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House of Representatives

The House was not in session today. Its next meeting will be held on Monday, March 5, 2007, at 12:30 p.m.

Senate

FRIDAY, MARCH 2, 2007

The Senate met at 9:30 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.

Holy One, who expresses Your love to us each day, shower us with Your mercy that we may rejoice and be glad. May the gift of Your presence be more than sufficient to meet the needs of our Senators. Lead them to Your truth and inspire them with Your love.

Lord, give the Members of this body the wisdom to depend on Your power and to stand firm as they meet the challenges of our time. Do for them far more than they can ask or imagine. As they strive to do Your will, teach them to say the right thing at the right time and to serve with faithfulness. Keep them humble and fill them with a spirit of gratitude. May they always be willing to acknowledge their total dependence upon You.

We pray in Your loving 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 2, 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.

SCHEDULE

Mr. REID. Mr. President, we are going to immediately resume consideration of S. 4. At 10 a.m., there will be two rollcall votes, first with respect to the Sununu amendment regarding cross-border interoperability. The second vote is in respect to the Salazar amendment regarding rural policing. These will be the only votes today. Members are welcome to stay after the votes and offer amendments and speak on amendments that are pending.

One amendment that has generated a lot of controversy within the Senate and outside of this body is the DeMint amendment. I hope Members will come and speak about it. As staff has talked, I have mentioned briefly to the Republican leader what we would like to do. Monday night, we will have several votes. We will have more than one vote at 5:30. What I would like to do is on Tuesday have McCaskill and DeMint in the morning. The only thing we have to work out is how much time has to be spent on the DeMint amendment prior to a vote. We hope Senators will come and talk about those matters this afternoon and Monday.

I repeat, Members have the opportunity this afternoon and Monday. We will come in at whatever time we think is appropriate. If we get word that Senators want to offer amendments, we can come in earlier rather than later so that Members may offer amendments and speak about them and so we can move to conclusion of this legislation.

Members have been previously informed that we would be voting on March 5. I am surprised that March is here already, but it is.

We have done well on this bill. I have been satisfied—I think everybody has been—with the demeanor of the debate. It has been very good.

MEASURE PLACED ON THE CALENDAR—H.R. 800

Mr. REID. Mr. President, I understand that H.R. 800 is at the desk and due for a second reading.

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

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The ACTING PRESIDENT pro tempore. The clerk will read the title of the bill for the second time.

The assistant legislative clerk read as follows:

A bill (H.R. 800) to amend the National Labor Relations Act to establish an efficient system to enable employees to form, join, or assist labor organizations, to provide for mandatory injunctions for unfair labor practices during organizing efforts, and for other purposes.

Mr. REID. Mr. President, I object to any further proceedings at this time.

The ACTING PRESIDENT pro tempore. Objection is heard. The bill will be placed on the calendar.

JOHN ''PEDIE'' MORTON

Mr. REID. Mr. President, the person about whom I am going to speak has never been on C–SPAN. Members of the public would not recognize him in any capacity. But he is a central part of the Senate family, helping make sure offices have whatever they need to function.

His name is John ''Pedie'' Morton. I have known him for all the time I have been in the Senate. He has been here almost 40 years, working to make the Senate a better place. His name is unfamiliar to the general public. He works behind the scenes in Capitol Facilities. He is a familiar face to those of us who walk the halls of the Capitol. We know him from his great smile, which is disarming. He always expresses warm greetings. Even though he cares a great deal about the Senate, I have to acknowledge that he likes the Redskins more than the Senate. That is his love, the Washington Redskins. After more than three decades of work, he will be missed.

Students learn in civics class about the hundred of us, but they don't learn how many workers it takes to keep this body running. There are hundreds of men and women just like Pedie who help us do our jobs. While the American people recognize us, the hundred Senators, today I want to recognize Pedie and the multitude of colleagues with whom he shares responsibilities in making this place work so well.

There are people every day, seated in front of the Presiding Officer, doing things we don't know how to do but they do to make this body function so that there is a CONGRESSIONAL RECORD every day and it is absolutely correct, the court reporters taking down every word we say. The police officers make sure the evil people who want to do harm to this beautiful building and the people in it are safe. Today, I recognize Pedie on behalf of all these people who do so much to make the Senate the wonderful institution it is and our country a better place.

RECOGNITION OF THE MINORITY LEADER

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

JOHN ''PEDIE'' MORTON

Mr. MCCONNELL. Mr. President, I join the majority leader in commending Mr. Morton for his extraordinary service in the Senate. Not only does he love the Redskins, he loves to fish, too—two passions I share with him. I expect he will have more time for both in the coming years. I join with my good friend, the majority leader, in thanking him for his remarkable career in the Senate and for helping us in so many ways over the years.

Mr. REID. Mr. President, I say to my distinguished colleague, the Republican leader, I don't know how anyone could care more for athletic teams than he does for those in Kentucky. I am not sure he has a lot of time to share any of his affection for teams other than those in Kentucky because they are a passion of the distinguished Republican leader.

Mr. MCCONNELL. I thank my friend, the majority leader.

VOTES AND AMENDMENTS

Mr. MCCONNELL. Mr. President, with regard to the two votes we will have at 10, my understanding is both these amendments have been cleared on both sides. I know I can speak for the Senator from New Hampshire, Mr. SUNUNU, that he was prepared to take a rollcall vote.

With regard to moving forward on this legislation, I encourage Members on our side of the aisle who have amendments to come down, get them in the queue. We will have a number of amendments, as the majority leader has indicated, next week. The best way to proceed, if a Senator is on this side of the aisle and has an amendment, is to come on down and offer it and get it in the queue.

I yield the floor.

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 assistant 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.

Sununu amendment No. 292 (to amendment No. 275), to expand the reporting requirement on cross border interoperability, and to prevent lengthy delays in the accessing frequencies and channels for public safety communication users and others.

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

Salazar amendment No. 280 (to amendment No. 275), to create a Rural Policing Institute as part of the Federal Law Enforcement Training Center.

DeMint amendment No. 314 (to amendment No. 275), to strike the provision that revises the personnel management practices of the Transportation Security Administration.

Lieberman amendment No. 315 (to amendment No. 275), to provide appeal rights and employee engagement mechanisms for passenger and property screeners.

McCaskill amendment No. 316 (to amendment No. 315), to provide appeal rights and employee engagement mechanisms for passenger and property screeners.

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 Qaeda.

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

Ms. LANDRIEU. Mr. President, I ask unanimous consent for 5 minutes to send a new amendment to the desk and to call up three amendments and for a very brief discussion.

The ACTING PRESIDENT pro tempore. Is this 5 additional minutes or time to be counted against the Senator from Colorado?

Ms. LANDRIEU. I was under the impression I was going to be recognized first.

The ACTING PRESIDENT pro tempore. The Senator from Colorado, Mr. SALAZAR, has time.

Mr. SALAZAR. Mr. President, I ask unanimous consent that Senator LANDRIEU be yielded 5 minutes of the time allotted to me.

I ask unanimous consent that Senator LANDRIEU be permitted to move forward for 5 minutes, with 2½ minutes taken from our side and 2½ minutes taken from the other side, and following Senator LANDRIEU, Senator ALLARD from Colorado be permitted to lay down his amendment for up to 5 minutes, with 2½ minutes taken from our side and 2½ minutes from their side.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. ALLARD. Mr. President, I appreciate the Senator from Colorado allowing me an opportunity to call my own amendment. The way I understand it now, we are going to give 2½ minutes to the Senator from Louisiana, and I will have 2½ minutes on this side; is that correct? How are we allocating time? I want to clarify.

Mr. SALAZAR. Mr. President, I modify my unanimous consent request. I ask unanimous consent that the Senator from Louisiana be allotted 5 minutes, 2½ minutes to come off of the majority side and 2½ from the minority side; then following her, up to 5 minutes for the Senator from Colorado, with 2½ minutes coming off the majority side and 2½ minutes off the minority side.

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

The Senator from Louisiana.

AMENDMENT NO. 321 TO AMENDMENT NO. 275

Ms. LANDRIEU. Mr. President, I send an amendment to the desk.

The ACTING PRESIDENT pro tempore. Without objection, the pending amendment is set aside, and the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Louisiana [Ms. LANDRIEU] proposes an amendment numbered 321 to amendment No. 275.

Ms. LANDRIEU. I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose; To require the Secretary of Homeland Security to include levees in the list of critical infrastructure sectors)

On page 233, line 11, after ''the Secretary'' insert ''shall include levees in the list of critical infrastructure sectors and''.

AMENDMENTS NOS. 295 AND 296, EN BLOC, TO AMENDMENT NO. 275

Ms. LANDRIEU. Mr. President, I call up amendments Nos. 295 and 296.

The ACTING PRESIDENT pro tempore. The clerk will report.

The bill clerk read as follows:

The Senator from Louisiana [Ms. LANDRIEU] proposes amendments numbered 295 and 296 en bloc to amendment No. 275.

The amendments are as follows:

AMENDMENT NO. 295

(Purpose: To provide adequate funding for local governments harmed by Hurricane Katrina of 2005 or Hurricane Rita of 2005)

At the end of title XV, add the following:

SEC. ___. FEDERAL SHARE FOR ASSISTANCE RELATING TO HURRICANE KATRINA OF 2005 OR HURRICANE RITA OF 2005 .

(a) IN GENERAL.—Notwithstanding any other provision of law, the Federal share of any assistance provided under section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172) because of Hurricane Katrina of 2005 or Hurricane Rita of 2005 shall be 100 percent.

(b) EFFECTIVE DATE.—This section shall apply to any assistance provided under section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172) on or after August 28, 2005.

AMENDMENT NO. 296

(Purpose: To permit the cancellation of certain loans under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, and for other purposes)

At the end of title XV, add the following:

SEC. ___. CANCELLATION OF LOANS.

(a) IN GENERAL.—Section 2(a) of the Community Disaster Loan Act of 2005 (Public Law 109–88; 119 Stat. 2061) is amended by striking ''*Provided further*, That notwithstanding section 417(c)(1) of the Stafford Act, such loans may not be canceled:''.

(b) DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT.—Chapter 4 of title II of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109–234; 120 Stat. 471) is amended under the heading ''DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT'' under the heading ''FEDERAL EMERGENCY MANAGEMENT AGENCY'' under the heading ''DEPARTMENT OF HOMELAND SECURITY'', by striking ''*Provided further*, That notwithstanding section 417(c)(1) of such Act, such loans may not be canceled:''.

(c) EFFECTIVE DATE.—The amendments made by this section shall be effective on the date of enactment of the Community Disaster Loan Act of 2005 (Public Law 109–88; 119 Stat. 2061).

Ms. LANDRIEU. Mr. President, I appreciate my colleague allowing me a few minutes this morning to present this amendment. Whenever the managers of the bill believe we can vote on this amendment, I would most certainly follow their lead. It is a very important amendment, not just for the State of Louisiana but for Mississippi as well and for the gulf coast.

