administrator, may award grants to State, local, and tribal governments for the purposes of this title.

“(b) PROGRAMS NOT AFFECTED.—This title shall not be construed to affect any authority to award grants under any of the following Federal programs:

“(1) The firefighter assistance programs authorized under section 33 and 34 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229 and 2229a).

“(2) The Urban Search and Rescue Grant Program authorized under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

“(3) Grants to protect critical infrastructure, including port security grants authorized under section 70107 of title 46, United States Code, and the grants authorized in title XIII and XIV of the Improving America’s Security Act of 2007.

“(4) The Metropolitan Medical Response System authorized under section 635 of the

Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 723).

“(5) Grant programs other than those administered by the Department.

“(c) RELATIONSHIP TO OTHER LAWS.—

“(1) IN GENERAL.—The grant programs authorized under this title shall supercede all grant programs authorized under section 1014 of the USA PATRIOT Act (42 U.S.C. 3714).

“(2) PROGRAM INTEGRITY.—Each grant program under this title, section 1809 of this Act, or section 662 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 763) shall include, consistent with the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note), policies and procedures for—

“(A) identifying activities funded under any such grant program that are susceptible to significant improper payments; and

“(B) reporting the incidence of improper payments to the Department.

“(3) ALLOCATION.—Except as provided under paragraph (2) of this subsection, the allocation of grants authorized under this title shall be governed by the terms of this title and not by any other provision of law.

“(d) MINIMUM PERFORMANCE REQUIREMENTS.—

“(1) IN GENERAL.—The Administrator shall—

“(A) establish minimum performance requirements for entities that receive homeland security grants;

“(B) conduct, in coordination with State, regional, local, and tribal governments receiving grants under this title, section 1809 of this Act, or section 662 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 763), simulations and exercises to test the minimum performance requirements established under subparagraph (A) for—

On page 66, between lines 19 and 20, insert the following:

“(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for grants under this section—

“(1) for fiscal year 2007, such sums as are necessary;

“(2) for each of fiscal years 2008, 2009, and 2010, \$1,278,639,000; and

“(3) for fiscal year 2011, and each fiscal year thereafter, such sums as are necessary.

On page 77, strike line 3 and all that follows through page 80, line 7, and insert the following:

“(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for grants under this section—

“(1) for fiscal year 2007, such sums as are necessary;

“(2) for each of fiscal years 2008, 2009, and 2010, \$913,180,500; and

“(3) for fiscal year 2011, and each fiscal year thereafter, such sums as are necessary.

“SEC. 2005. TERRORISM PREVENTION.

On page 84, strike line 19 and insert the following:

“SEC. 2006. RESTRICTIONS ON USE OF FUNDS.

On page 85, line 25, strike “611(j)(8)” and insert “611(j)(9)”.
On page 86, line 2, strike “5196(j)(8)” and insert “5196(j)(9)”.
On page 87, strike line 22 and insert the following:

“(1) any activity authorized under title VI or section 201 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5195 et seq. and 5131);

“(2) any activity permitted under the Fiscal Year 2007 Program Guidance of the Department for Emergency Management Performance Grants; and

“(3) any other activity approved by the Administrator that will improve the emergency management capacity of State, local, or tribal governments to coordinate, integrate, and enhance preparedness for, response to, recovery from, or mitigation against all-hazards.

“(4) any activity authorized under title VI or section 201 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5195 et seq. and 5131);

“(2) any activity permitted under the Fiscal Year 2007 Program Guidance of the Department for Emergency Management Performance Grants; and

“(3) any other activity approved by the Administrator that will improve the emergency management capacity of State, local, or tribal governments to coordinate, integrate, and enhance preparedness for, response to, recovery from, or mitigation against all-hazards.

“SEC. 2008. ACCOUNTABILITY.

On page 94, lines 13 and 14, strike “the Homeland Security Grant Program” and insert “grants made under this title”.

On page 97, strike lines 7 and 8 and insert the following:

“SEC. 2009. AUDITING.

“(a) AUDITS OF GRANTS.—

On page 104, strike line 7 and all that follows through page 105, line 9, and insert the following:

“(d) DEFINITION.—In this section, the term ‘Emergency Management Performance Grants Program’ means the Emergency Management Performance Grants Program under section 662 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 763; Public Law 109-295).

