

We kicked the EPA into gear and got Libby listed as a national Superfund site.

We secured millions for cleanup, health care, and economic development in Libby.

But sadly, there is still much more to do. Much more. Libby residents deserve compensation for their injuries. They deserve health care. They deserve to see those responsible go to prison for what they did. They deserve to know that their town is clean of asbestos.

What I knew about Les makes this news very sad to me, personally. I am sad for his family. I am sad for his friends. I am sad for Libby.

I am also angry at W.R. Grace, which knowingly poisoned its workers. I am angry that justice still has not been done in Libby. I am angry that we haven't been able to do more.

But we won't give up. We will keep fighting for Les and Libby. Les' passing only furthers my resolve to try harder. To do more. We won't let up. We will not stop.

When I get tired, I think of Les. And I can't shake what he asked me to do.

In all of my years as an elected official, helping Libby is among the most personally compelling things I have ever been called on to do.

I will keep the promise I made to Les that night at Gayla's house.

Les was a fighter to the end. He recently minced no words about his feelings towards Grace.

He told the Missoulian newspaper, quote: "There's not a doubt in my mind that [they] are guilty of murder."

"I started in 1959 and I was as healthy as a horse," he said. "I knew all the guys that worked there, 135 employees when I was there. And there's five of us left alive. Five. The rest of them are gone."

Now, sadly, so is Les.

The Book of Proverbs says: "righteousness delivers from death." And if that is true, then Les will certainly be delivered.

My prayers are with Les' wife Norita, his family and friends, and the people of Libby.

I yield the floor and 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. 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 President, I ask unanimous consent that the order for the quorum call be rescinded.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.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

FAIR MINIMUM WAGE ACT OF 2007

The PRESIDING OFFICER. Under the previous order, the hour of 2 p.m. having arrived, the Senate will proceed

to the consideration of H.R. 2, which the clerk will report by title.

The assistant legislative clerk read as follows:

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

The PRESIDING OFFICER. The majority leader is recognized.

AMENDMENT NO. 100

(Purpose: In the nature of a substitute)

Mr. REID. Mr. President, I send a substitute to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. BAUCUS, proposes an amendment numbered 100.

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

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

(The amendment is printed in today's RECORD under "Text of Amendments.")

Mr. REID. Mr. President, that amendment is on behalf of Senator BAUCUS. I failed to mention that.

The PRESIDING OFFICER. The Republican leader is recognized.

AMENDMENT NO. 101 TO AMENDMENT NO. 100

(Purpose: To provide Congress a second look at wasteful spending by establishing enhanced rescission authority under fast-track procedures)

Mr. McCONNELL. Mr. President, I believe there is an amendment of Senator GREGG's at the desk. I call it up for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. McCONNELL], for Mr. GREGG, for himself, Mr. DEMINT, Mr. McCONNELL, Mr. LOTT, Mr. KYL, Mrs. HUTCHISON, Mr. CORNYN, Mr. ALLARD, Mr. CRAPO, Mr. BUNNING, Mr. VITTER, Mr. BROWNBACK, Mrs. DOLE, Mr. ALEXANDER, Mr. THOMAS, Mr. CRAIG, Mr. BURR, Mr. MCCAIN, Mr. SUNUNU, Mr. ENZI, Mr. MARTINEZ, Mr. CHAMBLISS, Mr. SESSIONS, Mr. COLEMAN, Mr. GRAHAM, Mr. VOINOVICH, Mr. ISAKSON, Mr. COBURN, Mr. ENSIGN, and Mr. THUNE, proposes an amendment numbered 101 to amendment No. 100.

(The amendment is printed in today's RECORD under "Text of Amendments.")

The PRESIDING OFFICER. The majority leader.

CLOTURE MOTION

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

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

The assistant 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 the pending Gregg amendment No. 101 to the substitute amendment to H.R. 2, a bill to amend the Fair Labor Standards Act of 1938 to pro-

vide for an increase in the Federal minimum wage.

Harry Reid, Mitch McConnell, Judd Gregg, Craig Thomas, John E. Sununu, James Inhofe, Jon Kyl, Johnny Isakson, Tom Coburn, Mike Crapo, Wayne Allard, Lamar Alexander, John Cornyn, Jim Bunning, John Ensign, David Vitter, Bob Corker.

Mr. REID. Mr. President, let me say briefly, we are now at the point where we said we would be last week. Again, I have said on a number of occasions that I appreciate the courtesy of the Senator from New Hampshire. This is an issue which he believes in very strongly. I just finished a conversation with Senator BYRD in his office a short time ago, and he does not believe in it. This is what legislation is all about, and we look forward to voting on this amendment. We will vote on it Wednesday, or we will, as I said, meet with the distinguished Republican leader later today and we will decide if we need to vote on it more quickly or we need to take all that time—whatever the rules call for, unless we are able to work with Senator GREGG and Senator McCONNELL to move that more quickly.

The PRESIDING OFFICER. The Republican leader.

Mr. McCONNELL. Yes. Let me indicate my admiration for Senator GREGG in persisting in offering this very important amendment.

I thank the majority leader for working with us to get consideration of this extremely important measure, and we look forward to beginning the debate.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, if the leaders have completed their statements, I would ask for recognition.

Mr. President, first, let me begin by thanking the majority leader and the Republican leader for their efforts here in allowing me to bring forward this amendment at this time. As we know, 2 weeks ago I offered this amendment. At the time, I offered it because I felt it was appropriate to the lobbying reform vehicle, as the lobbying reform vehicle had been greatly involved in the issue of what is known as earmarks. Earmarks are where certain Senators put specific language into a bill which allows spending to occur for a specific item.

I am not inherently opposed to earmarks. Many are very genuinely of good purpose. And I have used it in cases to benefit programs which I thought were appropriate. In fact, I think the legislative branch has a right to direct spending. If you do not direct spending as a legislative branch, then the executive branch has the authority to direct spending, and the practical effect of that is the legislative branch is giving up one of its key powers, which is the power over spending.

However, there have, over the years, been abuses of the earmark process. We all know that. We have seen it. And there have actually been abuses which have been unethical. We have seen that