There seems to be some misunderstanding about the scope of the damage of Hurricanes Katrina and Rita, the first and third worst storms in the history of the Nation. As we can see, Hurricane Andrew, the most expensive storm prior to these, had a per capita impact on the State of Florida of $139. The World Trade Center attacks, as vicious and terrible and heart-wrenching as they were, had a more substantial impact to the State of New York. But Katrina and Rita have had an extraordinarily horrific impact on the States of Louisiana and Mississippi.

This amendment asks the Congress to waive the 10-percent match which was done in this case and in this case. It most certainly should be done in this case. That is the essence of this amendment.

It would not only mean fairness and parity and equity for the survivors of Hurricanes Katrina and Rita, in line with what we have done, but it would also substantially expedite the rebuilding work that is underway and is tied up in redtape—in mindless redtape—because of this requirement. So I am asking for the Congress to act swiftly on this bill to get that done.

AMENDMENT NO. 321

In addition, we also are asking for the critical infrastructure of the levees to be included in the list of critical infrastructure being debated on this bill. We have to review the infrastructure of the Nation and set priorities about where we are going to spend our money. That is what the second amendment does.

AMENDMENT NO. 296

Then, finally, the third amendment will put back into the law the Community Disaster Loan Act the way it was before Hurricanes Katrina and Rita struck. For every other disaster in the past, and amazingly for every one in the future, communities at least have received the option of having their loans forgiven. But under the last Congress, the law was changed not for the future, which I could have accepted, but for only the survivors in Mississippi and Louisiana. The law was changed to not even allow for a possible forgiveness. So, again, it was grossly unfair, unprecedented.

That, basically, is what these three amendments do.

Mr. President, I thank my colleagues for allowing me to speak about the amendments briefly this morning.

I yield whatever time I have remaining.

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

AMENDMENT NO. 272 TO AMENDMENT NO. 275

Mr. ALLARD. Mr. President, I ask unanimous consent to lay aside the pending amendment and call up amendment No. 272.

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

The bill clerk read as follows:

The Senator from Colorado [Mr. ALLARD] proposes an amendment numbered 272 to amendment No. 275.

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

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

The amendment is as follows:

(Purpose: 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, and for other purposes)

At the appropriate place, insert the following:

SEC. ___. SHARING OF SOCIAL SECURITY DATA FOR IMMIGRATION ENFORCEMENT PURPOSES.

(a) SOCIAL SECURITY ACCOUNT NUMBERS.—Section 264(f) of the Immigration and Nationality Act (8 U.S.C. 1304(f)) is amended to read as follows:

''(f) Notwithstanding any other provision of law (including section 6103 of the Internal Revenue Code of 1986), the Secretary of Homeland Security, the Secretary of Labor, and the Attorney General are authorized to require an individual to provide the individual's social security account number for purposes of inclusion in any record of the individual maintained by either such Secretary or the Attorney General, or of inclusion in any application, document, or form provided under or required by the immigration laws.''.

(b) EXCHANGE OF INFORMATION.—Section 290(c) of the Immigration and Nationality Act (8 U.S.C. 1360(c)) is amended by striking paragraph (2) and inserting the following new paragraphs:

''(2)(A) Notwithstanding any other provision of law (including section 6103 of the Internal Revenue Code of 1986), if earnings are reported on or after January 1, 1997, to the Social Security Administration on a social security account number issued to an alien not authorized to work in the United States, the Commissioner of Social Security shall provide the Secretary of Homeland Security with information regarding the name, date of birth, and address of the alien, the name and address of the person reporting the earnings, and the amount of the earnings.

''(B) The information described in subparagraph (A) shall be provided in an electronic form agreed upon by the Commissioner and the Secretary.

''(3)(A) Notwithstanding any other provision of law (including section 6103 of the Internal Revenue Code of 1986), if a social security account number was used with multiple names, the Commissioner of Social Security shall provide the Secretary of Homeland Security with information regarding the name,

date of birth, and address of each individual who used that social security account number, and the name and address of the person reporting the earnings for each individual who used that social security account number.

''(B) The information described in subparagraph (A) shall be provided in an electronic form agreed upon by the Commissioner and the Secretary for the sole purpose of enforcing the immigration laws.

''(C) The Secretary, in consultation with the Commissioner, may limit or modify the requirements of this paragraph, as appropriate, to identify the cases posing the highest possibility of fraudulent use of social security account numbers related to violation of the immigration laws.

''(4)(A) Notwithstanding any other provision of law (including section 6103 of the Internal Revenue Code of 1986), if more than one person reports earnings for an individual during a single tax year, the Commissioner of Social Security shall provide the Secretary of Homeland Security information regarding the name, date of birth, and address of the individual, and the name and address of each person reporting earnings for that individual.

''(B) The information described in subparagraph (A) shall be provided in an electronic form agreed upon by the Commissioner and the Secretary for the sole purpose of enforcing the immigration laws.

''(C) The Secretary, in consultation with the Commissioner, may limit or modify the requirements of this paragraph, as appropriate, to identify the cases posing the highest possibility of fraudulent use of social security account numbers related to violation of the immigration laws.

''(5)(A) The Commissioner of Social Security shall perform, at the request of the Secretary of Homeland Security, a search or manipulation of records held by the Commissioner if the Secretary certifies that the purpose of the search or manipulation is to obtain information that is likely to assist in identifying individuals (and their employers) who are using false names or social security account numbers, who are sharing a single valid name and social security account number among multiple individuals, who are using the social security account number of a person who is deceased, too young to work, or not authorized to work, or who are otherwise engaged in a violation of the immigration laws. The Commissioner shall provide the results of such search or manipulation to the Secretary, notwithstanding any other provision law (including section 6103 of the Internal Revenue Code of 1986).

''(B) The Secretary shall transfer to the Commissioner the funds necessary to cover the costs directly incurred by the Commissioner in carrying out each search or manipulation requested by the Secretary under subparagraph (A).''.

(c) FALSE CLAIMS OF CITIZENSHIP BY NATIONALS OF THE UNITED STATES.—Section 212(a)(6)(C)(ii)(I) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(6)(C)(ii)(I)) is amended by inserting ''or national'' after ''citizen''.

Mr. ALLARD. Mr. President, this amendment deals with identity theft. As we heard from the 9/11 Commission, being able to secure our identity process is extremely important for the national security of this country. The 9/11 Commission suggested that we needed to do more to protect against identity theft and that was part of the problem with the terrorists who were coming into this country.

So my amendment is very pertinent to the subject of this particular piece of legislation. One of the key items in that report is that we break down the stovepipe between the agencies so we can have some enforcement. This amendment tries to break down the stovepipe between Social Security and Homeland Security. Homeland Security, in checking for identity theft, is not able to get that information from Social Security; Social Security is not able to provide it because of a current law. This amendment addresses that problem.

So it is my hope we can get this adopted. I have called it up, and I have made previous statements on this particular amendment. It is important. If we have somebody who is using the same name and Social Security number, we do not have any way of finding out about it unless it shows up on the Social Security side. So we need to be sure we can break down that stovepipe so we can have better security for this country. That is what my amendment is all about.

Mr. President, I yield the remainder of my time.

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

AMENDMENT NO. 280

Mr. SALAZAR. Mr. President, we will be voting in a few minutes on amendment No. 280, which will create the Rural Policing Institute. This is the pinnacle of law enforcement training for our Federal agents throughout our country. It is very important that we allow the 800,000 men and women who are in rural law enforcement agencies to take advantage of this great training opportunity. They are the eyes and ears on the ground who ultimately will help us avoid future terrorist attacks such as the one we saw in Oklahoma City which killed 156 people.

Mr. President, I am very proud of the fact this is a bipartisan amendment. I am going to yield up to 2 or 3 minutes of my time to Senator CHAMBLISS because FLETC is located in his State, and he has been a great champion of FLETC.

The ACTING PRESIDENT pro tempore. The Senator from Georgia is recognized for up to 3 minutes.

Mr. CHAMBLISS. Mr. President, I thank my good friend and colleague from Colorado for once again bringing this amendment forward. Those of us who come from rural areas understand what our men and women do every day in rural America from the standpoint of enforcing the laws of this country. This amendment goes a longways toward supporting their efforts.

My colleague from Georgia, Senator ISAKSON, and I are original cosponsors and strong supporters of this measure which I believe does fulfill a great need in rural America.

The amendment creates a Rural Policing Institute that would be administered by the Office of the Federal Law Enforcement Training Center, also known as FLETC, located in Glynco, GA.

Despite the fact that a majority of America's law enforcement agencies serve rural communities and small towns such as those across Georgia and Colorado, there is no entity dedicated specifically to training rural law enforcement officers. Currently, FLETC can only meet a small fraction of the demand for rural training.

Rural law enforcement agencies have to work with fewer resources, fewer personnel, and are often forced to go without the training they need and rightly deserve. They cannot afford to do without men and women who may be called away for an extended period of time to undergo training, and that is why we need to bring the training directly to them—training otherwise they would not have access to.

There is no question—and I hear this whenever I travel around my State—that our local law enforcement in rural areas is called upon more and more to prepare for different kinds of threats in this new security environment. In many areas, increased crime and increased methamphetamine drug trafficking has placed severe pressure on rural law enforcement capabilities.

So if we are going to call upon them to do more, to leave their families each day, putting their lives in harm's way, then we have to provide them with the resources they need to carry out their duties. As a strong supporter of the criminal justice system, I believe this includes giving them access to the vital training they need.

We must do all we can to support our hard-working professionals in rural areas. I urge my colleagues to support this commonsense, bipartisan amendment.

Finally, I commend all of our law enforcement personnel, not just in our rural areas but in our urban areas as well—all across Georgia, Colorado, and every single State in America—who risk their lives every day for the sake of protecting their citizens.

Again, Mr. President, I thank my colleague from Colorado for this very commonsense, bipartisan measure that will improve the safety of every single citizen who lives in rural, as well as urban America.

Mr. President, I yield back.

The ACTING PRESIDENT pro tempore. The junior Senator from Colorado is recognized.

Mr. SALAZAR. Mr. President, the importance of this amendment is underscored in the stories and the lives that are led by the 800,000 men and women who leave their homes every day to make sure they are protecting America. These are men and women who, in many areas, live in rural communities. In my State alone, we have 14,000 peace officers.

As the attorney general of Colorado, I had the great honor and privilege of being the chairman of the Peace Officers Standards and Training Board. One of the things we recognized during that timeframe in my State of Colorado was that the training of these

rural law enforcement officers was very essential for us to be able to make sure, first of all, they were able to protect themselves from getting in harm's way, and, second of all, they were able to protect the public?