“SEC. 2010. SENSE OF THE SENATE.

“It is the sense of the Senate that, in order to ensure that the Nation is most effectively able to prevent, prepare for, protect against, respond to, recovery from, and mitigate against all hazards, including natural disasters, acts of terrorism, and other man-made disasters—

“(1) the Department should administer a coherent and coordinated system of both terrorism-focused and all-hazards grants, the essential building blocks of which include—

“(A) the Urban Area Security Initiative and State Homeland Security Grant Program established under this title (including funds dedicated to law enforcement terrorism prevention activities);

“(B) the Emergency Communications Operability and Interoperable Communications Grants established under section 1809; and

“(C) the Emergency Management Performance Grants Program authorized under section 662 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 763); and

“(2) to ensure a continuing and appropriate balance between terrorism-focused and all-hazards preparedness, the amounts appropriated for grants under the Urban Area Security Initiative, State Homeland Security Grant Program, and Emergency Management Performance Grants Program in any fiscal year should be in direct proportion to the amounts authorized for those programs for fiscal year 2008 under the amendments made by titles II and IV, as applicable, of the Improving America’s Security Act of 2007.”

On page 106, strike lines 1 through 9, and insert the following:

(b) TABLE OF CONTENTS.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101 note) is amended by striking the items relating to title XVIII and sections 1801 through 1806, as added by the SAFE Port Act (Public Law 109-347; 120 Stat. 1884), and inserting the following:

“TITLE XIX—DOMESTIC NUCLEAR DETECTION OFFICE

“Sec. 1901. Domestic Nuclear Detection Office.

“Sec. 1902. Mission of Office.

“Sec. 1903. Hiring authority.

“Sec. 1904. Testing authority.

“Sec. 1905. Relationship to other Department entities and Federal agencies.

“Sec. 1906. Contracting and grant making authorities.

“TITLE XX—HOMELAND SECURITY GRANTS

“Sec. 2001. Definitions.

“Sec. 2002. Homeland Security Grant Program.

“Sec. 2003. Urban Area Security Initiative.

“Sec. 2004. State Homeland Security Grant Program.

“Sec. 2005. Terrorism prevention.

“Sec. 2006. Restrictions on use of funds.

“Sec. 2007. Administration and coordination.

“Sec. 2008. Accountability.

“Sec. 2009. Auditing.

“Sec. 2010. Sense of the Senate.”.

TITLE III—COMMUNICATIONS OPERABILITY AND INTEROPERABILITY

On page 126, between lines 14 and 15, insert the following:

TITLE IV—EMERGENCY MANAGEMENT PERFORMANCE GRANTS PROGRAM

SEC. 401. EMERGENCY MANAGEMENT PERFORMANCE GRANTS PROGRAM.

Section 622 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 763) is amended to read as follows:

“SEC. 622. EMERGENCY MANAGEMENT PERFORMANCE GRANTS PROGRAM.

“(a) DEFINITIONS.—In this section:

“(1) POPULATION.—The term ‘population’ means population according to the most recent United States census population estimates available at the start of the relevant fiscal year.

“(2) STATE.—The term ‘State’ has the meaning given that term in section 101 of the Homeland Security Act of 2002 (6 U.S.C. 101).

“(b) IN GENERAL.—There is an Emergency Management Performance Grants Program to make grants to States to assist State, local, and tribal governments in preparing for, responding to, recovering from, and mitigating against all hazards.

“(c) APPLICATION.—

“(1) IN GENERAL.—Each State may apply for a grant under this section, and shall submit such information in support of an application as the Administrator may reasonably require.

“(2) ANNUAL APPLICATIONS.—Applicants for grants under this section shall apply or re-apply on an annual basis for grants distributed under the program.

“(d) ALLOCATION.—Funds available under the Emergency Management Performance Grants Program shall be allocated as follows:

“(1) BASELINE AMOUNT.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), each State shall receive an amount equal to 0.75 percent of the total funds appropriated for grants under this section.

