

I don't have any personal objection, and I will not object, and I will let those two Senators handle Senator SESSIONS.

Mr. KYL. Mr. President, I ask unanimous consent to speak as in morning business.

Mr. KENNEDY. Well, Mr. President, I intend to talk now.

Mr. KYL. I am sorry. I thought I would be recognized now. Excuse me.

Mr. KENNEDY. I intend to talk for about 15 to 18 minutes, and then we will be on the minimum wage bill. I plan to speak on that minimum wage bill. I said I would end 5 minutes early to try to accommodate the Senator. We are scheduled to deal with the bill at 3:30. So I have recognition.

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 Senate will resume consideration of H.R. 2, which the clerk will report.

The 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.

Pending:

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

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

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

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

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

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

DeMint amendment No. 155 (to amendment No. 100), to amend the Public Health Service Act to provide for cooperative governing of individual health insurance coverage offered in interstate commerce, and to amend the Internal Revenue Code of 1986 regarding the disposition of unused health benefits in cafeteria plans and flexible spending arrangements and the use of health savings accounts for the payment of health insurance premiums for high deductible health plans purchased in the individual market.

DeMint amendment No. 156 (to amendment No. 100), to amend the Internal Revenue Code

of 1986 regarding the disposition of unused health benefits in cafeteria plans and flexible spending arrangements.

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

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

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

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

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

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

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

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

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

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

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

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

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

Enzi (for Cornyn) amendment No. 135 (to amendment No. 100), to amend the Internal Revenue Code of 1986 to repeal the Federal unemployment surtax.

Enzi (for Cornyn) amendment No. 138 (to amendment No. 100), to amend the Internal Revenue Code of 1986 to expand workplace health incentives by equalizing the tax consequences of employee athletic facility use.

Sessions (for Kyl) amendment No. 209 (to amendment No. 100), to extend through December 31, 2012, the increased expensing for small businesses.

Division I of Sessions (for Kyl) amendment No. 210 (to amendment No. 100), to provide for the permanent extension of increasing expensing for small businesses, the depreciation treatment of leasehold, restaurant, and retail space improvements, and the work opportunity tax credit.

Division II of Sessions (for Kyl) amendment No. 210 (to amendment No. 100), to provide for the permanent extension of increasing expensing for small businesses, the depreciation treatment of leasehold, restaurant, and retail space improvements, and the work opportunity tax credit.

Division III of Sessions (for Kyl) amendment No. 210 (to amendment No. 100), to pro-

vided for the permanent extension of increasing expensing for small businesses, the depreciation treatment of leasehold, restaurant, and retail space improvements, and the work opportunity tax credit.

Division IV of Sessions (for Kyl) amendment No. 210 (to amendment No. 100), to provide for the permanent extension of increasing expensing for small businesses, the depreciation treatment of leasehold, restaurant, and retail space improvements, and the work opportunity tax credit.

Division V of Sessions (for Kyl) amendment No. 210 (to amendment No. 100), to provide for the permanent extension of increasing expensing for small businesses, the depreciation treatment of leasehold, restaurant, and retail space improvements, and the work opportunity tax credit.

Mr. KENNEDY. Mr. President, it has been a week now that the Senate has had on its agenda and before the Senate legislation to increase the minimum wage from \$5.15 to \$7.25. In that week, every Member of Congress has effectively earned \$3,200, but we have not acted on an increase in the minimum wage for hard-working American people who are earning \$5.15, to raise their minimum wage to \$7.25. We have had 1 week of talking here on the floor of the Senate without action.

It looks to me as if we are going to have, thankfully, as a result of the action of the majority leader, a vote at least on cloture to try to terminate the debate. But there will be additional procedural issues that will mean that those who are opposed to an increase in the minimum wage will be able to delay the increase in the minimum wage for another week.

As the parliamentary situation is playing its way out, there will be the possibility of 60 hours after the vote on cloture, which will take us effectively through the end of this week. So that will be 2 weeks where the Members of the Senate have then earned \$6,400, but we have been unwilling to either vote up or down on the increase of the minimum wage from \$5.15 an hour to \$7.25 an hour.

For the millions of people at the lower end of the economic ladder—men and women of dignity who work hard, those who are assistants to our teachers and work in the schools of this country, those who work in some of the nursing homes and look after the elderly, many of those of the great generation that fought in World War II and brought the country out of the time of the Depression—they are still earning \$5.15 an hour. They work in many of the hotels and motels that dot the countryside and the great buildings of American commerce—these people are working at \$5.15. They will work for that tomorrow, and they worked for that the day before. And now, because our Republican friends refuse to permit us a vote, they are going to continue to work at \$5.15 an hour. It has been 10 years.

I went back and looked at the number of days we have tried to get an increase in the minimum wage since our last increase, and that was 16 days. So we have effectively been debating an