Mr. President, can I ask how much time I have on this side.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mr. SALAZAR. Mr. President, I ask unanimous consent to have up to 2 more minutes to speak on the subject of amendment No. 280.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

Mr. SALAZAR. Mr. President, I am proud of the fact that Senator PRYOR and Senator ISAKSON and Senator CHAMBLISS have joined us in moving forward with this amendment. It is a commonsense amendment. When you consider the horrific attack we saw in Oklahoma, it is exactly the kind of attack that might have been prevented if we had our rural law enforcement agencies with the kind of training that would make them part of our antiterrorism efforts.

So I want us very much to move forward with this amendment, to adopt it in the Senate. I urge my colleagues to vote ''yes'' on this amendment.

Mr. President, I yield back the remainder of my time.

The ACTING PRESIDENT pro tempore. Who yields time?

The Senator from Maine is recognized.

Ms. COLLINS. Mr. President, I suggest the absence of a quorum and ask that the time apply equally.

The ACTING PRESIDENT pro tempore. There is no time on the other side.

Ms. COLLINS. OK.

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

The bill clerk proceeded to call the roll.

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

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

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

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

(The remarks of Mr. ALLARD pertaining to the introduction of S. 746 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

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

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

The bill clerk proceeded to call the roll.

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

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

VOTE ON AMENDMENT NO. 292

The ACTING PRESIDENT pro tempore. Under the previous order, the question is on agreeing to amendment No. 292 offered by the Senator from New Hampshire, Mr. SUNUNU.

Mr. LIEBERMAN. Mr. President, I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second? There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from Connecticut (Mr. DODD), the Senator from South Dakota (Mr. JOHNSON), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Arkansas (Mrs. LINCOLN), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

Mr. LOTT. The following Senators were necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Kentucky (Mr. BUNNING), the Senator from Wyoming (Mr. ENZI), the Senator from New Hampshire (Mr. GREGG), the Senator from Texas (Mrs. HUTCHISON), the Senator from Arizona (Mr. KYL), the Senator from Arizona (Mr. MCCAIN), the Senator from Nebraska (Mr. HAGEL), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Kansas (Mr. ROBERTS), the Senator from Alabama (Mr. SESSIONS), and the Senator from Louisiana (Mr. VITTER).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER), the Senator from Kentucky (Mr. BUNNING), and the Senator from Alabama (Mr. SESSIONS) would have voted ''yea.''

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

The result was announced—yeas 82, nays 0, as follows:

[Rollcall Vote No. 57 Leg.]

YEAS—82

Akaka	Dole	Mikulski
Allard	Domenici	Murray
Baucus	Dorgan	Nelson (FL)
Bayh	Durbin	Nelson (NE)
Bennett	Ensign	Pryor
Bingaman	Feingold	Reed
Bond	Feinstein	Reid
Boxer	Graham	Rockefeller
Brown	Grassley	Salazar
Brownback	Harkin	Sanders
Burr	Hatch	Schumer
Byrd	Inhofe	Shelby
Cantwell	Inouye	Smith
Cardin	Isakson	Snowe
Carper	Kerry	Specter
Casey	Klobuchar	Stabenow
Chambliss	Kohl	Stevens
Clinton	Landrieu	Sununu
Coburn	Lautenberg	Tester
Cochran	Leahy	Thomas
Coleman	Levin	Thune
Collins	Lieberman	Voinovich
Conrad	Lott	Warner
Corker	Lugar	Webb
Cornyn	Martinez	Whitehouse
Craig	McCaskill	Wyden
Crapo	McConnell	
DeMint	Menendez	

NOT VOTING—18

Alexander	Hagel	McCain
Biden	Hutchison	Murkowski
Bunning	Johnson	Obama
Dodd	Kennedy	Roberts
Enzi	Kyl	Sessions
Gregg	Lincoln	Vitter

The amendment (No. 292) was agreed to.

Mr. LIEBERMAN. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 280

The ACTING PRESIDENT pro tempore. There are now 2 minutes of debate on the Salazar amendment. Who yields time?

The Senator from Colorado is recognized.

Mr. SALAZAR. Mr. President, it is a very simple amendment that would create the Rural Policing Institute, which would help our rural law enforcement throughout the country. These men and women will help us in dealing with terrorism around the country.

There is broad bipartisan support from Senator ISAKSON, Senator CHAMBLISS, and Senator MARK PRYOR, the former attorney general from Arkansas. I urge all my colleagues to vote yes on this amendment.

I yield back the remainder of my time.

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

Mr. LIEBERMAN. Mr. President, I strongly support the amendment of my friend from Colorado. It is a necessary and progressive step forward. I don't believe anybody else wants to speak on this amendment. Therefore, I yield back the rest of the time and I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the amendment. The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from Connecticut (Mr. DODD), the Senator from South Dakota (Mr. JOHNSON), the Senator from Massachusetts (Mr. KENNEDY), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

Mr. LOTT. The following Senators were necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Kentucky (Mr. BUNNING), the Senator from Wyoming (Mr. ENZI), the Senator from New Hampshire (Mr. GREGG), the Senator from Nebraska (Mr. HAGEL), the Senator from Texas (Mrs. HUTCHISON), the Senator from Arizona (Mr. KYL), the Senator from Arizona (Mr. MCCAIN), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Kansas (Mr. ROBERTS), the Senator from Alabama (Mr. SESSIONS), and the Senator from Louisiana (Mr. VITTER).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER), the Senator from Kentucky (Mr. BUNNING), and the Senator from Alabama (Mr. SESSIONS) would have voted ''yea.''

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

The result was announced—yeas 82, nays 1, as follows:

[Rollcall Vote No. 58 Leg.]

YEAS—82

Akaka	Domenici	Mikulski
Allard	Dorgan	Murray
Baucus	Durbin	Nelson (FL)
Bayh	Ensign	Nelson (NE)
Bennett	Feingold	Pryor
Bingaman	Feinstein	Reed
Bond	Graham	Reid
Boxer	Grassley	Rockefeller
Brown	Harkin	Salazar
Brownback	Hatch	Sanders
Burr	Inhofe	Schumer
Byrd	Inouye	Shelby
Cantwell	Isakson	Smith
Cardin	Kerry	Snowe
Carper	Klobuchar	Specter
Casey	Kohl	Stabenow
Chambliss	Landrieu	Stevens
Clinton	Lautenberg	Sununu
Cochran	Leahy	Tester
Coleman	Levin	Thomas
Collins	Lieberman	Thune
Conrad	Lincoln	Voinovich
Corker	Lott	Warner
Cornyn	Lugar	Webb
Craig	Martinez	Whitehouse
Crapo	McCaskill	Wyden
DeMint	McConnell	
Dole	Menendez	

NAYS—1

Coburn

NOT VOTING—17

Alexander	Hagel	Murkowski
Biden	Hutchison	Obama
Bunning	Johnson	Roberts
Dodd	Kennedy	Sessions
Enzi	Kyl	Vitter
Gregg	McCain	

The amendment (No. 280) was agreed to.

Mr. LIEBERMAN. I move to reconsider the vote.

Mr. REID. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

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

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

AMENDMENTS NOS. 305, 310, 311, 312, 317, 318, 319, 320, 300, AND 309 TO AMENDMENT NO. 275, EN BLOC

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the pending amendments be temporarily set aside, that the following amendments be called up en bloc, and that the reading of the amendments be dispensed with: Sessions No. 305, Cornyn No. 310, Cornyn No. 311, and Cornyn No. 312; four Kyl amendments, No. 317, 318, 319, and 320; and two Grassley amendments, No. 300 and No. 309.

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

The amendments are as follows:

AMENDMENT NO. 305

(Purpose: 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)

At the appropriate place, 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, or detain 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''.

AMENDMENT NO. 310

(Purpose: 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)

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

AMENDMENT NO. 311

(Purpose: To provide for immigration injunction reform)

At the appropriate place, insert the following:

SEC. ___. IMMIGRATION INJUNCTION REFORM.

(a) APPROPRIATE REMEDIES FOR IMMIGRATION LEGISLATION.—

(1) REQUIREMENTS FOR AN ORDER GRANTING PROSPECTIVE RELIEF AGAINST THE GOVERNMENT.—

(A) IN GENERAL.—If a court determines that prospective relief should be ordered against the Government in any civil action pertaining to the administration or enforcement of the immigration laws of the United States, the court shall—

(i) limit the relief to the minimum necessary to correct the violation of law;

(ii) adopt the least intrusive means to correct the violation of law;

(iii) minimize, to the greatest extent practicable, the adverse impact on national security, border security, immigration administration and enforcement, and public safety; and

(iv) provide for the expiration of the relief on a specific date, which is not later than the earliest date necessary for the Government to remedy the violation.

(B) WRITTEN EXPLANATION.—The requirements described in subparagraph (A) shall be discussed and explained in writing in the order granting prospective relief and must be sufficiently detailed to allow review by another court.

(C) EXPIRATION OF PRELIMINARY INJUNCTIVE RELIEF.—Preliminary injunctive relief shall automatically expire on the date that is 90 days after the date on which such relief is entered, unless the court—

(i) makes the findings required under subparagraph (A) for the entry of permanent prospective relief; and

(ii) makes the order final before expiration of such 90-day period.

(D) REQUIREMENTS FOR ORDER DENYING MOTION.—This paragraph shall apply to any order denying a motion made by the Government to vacate, modify, dissolve, or otherwise terminate an order granting prospective relief in any civil action pertaining to the administration or enforcement of the immigration laws of the United States.

(2) PROCEDURE FOR MOTION AFFECTING ORDER GRANTING PROSPECTIVE RELIEF AGAINST THE GOVERNMENT.—

(A) IN GENERAL.—A court shall promptly rule on a motion made by the Government to

vacate, modify, dissolve, or otherwise terminate an order granting prospective relief in any civil action pertaining to the administration or enforcement of the immigration laws of the United States.

(B) AUTOMATIC STAYS.—

(i) IN GENERAL.—A motion to vacate, modify, dissolve, or otherwise terminate an order granting prospective relief made by the Government in any civil action pertaining to the administration or enforcement of the immigration laws of the United States shall automatically, and without further order of the court, stay the order granting prospective relief on the date that is 15 days after the date on which such motion is filed unless the court previously has granted or denied the Government's motion.

(ii) DURATION OF AUTOMATIC STAY.—An automatic stay under clause (i) shall continue until the court enters an order granting or denying the Government's motion.

(iii) POSTPONEMENT.—The court, for good cause, may postpone an automatic stay under clause (i) for not longer than 15 days.

(iv) ORDERS BLOCKING AUTOMATIC STAYS.—Any order staying, suspending, delaying, or otherwise barring the effective date of the automatic stay described in clause (i), other than an order to postpone the effective date of the automatic stay for not longer than 15 days under clause (iii), shall be—

(I) treated as an order refusing to vacate, modify, dissolve, or otherwise terminate an injunction; and

(II) immediately appealable under section 1292(a)(1) of title 28, United States Code.

(3) SETTLEMENTS.—

(A) CONSENT DECREES.—In any civil action pertaining to the administration or enforcement of the immigration laws of the United States, the court may not enter, approve, or continue a consent decree that does not comply with the requirements of paragraph (1).