“(B) TERRITORIES.—American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, and the Virgin Islands each shall receive an amount equal to 0.25 percent of the amounts appropriated for grants under this section.

“(2) PER CAPITA ALLOCATION.—The funds remaining for grants under this section after allocation of the baseline amounts under paragraph (1) shall be allocated to each State in proportion to its population.

“(3) CONSISTENCY IN ALLOCATION.—Notwithstanding paragraphs (1) and (2), in any fiscal year in which the appropriation for grants under this section is equal to or greater than the appropriation for Emergency Management Performance Grants in fiscal year 2007, no State shall receive an amount under this section for that fiscal year less than the amount that State received in fiscal year 2007.

“(e) ALLOWABLE USES.—Grants awarded under this section may be used to prepare for, respond to, recover from, and mitigate against all hazards through—

“(1) any activity authorized under title VI or section 201 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5195 et seq. and 5131);

“(2) any activity permitted under the Fiscal Year 2007 Program Guidance of the Department for Emergency Management Performance Grants; and

“(3) any other activity approved by the Administrator that will improve the emergency management capacity of State, local, or tribal governments to coordinate, integrate, and enhance preparedness for, response to, recovery from, or mitigation against all-hazards.

“(f) COST SHARING.—

“(1) IN GENERAL.—Except as provided in subsection (i), the Federal share of the costs of an activity carried out with a grant under this section shall not exceed 50 percent.

“(2) IN-KIND MATCHING.—Each recipient of a grant under this section may meet the matching requirement under paragraph (1) by making in-kind contributions of goods or services that are directly linked with the purpose for which the grant is made.

“(g) DISTRIBUTION OF FUNDS.—The Administrator shall not delay distribution of grant funds to States under this section solely because of delays in or timing of awards of other grants administered by the Department.

“(h) LOCAL AND TRIBAL GOVERNMENTS.—

“(1) IN GENERAL.—In allocating grant funds received under this section, a State shall take into account the needs of local and tribal governments.

“(2) INDIAN TRIBES.—States shall be responsible for allocating grant funds received under this section to tribal governments in order to help those tribal communities improve their capabilities in preparing for, responding to, recovering from, or mitigating against all hazards. Tribal governments shall be eligible for funding directly from the States, and shall not be required to seek funding from any local government.

“(i) EMERGENCY OPERATIONS CENTERS IMPROVEMENT PROGRAM.—

“(1) IN GENERAL.—The Administrator may award grants to States under this section to plan for, equip, upgrade, or construct all-hazards State, local, or regional emergency operations centers.

“(2) REQUIREMENTS.—No grant awards under this section (including for the activities specified under this subsection) shall be used for construction unless such construction occurs under terms and conditions consistent with the requirements under section 611(j)(9) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5196(j)(9)).

“(3) COST SHARING.—

“(A) IN GENERAL.—The Federal share of the costs of an activity carried out with a grant under this subsection shall not exceed 75 percent.

“(B) IN KIND MATCHING.—Each recipient of a grant for an activity under this section may meet the matching requirement under subparagraph (A) by making in-kind contributions of goods or services that are directly linked with the purpose for which the grant is made.

“(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for grants under this section—

“(1) for fiscal year 2007, such sums as are necessary;

“(2) for each of fiscal years 2008, 2009, and 2010, \$913,180,500; and

“(3) for fiscal year 2011, and each fiscal year thereafter, such sums as are necessary.”.

MEASURE PLACED ON THE CALENDAR—S.J. RES. 9

Mr. BROWN. Madam President, I understand that S.J. Res. 9 is at the desk and due for a second reading.

The PRESIDING OFFICER. The clerk will read the title of the joint resolution for the second time.

The assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 9) to revise United States policy on Iraq.

Mr. BROWN. I now object to any further proceeding with respect to this joint resolution.

The PRESIDING OFFICER. Objection is heard.

The measure will be placed on the calendar.

APPOINTMENT

The PRESIDING OFFICER. The Chair announces, on behalf of the majority leader, pursuant to Public law 101-509, the reappointment of Guy Rocha of Nevada to the Advisory Committee on the Records of Congress.