(B) PRIVATE SETTLEMENT AGREEMENTS.—Nothing in this subsection shall preclude parties from entering into a private settlement agreement that does not comply with paragraph (1).

(4) EXPEDITED PROCEEDINGS.—It shall be the duty of every court to advance on the docket and to expedite the disposition of any civil action or motion considered under this subsection.

(5) DEFINITIONS.—In this subsection:

(A) CONSENT DECREE.—The term ''consent decree''—

(i) means any relief entered by the court that is based in whole or in part on the consent or acquiescence of the parties; and

(ii) does not include private settlements.

(B) GOOD CAUSE.—The term ''good cause'' does not include discovery or congestion of the court's calendar.

(C) GOVERNMENT.—The term ''Government'' means the United States, any Federal department or agency, or any Federal agent or official acting within the scope of official duties.

(D) PERMANENT RELIEF.—The term ''permanent relief'' means relief issued in connection with a final decision of a court.

(E) PRIVATE SETTLEMENT AGREEMENT.—The term ''private settlement agreement'' means an agreement entered into by the parties that is not subject to judicial enforcement other than the reinstatement of the civil action that the agreement settled.

(F) PROSPECTIVE RELIEF.—The term ''prospective relief'' means temporary, preliminary, or permanent relief other than compensatory monetary damages.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—This section shall apply with respect to all orders granting prospective relief in any civil action pertaining to the administration or enforcement of the immigration laws of the United States, whether such relief was ordered before, on, or after the date of the enactment of this Act.

(2) PENDING MOTIONS.—Every motion to vacate, modify, dissolve, or otherwise terminate an order granting prospective relief in any such action, which motion is pending on the date of the enactment of this Act, shall be treated as if it had been filed on such date of enactment.

(3) AUTOMATIC STAY FOR PENDING MOTIONS.—

(A) IN GENERAL.—An automatic stay with respect to the prospective relief that is the subject of a motion described in paragraph (2) shall take effect without further order of the court on the date that is 10 days after the date of the enactment of this Act if the motion—

(i) was pending for 45 days as of the date of the enactment of this Act; and

(ii) is still pending on the date which is 10 days after such date of enactment.

(B) DURATION OF AUTOMATIC STAY.—An automatic stay that takes effect under subparagraph (A) shall continue until the court enters an order granting or denying a motion made by the Government under subsection (a)(2). There shall be no further postponement of the automatic stay with respect to any such pending motion under subsection (a)(2)(B). Any order, staying, suspending, delaying, or otherwise barring the effective date of this automatic stay with respect to pending motions described in paragraph (2) shall be an order blocking an automatic stay subject to immediate appeal under subsection (a)(2)(B)(iv).

AMENDMENT NO. 312

(Purpose: To prohibit the recruitment of persons to participate in terrorism)

On page 389, after line 13, add the following:

SEC. 15___. RECRUITMENT OF PERSONS TO PARTICIPATE IN TERRORISM.

(a) IN GENERAL.—Chapter 113B of title 18, United States Code, is amended by inserting after section 2332b the following:

''§ 2332c. Recruitment of persons to participate in terrorism.

''(a) OFFENSES.—

''(1) IN GENERAL.—It shall be unlawful to employ, solicit, induce, command, or cause another person to commit an act of domestic terrorism or international terrorism or a Federal crime of terrorism, with the intent that the person commit such act or crime of terrorism

''(2) ATTEMPT AND CONSPIRACY.—It shall be unlawful to attempt or conspire to commit an offense under paragraph (1).

''(b) PENALTIES.—Any person who violates subsection (a)—

''(1) in the case of an attempt or conspiracy, shall be fined under this title, imprisoned not more than 10 years, or both;

''(2) if death of an individual results, shall be fined under this title, punished by death or imprisoned for any term of years or for life, or both;

''(3) if serious bodily injury to any individual results, shall be fined under this title, imprisoned not less than 10 years nor more than 25 years, or both; and

''(4) in any other case, shall be fined under this title, imprisoned not more than 10 years, or both.

''(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed or applied so as to abridge the exercise of rights guaranteed under the first amendment to the Constitution of the United States.

''(d) LACK OF CONSUMMATED TERRORIST ACT NOT A DEFENSE.—It is not a defense under this section that the act of domestic terrorism or international terrorism or Federal crime of terrorism that is the object of the employment, solicitation, inducement, commanding, or causing has not been done.

''(e) DEFINITIONS.—In this section—

''(1) the term 'Federal crime of terrorism' has the meaning given that term in section 2332b of this title; and

''(2) the term 'serious bodily injury' has the meaning given that term in section 1365 of this title.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The table of sections at the beginning of chapter 113B of title 18, United States Code, is amended—

(1) by inserting after section 2332b the following:

''2332c. Recruitment of persons to participate in terrorism.''; and

(2) by adding at the end the following:

''2339D. Receiving military type training from a foreign terrorist organization.''.

AMENDMENT NO. 317

(Purpose: To prohibit the rewarding of suicide bombings and allow adequate punishments for terrorist murders, kidnappings, and sexual assaults)

At the end, add the following:

SEC. ___. PREVENTION AND DETERRENCE OF TERRORIST SUICIDE BOMBINGS AND TERRORIST MURDERS, KIDNAPPING, AND SEXUAL ASSAULTS.

(a) OFFENSE OF REWARDING OR FACILITATING INTERNATIONAL TERRORIST ACTS.—

(1) IN GENERAL.—Chapter 113B of title 18, United States Code, is amended by adding at the end the following:

''§ 2339E. Providing material support to international terrorism

''(a) DEFINITIONS.—In this section:

''(1) The term 'facility of interstate or foreign commerce' has the same meaning as in section 1958(b)(2).

''(2) The term 'international terrorism' has the same meaning as in section 2331.

''(3) The term 'material support or resources' has the same meaning as in section 2339A(b).

''(4) The term 'perpetrator of an act' includes any person who—

''(A) commits the act;

''(B) aids, abets, counsels, commands, induces, or procures its commission; or

''(C) attempts, plots, or conspires to commit the act.

''(5) The term 'serious bodily injury' has the same meaning as in section 1365.

''(b) PROHIBITION.—Whoever, in a circumstance described in subsection (c), provides material support or resources to the perpetrator of an act of international terrorism, or to a family member or other person associated with such perpetrator, with the intent to facilitate, reward, or encourage that act or other acts of international terrorism, shall be fined under this title, imprisoned not more than 25 years, or both, and, if death results, shall be imprisoned for any term of years or for life.

''(c) JURISDICTIONAL BASES.—A circumstance referred to in subsection (b) is that—

''(1) the offense occurs in or affects interstate or foreign commerce;

''(2) the offense involves the use of the mails or a facility of interstate or foreign commerce;

''(3) an offender intends to facilitate, reward, or encourage an act of international terrorism that affects interstate or foreign commerce or would have affected interstate or foreign commerce had it been consummated;

''(4) an offender intends to facilitate, reward, or encourage an act of international terrorism that violates the criminal laws of the United States;

''(5) an offender intends to facilitate, reward, or encourage an act of international terrorism that is designed to influence the policy or affect the conduct of the United States Government;

''(6) an offender intends to facilitate, reward, or encourage an act of international terrorism that occurs in part within the United States and is designed to influence the policy or affect the conduct of a foreign government;

''(7) an offender intends to facilitate, reward, or encourage an act of international terrorism that causes or is designed to cause death or serious bodily injury to a national of the United States while that national is outside the United States, or substantial damage to the property of a legal entity organized under the laws of the United States (including any of its States, districts, commonwealths, territories, or possessions) while that property is outside of the United States;

''(8) the offense occurs in whole or in part within the United States, and an offender intends to facilitate, reward or encourage an act of international terrorism that is designed to influence the policy or affect the conduct of a foreign government; or

''(9) the offense occurs in whole or in part outside of the United States, and an offender is a national of the United States, a stateless person whose habitual residence is in the United States, or a legal entity organized under the laws of the United States (including any of its States, districts, commonwealths, territories, or possessions).''.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—

(A) TABLE OF SECTIONS.—The table of sections for chapter 113B of title 18, United States Code, is amended by adding at the end the following:

''2339D. Receiving military-type training from a foreign terrorist organization.

''2339E. Providing material support to international terrorism.''.

(B) OTHER AMENDMENT.—Section 2332b(g)(5)(B)(i) of title 18, United States Code, is amended by striking all after ''2339C'' and inserting ''(relating to financing of terrorism), 2339E (relating to providing material support to international terrorism), or 2340A (relating to torture);''.

(b) INCREASED PENALTIES FOR PROVIDING MATERIAL SUPPORT TO TERRORISTS.—

(1) PROVIDING MATERIAL SUPPORT TO DESIGNATED FOREIGN TERRORIST ORGANIZATIONS.—Section 2339B(a) of title 18, United States Code, is amended by striking ''15 years'' and inserting ''25 years''.

(2) PROVIDING MATERIAL SUPPORT OR RESOURCES IN AID OF A TERRORIST CRIME.—Section 2339A(a) of title 18, United States Code, is amended by striking ''15 years'' and inserting ''40 years''.

(3) RECEIVING MILITARY-TYPE TRAINING FROM A FOREIGN TERRORIST ORGANIZATION.—Section 2339D(a) of title 18, United States Code, is amended by striking ''ten years'' and inserting ''15 years''.

(4) ADDITION OF ATTEMPTS AND CONSPIRACIES TO AN OFFENSE RELATING TO MILITARY TRAINING.—Section 2339D(a) of title 18, United States Code, is amended by inserting '', or attempts or conspires to receive,'' after ''receives''.

(c) DENIAL OF FEDERAL BENEFITS TO CONVICTED TERRORISTS.—

(1) IN GENERAL.—Chapter 113B of title 18, United States Code, as amended by this section, is amended by adding at the end the following:

''§ 2339F. Denial of Federal benefits to terrorists

''(a) IN GENERAL.—Any individual who is convicted of a Federal crime of terrorism (as defined in section 2332b(g)) shall, as provided by the court on motion of the Government, be ineligible for any or all Federal benefits for any term of years or for life.

''(b) FEDERAL BENEFIT DEFINED.—In this section, 'Federal benefit' has the meaning given that term in section 421(d) of the Controlled Substances Act (21 U.S.C. 862(d)).''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 113B of title 18, United States Code, as amended by this section, is amended by adding at the end the following:

''2339F. Denial of Federal benefits to terrorists.''.

(d) ADDITION OF ATTEMPTS OR CONSPIRACIES TO OFFENSE OF TERRORIST MURDER.—Section 2332(a) of title 18, United States Code, is amended—

(1) by inserting '', or attempts or conspires to kill,'' after ''Whoever kills''; and

(2) in paragraph (2), by striking ''ten years'' and inserting ''30 years''.

(e) ADDITION OF OFFENSE OF TERRORIST KIDNAPPING.—Section 2332(b) of title 18, United States Code, is amended to read as follows:

''(b) KIDNAPPING.—Whoever outside the United States unlawfully seizes, confines, inveigles, decoys, kidnaps, abducts, or carries away, or attempts or conspires to seize, confine, inveigle, decoy, kidnap, abduct or carry away, a national of the United States, shall be fined under this title, imprisoned for any term of years or for life, or both.''.

(f) ADDITION OF SEXUAL ASSAULT TO DEFINITION OF OFFENSE OF TERRORIST ASSAULT.—Section 2332(c) of title 18, United States Code, is amended—

(1) in paragraph (1), by inserting ''(as defined in section 1365, including any conduct that, if the conduct occurred in the special maritime and territorial jurisdiction of the United States, would violate section 2241 or 2242)'' after ''injury'';

(2) in paragraph (2), by inserting ''(as defined in section 1365, including any conduct that, if the conduct occurred in the special maritime and territorial jurisdiction of the United States, would violate section 2241 or 2242)'' after ''injury''; and

(3) in the matter following paragraph (2), by striking ''ten years'' and inserting ''40 years''.

AMENDMENT NO. 318

(Purpose: to protect classified information)

At the appropriate place, insert the following:

SEC. ____. UNLAWFUL DISCLOSURE OF CLASSIFIED REPORTS BY ENTRUSTED PERSONS.

(a) Whoever, being an employee or member of the Senate or House of Representatives of the United States of America, or being entrusted with or having lawful possession of, access to, or control over any classified information contained in a report submitted to the Congress pursuant to the Improving America's Security Act of 2007, the USA Patriot Improvement and Reauthorization Act of 2005, or the Intelligence Reform and Terrorism Prevention Act of 2004, and who knowingly and willfully communicates, furnishes, transmits, or otherwise makes available to an unauthorized person, or publishes, or uses such information in any manner prejudicial to the safety or interest of the United States or for the benefit of any foreign government to the detriment of the United States, shall be fined under this title or imprisoned not more than ten years, or both.

(b) As used in subsection (a) of this section—

The term ''classified information'' means information which, at the time of a violation of this section, is determined to be Confidential, Secret, or Top Secret pursuant to Executive Order 12958 or successor orders;

The term ''unauthorized person'' means any person who does not have authority or permission to have access to the classified information pursuant to the provisions of a statute, Executive Order, regulation, or directive of the head of any department or agency who is empowered to classify information.

(c) Nothing in this section shall prohibit the furnishing, upon lawful demand, of information to any regularly constituted committee of the Senate or House of Representatives of the United States of America, or joint committee thereof.

AMENDMENT NO. 319

(Purpose: to provide for relief from (a)(3)(B) immigration bars for 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, and for other purpose)

At the appropriate place, insert the following:

SEC. 1. AUTHORIZING THE SECRETARY OF HOMELAND SECURITY TO EXEMPT GROUPS THAT ARE NOT A THREAT TO THE UNITED STATES AND THAT DO NOT ATTACK CIVILIANS FROM THE DEFINITION OF ''TERRORIST ORGANIZATION''.

Section 212(d)(3)(B)(i) of the Immigration and Nationality Act (8 U.S.C. §1182(d)(3)(B)(i)) is revised to read as follows:

''The Secretary of Homeland Security, after consultation with the Secretary of State and the Attorney General, may determine in such Secretary's sole unreviewable discretion that—

(I) subsection (a)(3)(B)(i)(IV)(bb) of this section shall not apply to an alien;

(II) subsection (a)(3)(B)(i)(VII) of this section shall not apply to an alien who endorsed or espoused terrorist activity or persuaded others to endorse or espouse terrorist activity or support a terrorist organization described in clause (vi)(III);

(III) subsection (a)(3)(B)(iv)(VI) of this section shall not apply with respect to any material support that an alien afforded under duress (as that term is defined in common law) to an organization or individual that has engaged in a terrorist activity;

(IV) subsection (a)(3)(B)(vi)(III) of this section shall not apply to a group that—

(aa) does not pose a threat to the United States or other democratic countries; and

(bb) has not engaged in terrorist activity that was targeted at civilians; or

(V) subsection (a)(3)(B)(vi)(III) of this section shall not apply to a group solely by virtue of its having a subgroup within the scope of that subsection.

''Such a determination may be revoked at any time, and neither the determination nor its revocation shall be subject to judicial review under any provision of law, including section 2241 of title 28.''

SEC. 2. AUTOMATIC RELIEF FOR THE HMONG AND OTHER GROUPS THAT DO NOT POSE A THREAT TO THE UNITED STATES.

For purposes of section 212(a)(3)(B) of the Immigration and Nationality Act (8 U.S.C. §1181(a)(3)(B)), the Hmong, the Montagnards, the Karen National Union/Karen National Liberation Army (KNU/KNLA), the Chin National Front/Chin National Army (CNF/CNA), the Chin National League for Democracy (CNLD), the Kayan New Land Party (KNLP), the Arakan Liberation Party (ALP), the Mustangs, the Alzados, and the Karenni National Progressive Party shall not be considered to be a terrorist organization on the basis of any act or event occurring before the date of the enactment of this section.

SEC. 3. DESIGNATION OF THE TALIBAN AS A TERRORIST ORGANIZATION.

For purposes of section 212(a)(3)(B) of the Immigration and Nationality Act (8 U.S.C.

§1181(a)(3)(B)), the Taliban shall be considered a terrorist organization described in subclause (I) of clause (vi) of that section.

SEC. 4. TECHNICAL CORRECTION TO EXCEPTION TO INADMISSIBILITY GROUND FOR TERRORIST ACTIVITIES FOR SPOUSES AND CHILDREN.

Section 212(a)(3)(B)(ii) of the Immigration and Nationality Act (8 U.S.C. §1182(a)(3)(B)(vi)) is amended by striking ''Subclause (VII)'' and replacing it with ''Subclause (IX)''.

SEC. 5. EFFECTIVE DATE.

The amendment made by this section shall take effect on the date of enactment of this section, and this amendment and clause 212(a)(3)(B)(ii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(ii)), as amended by this section, shall apply to—

(a) removal proceedings instituted before, on, or after the date of the enactment this section; and

(b) acts and conditions constituting a ground for inadmissibility, excludability, deportation, or removal occurring or existing before, on, or after such date.

AMENDMENT NO. 320

(Purpose: To improve the Classified Information Procedures Act)

At the appropriate place, insert the following:

SEC. ___. IMPROVEMENTS TO THE CLASSIFIED INFORMATION PROCEDURES ACT.

(a) SHORT TITLE.—This section may be cited as the ''Classified Information Procedures Reform Act of 2007''.

(b) INTERLOCUTORY APPEALS UNDER THE CLASSIFIED INFORMATION PROCEDURES ACT.—Section 7(a) of the Classified Information Procedures Act (18 U.S.C. App.) is amended by adding at the end ''The Government's right to appeal under this section applies without regard to whether the order appealed from was entered under this Act.''.

(c) EX PARTE AUTHORIZATIONS UNDER THE CLASSIFIED INFORMATION PROCEDURES ACT.—Section 4 of the Classified Information Procedures Act (18 U.S.C. App.) is amended—

(1) in the second sentence—

(A) by striking ''may'' and inserting ''shall''; and

(B) by striking ''written statement to be inspected'' and inserting ''statement to be made ex parte and to be considered''; and

(2) in the third sentence—

(A) by striking ''If the court enters an order granting relief following such an ex parte showing, the'' and inserting ''The''; and

(B) by inserting '', as well as any summary of the classified information the defendant seeks to obtain,'' after ''text of the statement of the United States''.

(d) APPLICATION OF CLASSIFIED INFORMATION PROCEDURES ACT TO NONDOCUMENTARY INFORMATION.—Section 4 of the Classified Information Procedures Act (18 U.S.C. App.) is amended—

(1) in the section heading, by inserting '', AND ACCESS TO,'' after ''OF'';

(2) by inserting ''(a) DISCOVERY OF CLASSIFIED INFORMATION FROM DOCUMENTS.—'' before the first sentence; and

(3) by adding at the end the following:

''(b) ACCESS TO OTHER CLASSIFIED INFORMATION.—

''(1) If the defendant seeks access through deposition under the Federal Rules of Criminal Procedure or otherwise to non-documentary information from a potential witness or other person which he knows or reasonably believes is classified, he shall notify the attorney for the United States and the district court in writing. Such notice shall specify with particularity the classified information sought by the defendant and the legal basis for such access. At a time set by the court, the United States may oppose access to the classified information.

''(2) If, after consideration of any objection raised by the United States, including any objection asserted on the basis of privilege, the court determines that the defendant is legally entitled to have access to the information specified in the notice required by paragraph (1), the United States may request the substitution of a summary of the classified information or the substitution of a statement admitting relevant facts that the classified information would tend to prove.

''(3) The court shall permit the United States to make its objection to access or its request for such substitution in the form of a statement to be made ex parte and to be considered by the court alone. The entire text of the statement of the United States, as well as any summary of the classified information the defendant seeks to obtain, shall be sealed and preserved in the records of the court and made available to the appellate court in the event of an appeal.

''(4) The court shall grant the request of the United States to substitute a summary of the classified information or to substitute a statement admitting relevant facts that the classified information would tend to prove if it finds that the summary or statement will provide the defendant with substantially the same ability to make his defense as would disclosure of the specific classified information.

''(5) A defendant may not obtain access to classified information subject to this subsection except as provided in this subsection. Any proceeding, whether by deposition under the Federal Rules of Criminal Procedure or otherwise, in which a defendant seeks to obtain access to such classified information not previously authorized by a court for disclosure under this subsection must be discontinued or may proceed only as to lines of inquiry not involving such classified information.''.

AMENDMENT NO. 300

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

At the appropriate place, insert the following:

SEC. ___. JUDICIAL REVIEW OF VISA REVOCATION.

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

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to visas issued before, on, or after such date.

AMENDMENT NO. 309

(Purpose: To improve the prohibitions on money laundering, and for other purposes)

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

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

Mr. LIEBERMAN. Mr. President, what is the pending business?

The ACTING PRESIDENT pro tempore. The pending business is the Grassley amendment, No. 309.

AMENDMENT NO. 295

Mr. LIEBERMAN. Mr. President, I wish to make two statements supporting the amendments of the Senator from Louisiana, Ms. LANDRIEU, submitted earlier today.

One of the amendments, amendment No. 295, is actually identical to a bill Senators LANDRIEU, STEVENS, and I introduced earlier this year called the Local Government Disaster Relief Act of 2007. That bill, S. 664, would waive the 10 percent State match requirement for the restoration of public infrastructure under FEMA's Public Assistance Program.

This amendment is identical to a bill that Senators LANDRIEU, STEVENS, and I introduced earlier this year called the Local Government Disaster Relief Act of 2007.