INTERNATIONAL WOMEN'S DAY 2007

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 102, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 102) supporting the goals of International Woman's Day.

There being no objection, the Senate proceeded to consider the resolution.

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 102) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 102

Whereas there are more 3,000,000,000 women in the world, representing 49.7 percent of the world's population;

Whereas women continue to play the predominant role in caring for families within the home, as well as increasingly supporting their families economically by working outside the home;

Whereas women worldwide participate in diplomacy and politics, contribute to the growth of economies, and improve the quality of the lives of their families, communities, and countries;

Whereas women leaders have recently made significant strides, including through the 2007 election of Representative Nancy Pelosi as the first female Speaker of the United States House of Representatives, the 2006 election of Michelle Bachelet as the first female President of Chile, the 2006 election of Ellen Johnson-Sirleaf as President of Liberia and the first female President in the history of Africa, and the 2005 election of Angela Merkel as the first female Chancellor of Germany and who will also serve in 2007 as the second woman to chair a G-8 summit;

Whereas women now account for 80 percent of the world's 70,000,000 micro-borrowers, 75 percent of the 28,000 United States loans supporting small business in Afghanistan are given to women, and 11 women are chief executive officers of Fortune 500 companies in the United States;

Whereas, in the United States, women are graduating from high school and earning bachelor's degrees and graduate degrees at rates greater than men, with 88 percent of

women between the ages of 25 and 29 having obtained high school diplomas and 31 percent of women between the ages of 25 of 29 having earned bachelor's degrees;

Whereas even with the tremendous gains for women during the past 20 years, women still face political and economic obstacles, struggle for basic rights, face discrimination, and are targets of gender-based violence all over the world;

Whereas women remain vastly underrepresented worldwide in national and local legislatures, accounting on average for less than 10 percent of the seats in legislatures in most countries, and in no developing region do women hold more than 8 percent of legislative positions;

Whereas women work two-thirds of the world's working hours and produce half of the world's food, yet earn only 1 percent of the world's income and own less than 1 percent of the world's property;

Whereas, in the United States between 1995 and 2000, female managers earned less than their male counterparts in the 10 industries that employ the vast majority of all female employees;

Whereas, of the 1,300,000,000 people living in poverty around the world, 70 percent are women;

Whereas, according to the United States Agency for International Development, two-thirds of the 876,000,000 illiterate individuals worldwide are women, two-thirds of the 125,000,000 school-aged children who are not attending school worldwide are girls, and girls around the world are less likely to complete school than boys;

Whereas women account for half of all cases of HIV/AIDS worldwide, approximately 42,000,000 cases, and in countries with a high prevalence of HIV, young women are at a higher risk than young men of contracting HIV;

Whereas each year over 500,000 women globally die during childbirth or pregnancy;

Whereas domestic violence causes more deaths and disabilities among women between the ages of 15 and 44 than cancer, malaria, traffic accidents, and war;

Whereas worldwide at least 1 out of every 3 women and girls has been beaten in her lifetime, and usually the abuser is a member of the victim's family or is someone else known to the victim;

Whereas, according to the Centers for Disease Control and Prevention, at least 1 out of every 6 women and girls in the United States has been sexually abused in her lifetime;

Whereas, in the United States, one-third of the women murdered each year are killed by current or former husbands or boyfriends;

Whereas 130,000,000 girls and young women worldwide have been subjected to female genital mutilation and it is estimated that 10,000 girls are at risk of being subjected to the practice in the United States;

Whereas, according to the Congressional Research Service and the Department of State, illegal trafficking in women and children for forced labor, domestic servitude, or sexual exploitation involves between 600,000 and 900,000 women and children each year, of whom 17,500 are transported into the United States;

Whereas between 75 and 80 percent of the world's 27,000,000 refugees are women and children;

Whereas, in Iraq, women are increasingly becoming the targets of violence by Islamic extremists and street gangs;

Whereas, in Darfur, a growing number of women and girls are being raped, mainly by militia members who use sexual violence as a weapon of war;

Whereas, in Afghanistan, Safia Ama Jan, the former Director of Women's Affairs, became the first female assassinated since the fall of the Taliban; and

Whereas March 8 of each year has been known as "International Women's Day" for the last century, and is a day on which people, often divided by ethnicity, language, culture, and income, come together to celebrate a common struggle for women's equality, justice, and peace: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals of "International Women's Day";

(2) recognizes and honors the women in the United States and in other countries who have fought and continue to struggle for gender equality and women's rights;

(3) reaffirms its commitment to ending discrimination and violence against women and girls, to ensuring the safety and welfare of women and girls, and to pursuing policies that guarantee the basic rights of women and girls both in the United States and in other countries; and

(4) encourages the people of the United States to observe International Women's Day with appropriate programs and activities.