That bill, S. 664, would waive the 10 percent state match requirement for the restoration of public infrastructure under FEMA's Public Assistance Program.

FEMA provides Federal assistance for restoring public infrastructure—highways, bridges, schools, utilities—that have been damaged in a disaster. The law requires a match of no more than 25 percent from the States, but for rare and particularly catastrophic disasters, the President is authorized to waive the matching requirement.

This matching requirement was waived for both Hurricane Andrew and the September 11 terrorist attacks. These were obviously two horrendous national emergencies. But the damage wrought by Hurricane Katrina was equally as catastrophic, and the geographic scope of the Katrina devastation was far worse. Over 90,000 square miles were devastated by Katrina and Rita combined.

Per capita cost is the traditional measurement used when determining whether to waive the match. In New York, the per capita cost for September 11 was $390.00. In Florida, after Hurricane Andrew, the cost per capita was $139.00. Louisiana's cost per capita was approximately $6,700. This number helps illustrates the massive challenge facing the State, and underscores the continuing need for Federal support as the regions struggles to regain its footing.

Nevertheless, FEMA is requiring Gulf Coast States to pay a 10-percent match. This is an enormous burden for States still picking up the pieces and struggling to rebuild. And CBO has scored this legislation at no cost to the Federal Government.

In Louisiana, as much as $1 billion in matching funds will have to be repaid if this requirement stands.

I know from several visits to the gulf coast, that the State and local governments—and more importantly, the people—appreciate the generosity the American people have shown them in the wake of this disaster. But we must continue to demonstrate that generosity as people in the gulf States work to recapture their lives.

We have asked the President to waive the 10-percent match. He has not responded.

This amendment is the fair and right thing to do. It is a common sense, bipartisan amendment to fix a problem that never should have occurred in the first place. I urge every Senator to support this amendment to fulfill our commitment to help the gulf coast back on its feet.

Senator LANDRIEU talked about this matter earlier in the day, and I believe she will return to the floor to describe it in more detail.

Our Homeland Security and Governmental Affairs Committee held a hearing in New Orleans during January of this year. Progress has been made in recovering from Hurricane Katrina, but there is an enormous amount yet to be done in the Gulf Coast. Particularly in New Orleans, one of America's great cities, large sections now resemble a ghost town.

There is a lot of bureaucratic red tape. The problem here is not that Congress has not responded. In fact, we have appropriated, I believe, well over $110 billion in the aftermath of Hurricane Katrina to the Gulf Coast. The problem is that so much of that money is tied up—and in the case of this match, a lot of the programs are tied up because some of the governments down there just don't have the resources to provide the match. The match has been waived in other natural disasters.

I believe this amendment which has been offered is exactly the right thing to do to expedite the recovery of the Gulf Coast.

AMENDMENT NO. 296

The second amendment Senator LANDRIEU offered is amendment No. 296, which I also want to support. It would allow the forgiveness of certain loans provided in the second Katrina supplemental appropriations bill passed last Congress to Gulf Coast States devastated by Hurricanes Katrina and Rita.

Congress passed the supplemental appropriations bill in part to provide $750 million to help Gulf Coast localities recover from the storm, and the bill waived the respective $5 million and 25 percent caps because of the enormous and immediate need all of us saw. This law would continue that.

I supported waiving these caps to allow for the full flow of aid. At the time, I did not, however, support another provision that prohibited forgiveness of the CDL loan as a condition for allowing funds to be released. The fact is that building is underway, but the recovery will take years, perhaps even decades.

The Stafford Act provides for the forgiveness of these loans because it recognizes, in certain instances, that localities are simply unable to recover lost revenues. This, in turn, stops their efforts to rebuild and ultimately leads to longer dependence on Federal assistance. This amendment would allow the Gulf Coast localities—many of them so devastated, with their revenue bases dramatically shrunk—to continue their rebuilding free from the burden of repaying loans they simply, in fact, cannot repay.

I thank the Chair.

Mr. President, I suggest the absence of a quorum, unless my friend from South Dakota wishes to speak.

The ACTING PRESIDENT pro tempore. The Senator from South Dakota is recognized.

Mr. THUNE. I thank the Senator from Connecticut for yielding.

Mr. President, I do have an amendment I would like to call up and ask for its immediate consideration. Is there an amendment pending at this time?

The ACTING PRESIDENT pro tempore. There are pending amendments.

Mr. THUNE. Mr. President, I ask unanimous consent that those amendments be set aside.

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

AMENDMENT NO. 308 TO AMENDMENT NO. 275

Mr. THUNE. Mr. President, I ask unanimous consent that amendment No. 308 be called up.

The ACTING PRESIDENT pro tempore. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from South Dakota [Mr. THUNE] proposes an amendment numbered 308 to amendment No. 275.

The amendment is as follows:

(Purpose: To expand and improve the Proliferation Security Initiative while protecting the national security interests of the United States)

At the appropriate place, insert the following:

SEC. ___. PROLIFERATION SECURITY INITIATIVE.

(a) SENSE OF CONGRESS.—It is the sense of Congress, consistent with the 9/11 Commission's recommendations, that the President should strive to expand and strengthen the Proliferation Security Initiative (PSI) announced by the President on May 31, 2003, with a particular emphasis on the following principles:

(1) The responsibility for ensuring the national security of the United States rests exclusively with the Government of the United States and should not be delegated in whole or in part to any international organization, agency, or tribunal or to the government of any other country.

(2) The freedom of the Government of the United States to act as it deems appropriate to ensure the security of the American people should not be limited by, or made dependent upon, the action or inaction of any international organization, agency, or tribunal or by the government of any other country.

(3) The Constitution of the United States is the supreme law of the land and cannot be subordinated to, or superseded by, the decisions, rulings, or other acts of any international organization, agency, or tribunal or by the government of any other country.

(4) In carrying out its responsibility for ensuring the national security of the United States, the Government of the United States has sought and should continue to seek the cooperation and support of international organizations, agencies, and tribunals, including the United Nations and its affiliated organizations and agencies, as well as the governments of other countries, but no decision or act taken by the Government of the United States regarding its responsibility to provide for the common defense, promote the general welfare, and secure the liberty of the American people should be deemed to require authorization, permission, or approval by any international organization, agency, or tribunal or by the government of any other country.

(5) The United Nations Security Council should not be asked to authorize the PSI under international law, and in order for the United Nations to be helpful in combating terrorism and proliferation, it should first—

(A) establish a comprehensive definition of terrorism that condemns all acts by individuals, resistance movements or other irregular military groups, or nations intended to cause death or serious injury to civilians or non-combatants with the purpose of intimidating a population or compelling a government to do or abstain from doing any act;

(B) fulfill the September 2005 commitment of the Summit of World Leaders to establish a comprehensive convention against terrorism;

(C) have the United Nations Counter-Terrorism Committee establish a list of individuals, organizations, and states that commit terrorist acts or support terrorist groups and activities;

(D) prohibit states under sanction for human rights abuses or terrorism by the United Nations Security Council from running for seats on or chairing any United Nations body, such as the Human Rights Council or the United Nations Disarmament Commission;

(E) prohibit member states in violation of Chapter 7 of the United Nations Charter and seen as a threat to international security and peace from sitting as non-permanent members of the United Nations Security Council; and

(F) prohibit giving United Nations credentials to nongovernmental organizations that promote or condone terrorism or terrorist groups.

(6) Formalizing the PSI into a multilateral regime would severely hamper PSI's flexibility and ability to adapt to changing conditions.

(b) STRENGTHENING THE PROLIFERATION SECURITY INITIATIVE.—The President is not authorized to—

(1) seek to subject the Proliferation Security Initiative to any authority, oversight, or resolution of the United Nations Security Council, international law, an international organization, agency, or tribunal, or the government of any country not participating in the Proliferation Security Initiative; or

(2) formalize the Proliferation Security Initiative into a multilateral regime.

Mr. THUNE. Mr. President, this amendment will expand and improve the Proliferation Security Initiative in the national security interest of the United States. The Proliferation Security Initiative, or PSI, is now 4 years old. It is a program whereby the United States is working with 80 allied countries to jointly interdict shipments of weapons of mass destruction-related materials in a timely manner when critical intelligence is received about imminent transfers of weapons of mass destruction.

The PSI is based on voluntary cooperation by participating countries and relies on the ability to react quickly to time-sensitive intelligence on the

movement of weapons of mass destruction material. According to the Department of State, the Proliferation Security Initiative was critical in uncovering Libya's weapons of mass destruction program in the AQ Khan proliferation network in 2003. PSI halted more than two dozen weapons of mass destruction-related transfers from 2005 to 2006. PSI has improved the capabilities of our partnering countries to take coordinated action to interdict proliferation-related shipments.

The House-passed version of this legislation of the 9/11 Commission recommendations bill, or H.R. 1, significantly changes the Proliferation Security Initiative in two key ways: First, the House would surrender the Proliferation Security Initiative to the U.N., a multilateral bureaucracy. Second, the House wants to give countries such as Russia and China veto power on U.S. national security by subjecting the Proliferation Security Initiative to U.N. Security Council approval. This is the wrong direction to take for a key U.S. tool in fighting the war on terror.

For the Proliferation Security Initiative to be successful and intervene in time to stop shipments of weapons of mass destruction, there must be a rapid-response capability and flexibility to respond to intelligence information. H.R. 1, the House-passed version of this legislation, would place the Proliferation Security Initiative in a regulatory and inflexible straitjacket overseen by an international bureaucracy.

When we receive intelligence that al-Qaida is shipping material for a nuclear bomb through the waters of one of our allies, that intelligence demands immediate action, not deliberation and redtape. By removing the Proliferation Security Initiative from the safety and discretion of unique and bilateral relationships, the House-passed bill will likely reduce the willingness of other countries to cooperate, especially countries where cooperation could produce domestic political problems.

The Proliferation Security Initiative is an effective means to help our allies use their own legal authorities to implement their commitments under existing multilateral nonproliferation regimes that include the Nuclear Suppliers Group, the Missile Technology Control Regime, and the Australia Group. In addition, the State Department believes that PSI cooperation is an effective way to implement countries' commitments to U.N. Security Council resolutions, such as Resolution 1718 on North Korea and Resolution 1737 on Iran. Turning the PSI into yet another multilateral regime would not only be unnecessary but would also be a hindrance to effective nonproliferation.

H.R. 1, the House-passed bill, by creating a multilateral regime for PSI, would limit our ability to share intelligence on proliferation-related shipments because it would subject sensitive U.S. intelligence sources and methods to broad international disclosure. This disclosure of sensitive and, at times, classified intelligence would expose our sources, covert agents, and methods to our enemies, including the very weapons of mass destruction traffickers we seek to shut down.