COMMENDING THE KINGDOM OF LESOTHO

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 103, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 103) commending the Kingdom of Lesotho on the occasion of International Women's Day, for the enactment of a law to improve the status of married women and ensure the access of married women to property rights.

There being no objection, the Senate proceeded to consider the resolution.

Mr. LUGAR. Madam President, I rise today, International Women's Day, in support of this resolution celebrating some of the progress that we and other nations are making in fostering improvement in the status of women. The resolution commends the Kingdom of Lesotho for enacting the Legal Capacity of Married Persons law which elevates the status of married women and provides them with property rights. Prior to this law, married women in Lesotho were considered legal minors, denying them the right to enter into binding contracts or have standing in civil court.

International Women's Day is a day on which we reaffirm the commitment to the struggle by women worldwide for peace, justice, and equality before the law. We also take this opportunity to recognize how far we have come since the first International Women's Day was celebrated in the United States in 1909 when American women were still fighting for the right to vote and a role in the political process.

Today we are able to celebrate the many accomplishments by women worldwide in the areas of health,

science, education, and politics. In the past year, we have seen the appointment of our first female Speaker of the House, NANCY PELOSI. President Bush's cabinet now includes a record number of women—Secretary of State Condoleezza Rice, Secretary of Education Margaret Spellings, Secretary of Labor Elaine Chao, and Secretary of Transportation Mary Peters. Women now comprise a record percentage of the 110th Congress, including 16 senators and 71 representatives. Women are gaining seats in parliaments worldwide. For example, last November Lateefa al-Qaoud became the first woman to be elected to Bahrain's parliament and became one of the first women to serve in an elected parliament in the Gulf region.

The U.S. is rededicating itself to improving the status of women worldwide. For example, the Millennium Challenge Corporation announced a new policy in December 2006 stating that countries receiving financial assistance would be responsible for extensive planning to ensure that all programs benefit both men and women. This required gender analysis would factor in social, economic, and cultural barriers faced by women and men when engaging in economic activity and would result in better-designed international development projects.

The Kingdom of Lesotho is a small country surrounded by South Africa. Lesotho faces serious challenges—50 percent of the population lives below the poverty line and 23 percent of the population is infected with HIV. Given its commitment to good governance and investment in its people, Lesotho has qualified for financial assistance through the Millennium Challenge Corporation (MCC). MCC assistance is pending the finalization of Lesotho's Compact which is expected to focus on improving health care and water resource management.

The MCC helped catalyze the passage of the Legal Capacity of Married Persons law in Lesotho by stressing that potential MCC financing would be more effective if gender equity were addressed. Subsequently, Lesotho passed the Legal Capacity of Married Persons legislation. Under this new legislation, women are considered equal partners in marriage and are able to enter into binding contracts and have a standing in civil court. We applaud the Kingdom of Lesotho for demonstrating such a commitment to justice, equality, and fighting corruption at every level.

The problems faced by women today require a continuation of our commitment to end them. International Women's Day is a day for us to declare our determination to advance the rights of women worldwide, but also to recognize the many accomplishments made by women on a global scale.

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 103) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 103

Whereas International Women's Day, observed on March 8 each year, has become a day on which people come together to recognize the accomplishments of women and to reaffirm their commitment to continue the struggle for equality, justice, and peace;

Whereas the Kingdom of Lesotho is a parliamentary constitutional monarchy that has been an independent country since 1966;

Whereas Lesotho is a low income country with a gross national income per capita of \$960 and 50 percent of the population lives below the poverty line;

Whereas, in Lesotho, the HIV prevalence is estimated at 23 percent for the total adult population and 56 percent for pregnant women between the ages of 25 and 29, and the current average life expectancy at birth is estimated to be 34.4 years;

Whereas the Kingdom of Lesotho, referred to by some as the "Kingdom in the Sky", was a strong public supporter of the end of apartheid in South Africa and the Government of Lesotho granted political asylum to a number of refugees from South Africa during the apartheid era;

Whereas the Government of Lesotho has demonstrated a strong commitment to ruling justly, investing in people, ensuring economic freedom, and controlling corruption;

Whereas the Government of Lesotho has been named eligible by the Millennium Challenge Corporation (MCC) for a Compact of financial assistance that, as currently proposed, would strongly focus on improving and safeguarding the health of the people of Lesotho, in addition to supporting projects for sustainable water resource management and private sector development;

Whereas historically a married woman in Lesotho was considered a legal minor during the lifetime of her husband, was severely restricted in economic activities, was unable to enter into legally binding contracts without her husband's consent, and had no standing in civil court;

Whereas legislation elevating the legal status of married women and providing property and inheritance rights to women in Lesotho was introduced as early as 1992;

Whereas for years women's groups, non-governmental organizations, the Federation of Women Lawyers, officials of the Government of Lesotho, and others in Lesotho have pushed for passage of legislation strengthening rights of married women;

Whereas in a letter to the Government of Lesotho in September 2006, the chief executive officer of the MCC stated that gender inequality is a constraint on economic growth and poverty reduction and is related to the high prevalence of HIV/AIDS, and that inattention to issues of gender inequality could undermine the potential impact of the Compact proposed to be entered into between the MCC and the Government of Lesotho;

Whereas the Legal Capacity of Married Persons Act was passed by the Parliament of Lesotho and enacted into law in November 2006;

Whereas the MCC has already provided assistance to further full and meaningful implementation of the new law;

Whereas the MCC has promulgated and is currently implementing a new gender policy to integrate gender into all phases of the development and implementation of the Compact between the MCC and the Government of Lesotho; and

Whereas the MCC's advocacy of gender equity played a supportive role in the enactment of the Legal Capacity of Married Persons Act in the Kingdom of Lesotho: Now, therefore, be it

Resolved, That the Senate—

(1) acknowledges the observance of March 8, 2007, as International Women's Day;

(2) applauds the enactment of the Legal Capacity of Married Persons Act by the Kingdom of Lesotho;

(3) lauds the Kingdom of Lesotho for demonstrating its commitment to improve gender equity;

(4) encourages the Kingdom of Lesotho to continue its effort to ensure gender equity; and

(5) commends the Millennium Challenge Corporation (MCC) for developing and implementing policies to advance gender equity in the Kingdom of Lesotho and other countries eligible for financial assistance from the MCC.

DESIGNATING THE UNITED STATES COURTHOUSE AT SOUTH FEDERAL PLACE IN SANTA FE, NEW MEXICO, AS THE "SANTIAGO E. CAMPOS UNITED STATES COURTHOUSE"

DESIGNATING THE FEDERAL BUILDING LOCATED AT 400 MARYLAND AVENUE SOUTHWEST IN THE DISTRICT OF COLUMBIA AS THE "LYNDON BAINES JOHNSON DEPARTMENT OF EDUCATION BUILDING"

DESIGNATING THE UNITED STATES COURTHOUSE LOCATED AT 555 INDEPENDENCE STREET IN CAPE GIRARDEAU, MISSOURI, AS THE "RUSH HUDSON LIMBAUGH, SR. UNITED STATES COURTHOUSE"

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that the Senate proceed en bloc to the consideration of the following two bills which have been received from the House and are at the desk: H.R. 544 and H.R. 584; that the Environment and Public Works Committee be discharged from further consideration of H.R. 342, and that the Senate then proceed to its consideration.

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

The clerk will state the bills by title. The assistant legislative clerk read as follows:

A bill (H.R. 544) to designate the U.S. Courthouse at South Federal Place in Santa Fe, New Mexico, as the "Santiago E. Campos United States Courthouse."