H.R. 1 would require annual GAO reports on Proliferation Security Initiative activities even though there are already several other reports currently required on nonproliferation matters that are sent to Congress, including reports that discuss PSI-related activities, such as the ''Periodic Report to Congress on the National Emergency Regarding Proliferation of Weapons of Mass Destruction.'' Adding another hoop for PSI to jump through would be counterproductive, and annual reports on PSI may even expose PSI's methodologies to proliferators.

The House-passed bill is also flawed because it would require the President to seek authorization from the U.N. Security Council for PSI. H.R. 1 implies that international law written by the U.N. Security Council is required to authorize U.S. measures to protect itself and the world from the proliferation of nuclear, biological, or chemical weapons. Security Council members should not be given a veto over what a bilateral national security program can and cannot do. As it is, China has refused to endorse the Proliferation Security Initiative, probably because Chinese traffickers are likely targets for PSI. We have already seen China wielding its veto power to undermine and delay U.S. national security priorities. Because of their objections, it took months of extra deliberations for the Security Council to finally confront the leading state sponsor of terror, probably the world's greatest proliferation challenge—Iran. Granting the U.N. Security Council an intrusive role in our national security activities would compromise highly sensitive intelligence.

PSI activities already are legal. All activities are undertaken in full compliance with international law. PSI already cooperates well in its existing form with the United Nations and other international organizations. In 2005, the U.N. Secretary General applauded the efforts of the Proliferation Security Initiative to fill a gap in our defenses. PSI has also won European Union and G8 endorsement. Why would our Democratic friends in the House want to change a program so highly regarded by our European friends?

Since the 9/11 terrorist attacks, the U.N. has a failing grade when it comes to effectively fighting the war on terror. The U.N. has failed to establish a comprehensive definition for terrorism. The U.N. has failed to fulfill its September 2005 commitment of the Summit of World Leaders to establish a comprehensive convention against terrorism. The U.N. Counter-Terrorism Committee has failed to identify terrorist groups and states.

Finally, the U.N. has failed to prohibit state sponsors of terror from running for seats on or chairing any U.N. body, such as the Human Rights Council or the United Nations Disarmament Commission. In fact, in April of 2006, the leading weapons proliferator and state sponsor of terror, Iran, served as vice chair of the United Nations Disarmament Commission.

The U.N. has failed to prohibit giving U.N. credentials to nongovernmental organizations that condone or promote terrorism or terrorist groups.

H.R. 1, the House-passed version of the 9/11 Commission recommendations, the legislation we are considering currently in the Senate, returns us to the failed policy of the previous decade where the preference was for unenforced multilateral regimes instead of effective U.S. programs. H.R. 1 would be a step backward toward policies that left the United States vulnerable to terrorist attacks on 9/11. I urge my colleagues to support this amendment to maintain the integrity of the Proliferation Security Initiative and to help keep our Nation secure.

I yield the floor.

Mr. LIEBERMAN. I thank my friend from South Dakota for his statement.

I believe the Senator from Maryland has been here a while. If he is not ready to proceed, we will go to the Senator from Oklahoma, and then the Senator from Maryland will be next.

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

Mr. COBURN. Mr. President, I rise to support the amendment. I think it is important for the people of America to understand, first, what is at stake here and, No. 2, the tremendous failure of the U.N. in terms of proliferation. The best example of that right now is the enrichment of uranium for purposes of weapons of mass destruction by Iran. The reason Iran continues to do that is because two world powers, China and Russia, through the U.N., failed to support adequate enforcement of sanctions for behavior that would otherwise not allow nuclear proliferation.

Senator THUNE very thoroughly outlined the failures of the U.N., but let me outline them a little further. This country sends over $5.3 billion a year to the U.N. Our entire contribution to peacekeeping is wasted, according to the U.N. Inspector General's own reports. We don't get to find those reports because the U.N. won't be transparent on either how it spends its money or who gets the money it does spend or whether they are held accountable for it. Senator THUNE outlined the effectiveness of this initiative by the State Department with 80 other countries. That is 80 countries that help us every day to interrupt, disrupt, and stop either the passage, transfer, or proliferation of weapons of mass destruction. I do not understand the motivation, why someone would want to take this to a bureaucracy that has proved, time and again, it fails to accomplish the very purposes for which it was set up—whether it be the rape of

U.N. peacekeepers in the areas in which they are serving; whether it be the U.N. Oil for Food scandal, where only one person out of several has even been indicted in the corruption racket that was ongoing with that. The fact is the U.N. has failed in multiple areas at multiple times to accomplish the very things it set out to do.

Senator THUNE mentioned that the No. 2 position on the nonproliferation committee at the U.N. is chaired by none other than Iran. What we do know is, had adequate sanctions been applied to Iran, the continued enrichment of uranium would not be there. The House has gutted one of the most effective tools we have, in terms of interdicting weapons of mass destruction from across this world.

Why is it important? Let me give an analogy. Today, when somebody comes into the emergency room and they are bleeding internally, we don't stop and have a committee meeting among doctors on what to do. What we do is look at the signs and symptoms we find—i.e., the intelligence, the actual knowledge of what is going on—and then we treat the condition on an emergent basis. This whole initiative will be gutted by bringing it to the bureaucratic process of the U.N. The thing that happens now is good intelligence, in terms of cooperation with people—the other 80 countries that are working cooperatively—institutes action. The failure to act on internal bleeding ends up with death. The same thing is going to happen if we let a bureaucracy, dominated with a veto power by China and Russia, determine whether we can intercept weapons of mass destruction.

I understand we need a world body. I understand the U.N. is that world body. But the U.N. has so many problems today in terms of being effective at what it is trying to accomplish. It is absolutely nontransparent with how it does that—nontransparent with how the money is spent and is utilized today, so that every step of the way two countries are blocking our attempts to block the development of weapons of mass destruction in Iran.

We can let the patient die, bleed to death internally, while we have a committee hearing and get the approval and then get it vetoed by China or Russia because it plays out more powerfully to their benefit, or we can continue to do what we have been doing successfully 24 times in the last year. Twenty-four times in the last year, in coordination with these eight countries, based on great intelligence, we have interrupted or disrupted the transmission of weapons of mass destruction. Why would we want to get rid of that? Why did this PSI get started in the first place? Because of problems in the U.N. If the U.N. were to work as it should, there would be no need for a PSI. It will not and it does not because it is not necessarily to everybody's advantage in the U.N. that these weapons be controlled.

I believe the House has been very shortsighted. My hope is if this is included when it comes out of conference, this bill is vetoed. It should be vetoed. It ties the hand of a President trying to do what is best for this country and instead makes the rest of the world have veto power over our ability to defend ourselves. We should never give up that right.

I am very thankful Senator THUNE has put this amendment on the floor and my hope is we will have a vote on it next week. What this bill does is to violate our Constitution. We give up sovereignty to protect ourselves by giving that sovereignty to the United Nations. That is something we ought not do. It would be different if the United Nations were transparent. It would be different if a third of peacekeeping funds were not wasted every year out of the billions that are spent in the U.N. $15 to $20 billion budget. But that is not the case. That is not the real world.

Until we have cogent, realistic, proper reforms, including transparency, at the U.N, including equality at the U.N., including accountability at the U.N., we should not move any initiative affecting our own protection and that of those other 80 countries that are working with us in this regard, to give them veto power over our own security.

I yield the floor.

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

Mr. CARDIN. Mr. President, I ask unanimous consent the pending amendment be set aside.

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

AMENDMENTS NOS. 326, 327, 328 EN BLOC TO AMENDMENT NO. 275

Mr. CARDIN. I ask unanimous consent that it be in order for me to offer three amendments; that once they are reported by number, the reading be dispensed with and the amendments be set aside.

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

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Maryland [Mr. CARDIN] proposes amendments Nos. 326, 327, 328, en bloc, to amendment No. 275.

The amendments are as follows:

AMENDMENT NO. 326

(Purpose: To provide for a study of modification of area of jurisdiction of Office of National Capital Region Coordination)

At the end of title XV, add the following:

SEC. ___. STUDY OF MODIFICATION OF AREA OF JURISDICTION OF OFFICE OF NATIONAL CAPITAL REGION COORDINATION.

(a) STUDY.—The Secretary, acting through the Director of the Office of National Capital Region Coordination, shall conduct a study of the feasibility and desirability of modifying the definition of ''National Capital Region'' applicable under section 882 of the Homeland Security Act of 2002 to update the geographic area under the jurisdiction of the Office of National Capital Region Coordination.

(b) FACTORS.—In conducting the study under subsection (a), the Secretary shall analyze whether modifying the geographic area under the jurisdiction of the Office of National Region Coordination will—

(1) improve coordination among State and local governments within the Region, including regional governing bodies, and coordination of the efforts of first responders;

(2) enhance the ability of such State and local governments and the Federal Government to prevent and respond to a terrorist attack within the Region; and

(3) affect the distribution of funding under the Homeland Security Grant Program.

(c) REPORT.—Not later than 6 months after the date of the enactment of this Act, the Secretary shall submit a report to Congress on the study conducted under subsection (a), and shall include in the report such recommendations (including recommendations for legislation to amend section 882 of the Homeland Security Act of 2002) as the Secretary considers appropriate.

AMENDMENT NO. 327

(Purpose: To reform mutual aid agreements for the National Capital Region)

At the end of title XV, add the following:

SEC. 15___. NATIONAL CAPITAL REGION MUTUAL AID.

Section 7302 of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 5196 note) is amended—

(1) in subsection (a)—

(A) in paragraph (4), by striking '', including its agents or authorized volunteers,''; and

(B) in paragraph (5), by striking ''or town'' and all that follows and inserting ''town, or other governmental agency, governmental authority, or governmental institution with the power to sue or be sued in its own name, within the National Capital Region.'';

(2) in subsection (b)(1), in the matter preceding subparagraph (A), by striking '', the Washington Metropolitan Area Transit Authority, the Metropolitan Washington Airports Authority, and any other governmental agency or authority''; and

(3) in subsection (d), by striking ''or employees'' each place that term appears and inserting '', employees, or agents''.

AMENDMENT NO. 328

(Purpose: To require Amtrak contracts and leases involving the State of Maryland to be governed by the laws of the District of Columbia)

At the appropriate place, insert the following:

SEC. ___. APPLICABILITY OF DISTRICT OF COLUMBIA LAW.

Section 24301 of title 49, United States Code, is amended by adding at the end the following:

''(n) APPLICABILITY OF DISTRICT OF COLUMBIA LAW.—In the case of Maryland, any lease or contract entered into by the National Railroad Passenger Corporation after the date of the enactment of this subsection shall be governed by the laws of the District of Columbia.''.

Mr. CARDIN. Mr. President, if I might, I will take a moment to describe each of these three amendments I offered to S. 4, the 9/11 Commission's recommendations bill. My staff is working with the committee staff and I am hoping these three amendments can be cleared. I think they strengthen the underlying bill. They deal with issues that are particularly of concern to the capital region, the States of Maryland, Virginia, and the Nation's Capital.