A bill (H.R. 584) to designate the federal building located at 400 Maryland Avenue Southwest in the District of Columbia as the "Lyndon Baines Johnson Department of Education Building."

A bill (H.R. 342) to designate the U.S. Courthouse located at 555 Independence Street in Cape Girardeau, MO, as the "Rush Hudson Limbaugh, Sr. United States Courthouse."

There being no objection, the Senate proceeded to consider the bills, en bloc.

Mrs. HUTCHISON. Mr. President, I rise today to support H.R. 584, a bill to

name the Department of Education headquarters in Washington, DC, as the Lyndon Baines Johnson Federal Building. I am the Senate sponsor of the bill, and Senator CORNYN is the cosponsor.

Lyndon Johnson was the first President to be elected from the State of Texas, and a man, who throughout his over three decades in public life, contributed immensely to improving and enhancing education for all Americans.

President Johnson was born in Stonewall, TX on August 27, 1908. After graduating from high school, and spending a year as an elevator operator, he began his career in the field of education. In 1927, he borrowed \$75, and started attending the Southwest Texas State Teachers College in San Marcos.

After graduating in 1930, he devoted a year to teaching mostly Mexican children at the Welhausen School in Cotulla, ninety miles south of San Antonio. Decades later, when he was in the White House, President Johnson reminisced: "I shall never forget the faces of the boys and the girls in that little Welhausen Mexican School, and I remember even yet the pain of realizing and knowing then that college was closed to practically every one of those children because they were too poor. And I think it was then that I made up my mind that this Nation could never rest while the door to knowledge remained closed to any American."

Lyndon Baines Johnson never did rest—and after serving as a teacher, a principal, and as head of the Texas National Youth Administration, in 1937, he ran for, and won, a seat in the U.S. House of Representatives.

He was subsequently re-elected to the U.S. House in every election up until 1948, when he was elected to the United States Senate. Later, in 1961, he resigned from the U.S. Senate to become Vice President; and on November 22, 1963, a date that none of us will ever forget, Lyndon Johnson became the 36th President of the United States.

In 1965, President Johnson signed two landmark education bills: The Elementary and Secondary Education Act (which authorized the first real Federal assistance to grade school education) and The Higher Education Act (which funded scholarships to undergraduate students).

In the same year, President Johnson launched Project Head Start as an eight-week summer program to provide preschool children from low-income families with a comprehensive program to meet their emotional, social, health, nutritional, and psychological needs.

During his six-year presidency, Lyndon B. Johnson signed a combined total of over 60 education bills. In a very real sense, he was America's first "Education President."

After leaving office, President Johnson continued his involvement in education by teaching students while he wrote his memoirs.

President Johnson passed away on January 22, 1973, and even though it's

been 34 years since his passing, he still doesn't have a Federal building in the District of Columbia named after him.

I believe it is time that President Johnson's distinguished service, and particularly, his outstanding work on behalf of education, be recognized in our Nation's capital.

Naming the Department of Education headquarters in Washington, DC, as the Lyndon Baines Johnson Federal Building is a fitting honor for this smalltown Texas teacher who, after decades of service, went on to become our "Education President."

Mr. President, I yield the floor.

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that the bills be read the third time, passed, the motions to reconsider be laid upon the table, en bloc; that the consideration of these items appear separately in the RECORD, and that any statements thereon be printed in the RECORD as if read.

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

The bills (H.R. 544, H.R. 584, and H.R. 342) were ordered to be engrossed for a third reading, read the third time, and passed.

ORDERS FOR MONDAY, MARCH 12, 2007

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 2:30 p.m. Monday, March 12; that on Monday 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 with Senators permitted to speak therein for up to 10 minutes each.

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

PROGRAM

Mr. WHITEHOUSE. On behalf of the leader, I remind Members that on Monday, March 12, there will be no rollcall votes, as has been previously announced.

ADJOURNMENT UNTIL MONDAY, MARCH 12, 2007, AT 2:30 P.M.

Mr. WHITEHOUSE. Madam President, if there is no further business to come before the Senate today, and the Republican leader has no further business, I now ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 1:11 p.m., adjourned until Monday, March 12, 2007, at 2:30 p.m.