My first amendment requires the Department of Homeland Security to study whether modifying and updating

the national capital region boundaries would improve coordination among the State and local governments within the region, enhance regional governments and the Federal Government's ability to prevent and respond to a terrorist attack within the region, and affect the distribution of funding under the Homeland Security Grant Program.

Congress created the national capital region boundaries as part of the National Capital Planning Act of 1952. We now use this definition in dealing with our homeland security. Obviously, there have been significant demographic changes since 1952.

We all know if there is a problem in the Nation's Capital, it goes well beyond the immediate counties that surround the Capitol, in Virginia and Maryland, yet the national capital region is restricted to just a few counties. The purpose of this amendment is to have a study to see whether it would make sense for us to expand that region for the purposes of being better prepared to respond to emergencies. If the Department of Homeland Security determines it is appropriate to have new boundaries, we would have a chance to look at that. Those recommendations would be submitted to Congress.

My second amendment is a commonsense technical amendment that corrects an oversight in the Intelligence Reform and Terrorist Prevention Act of 2004. That act contains provisions for cooperation along the national capital region's jurisdictions in the event of a regional or national emergency. As the jurisdictions began working on a mutual aid agreement authorized by the statute, a concern arose that water and wastewater utilities were not included in the original language. Therefore, if there were a problem in Montgomery County dealing with a sanitation issue, someone from Fairfax County would not be allowed to come in to help. That obviously makes no sense whatsoever. We should be able to allow the local governments to proceed with that type of arrangement. The mutual aid provisions in the 2004 law allow this type of exchange of jurisdictions between firefighters, police, and various other emergency responders.

The 2004 bill also explicitly allowed for employees at WMATA and the Airports Authority to work between jurisdictions under the provisions of a mutual aid agreement. My amendment would allow water and wastewater authorities to similarly share staff resources during an emergency and under the provisions of the mutual aid agreement.

The need for this amendment was brought to my attention by the Metropolitan National Council of Governments. All the water and wastewater authorities in the Greater Washington area support this amendment.

My third amendment deals with a problem that is preventing the Maryland Department of Transportation and Amtrak from negotiating a new contract for MARC trains access to the Northeast corridor and operation by Amtrak. The problem stems from the repeal in the Amtrak Reform and Accountability Act of 1997 of a provision which requires the laws of the District of Columbia to govern all Amtrak contracts.

The original provision was done to create uniformity. Amtrak followed longstanding industry practice of agreeing to resolve disputes by arbitration.

There is an inconsistency between that provision and the laws of Maryland, if they were to apply to dispute settlement procedures. We need to clarify that provision in order to move forward with these agreements. The repeal of the DC provision created a conflict with the dispute resolution clause in Maryland procurement law that requires the Board of Contract Appeals hear all disputes applied to all procurement contracts. Amtrak will not enter into an agreement with Maryland until the State agrees to abide by the same DC law that is still accepted in all other States. Amtrak and Maryland both requested that Congress clarify that Amtrak contracts and the laws of the District of Columbia govern these contracts and leases uniformly. It is critical that Congress act swiftly to address this problem. Maryland's current contract with Amtrak expires in 16 months and therefore we need to move quickly on this issue.

I have conferred with the staffs of the committees. To my understanding, we may still need some technical clarifications to the technical amendment, and if that is necessary I will seek the appropriate consent in order to adjust the amendment to meet the needs and concerns that are being raised by the committee.

I am hopeful the bill managers on both sides will find these amendments acceptable. I look forward to working with them. S. 4 is a good bill. My amendments, if agreed to, will make it better for Maryland, Washington, DC and Virginia. I hope we will be able to move accordingly.

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

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. LIEBERMAN. Mr. President, I ask unanimous consent the Senate proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

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

Mr. LIEBERMAN. I thank the Chair 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. ISAKSON. 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. ISAKSON. Mr. President, I ask unanimous consent to address the Senate as in morning business.

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

(The remarks of Mr. ISAKSON pertaining to the introduction of S. 747 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

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

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

AMENDMENT NO. 309

Mr. GRASSLEY. Madam President, my remarks are in regard to amendment No. 309, which is my amendment, but it was offered, as a lot of other amendments on this side of the aisle were, by Senator MCCONNELL, and so I am going to speak now on amendment No. 309.

This amendment seeks to shut down terrorists and criminal organizations by attacking their most valuable resource, and that is their money. Terrorists and criminal organizations take many different forms, but there is one factor that they all have in common, and that is the need to obtain, transit, and store money to do their dirty work.

In the past few years, we have made some significant advancements in identifying how these groups obtain and attempt to legitimize their illicit funds. Yet as we close one door, these criminals seek to open another to move their money around and to continue their dirty work. In fact, they continue to take advantage of loopholes and inconsistencies in our current law. We must continue to be vigilant in closing these loopholes, and we must not underestimate their capabilities or resolve.

As we consider amendment No. 309, I think we have to consider that this will not necessarily be the last word. These terrorists are so sophisticated in their operation that they may find some way to get around what we are doing now. As long as we are constantly vigilant, as long as we are constantly throwing roadblocks in the way of legitimizing their money and transiting their money, we will curtail their dirty work to some extent. Any

efforts that we make to improve America's security must then, without question, address how terrorists and criminals are funding and financing their operations.

One of the main recommendations that have come from the 9/11 Commission Report was that, and I quote:

> Vigorous efforts to track terrorist financing must remain front and center in the U.S. counterterrorism effort.

These groups know well that we are looking hard to determine sources of funding that they use. They also know that we must continually develop new tactics to avoid detection, prosecution, and ultimately to protect those sources of funding. This has become, as we say in the Midwest, a kind of cat and mouse game. Like the larger war on terror, we cannot afford to lose this cat and mouse enterprise.

My amendment will close existing loopholes. My amendment will remove the inconsistencies that allow terrorists and criminals to hide illegal funds within legal institutions and then move those funds for profit or to fund their activities or, you might say, for both.

Our law enforcement agencies and our prosecutors must have the resources they need to bring these criminals to justice and to shut down their operations and, hopefully, shut them down permanently. For example, my amendment simplifies the continual growing list of over 200 predicate crimes dedicated for Federal prosecutors to bring a money laundering charge.

My amendment will allow U.S. attorneys to use any Federal or State felony as a predicate offense to bring a money laundering charge.

My amendment will also greatly simplify how prosecutors may seek indictments for money laundering violations. It also closes many loopholes that have allowed the terrorists and criminals to move money into this country.

Clever tricks, such as traveling with blank checks with bearer form or in bearer form and the commingling of illegal and legitimate money in bank accounts will no longer be available to these criminal organizations.

Under my amendment cash smugglers will no longer be able to hide behind a claim of ignorance about the source of the money they carry.

The amendment will also provide necessary changes to our antiquated counterfeiting statutes. The stability of our currency is paramount to not only our economy but also the economies of so many other countries that seem to follow the dollar. The dollar is the most recognizable currency in the world and an inescapable target for counterfeiters.

For instance, U.S. currency counterfeiting operations have been identified in places such as Colombia, North Korea, and the Middle East, undoubtedly giving counterfeiting ties to drug cartels and to sponsors of terrorism. This crime has evolved and continues to evolve with the explosion of computer printing technology.

This amendment will bring our counterfeiting statutes in line with these dramatic technological changes and give law enforcement agencies, especially the Secret Service, the resources to fight counterfeiting and other financial crimes on an international scale.

Any effort we make to increase the security of this Nation must then strive to remove sources of funding available to the terrorists and to the criminals. Without financial resources, these groups will no longer be able to make profits or fund operations.

Our Nation, for a long period of time, has been trying to shut off sources of funding. As I indicated earlier, we are up against a sophisticated enemy that always finds some way around our laws to legitimize what they do. Once again, I want to emphasize that it is a constant struggle to keep our laws so that the criminal element cannot find these loopholes and do something legally that finances their illegal activities.

These criminals should not be allowed to hide behind loopholes in our laws, and we should give law enforcement and prosecutors the ability to deal the ever-changing tactics of terrorists and criminals. In essence, our goal should be nothing less than putting these criminal organizations out of business, and putting them out of business for good.

This amendment is critical to our homeland defense. It implements changes that the 9/11 Commission recommended in its report, which was a bipartisan commission and, consequently, a bipartisan report. We are dealing with something that should have support on both sides of the aisle.

This amendment also has the support and backing of both the Department of Justice and the Secret Service. It has the support of the Secret Service because one of their many responsibilities—and maybe one of their original responsibilities—is to protect the integrity of American currency.

I urge my colleagues to support this important amendment and improve America's security by combating terrorist financing and criminal money laundering.

AMENDMENT NO. 300

Madam President, another amendment that was filed by our Republican leader, Senator MCCONNELL, is No. 300, which I will also now discuss. That amendment to the underlying bill will revise current laws related to visa revocation for visa holders who are on U.S. soil.

Under current law, visas approved or denied by consular officers are nonreviewable and are deemed final. However, if a visa is approved but later revoked, and that individual is on U.S. soil, the decision by the consular officer then becomes automatically reviewable in our U.S. courts. My amendment would treat visa revocations similar to visa denials because the right of that person to be in the United States is no longer valid.

It is very important that we do this for these reasons: Consider visa revocations related to terrorism. From September 11, 2001, until the summer of 2003, the State Department revoked about 1,200 visas based upon terrorism links. I asked Secretary Chertoff, the Secretary of Homeland Security, about the problems with our current law on visa revocation. I will quote what he said to me on Wednesday when he was before the Judiciary Committee:

> The fact is that we can prevent someone who is coming in as a guest. We can say, you can't come in from overseas, but once they come in, if they abuse the terms and conditions of their coming in, we have to go through a cumbersome process. That strikes me as not particularly sensible. People who are admitted as guests, like guests in my house, if the guest misbehaves, I just tell them to leave. They don't get to go to court over it.

That is the end of his quote, but he makes it very clear that he believes somebody who should not have been here in the first place shouldn't have the right of protection of our courts before they are removed.

Following on the Secretary's analogy, I think we can equate the role of homeowner to that of consular officer. Currently and historically all decisions by consular officers with regard to the granting of visas are final and not subject to review. Revocations, then, should not be treated any differently than that original denial, when somebody did not have the right to come here in the first place.

Let me explain how we got here. Back in 2003, a Government Accountability Office report revealed that suspected terrorists could stay in the country after their visas had been revoked on grounds of terrorism because of a legal loophole in the wording of the revocation papers. This loophole came to light after the Government Accountability Office found that more than 100 persons were granted visas that were later revoked because there was evidence the person had terrorism links and associations.

The FBI and intelligence community suspected ties of terrorism in over 280 visa applications. The FBI did not share the information with our consular offices in time, so the consular officers actually granted the visa so somebody with terrorism connections could come here when they should not have been allowed into the country. When they got the derogatory information from the FBI, it was too late; they had access to our courts.

The consular officer had to revoke the visas. What the Government Accountability Office found was that even though the visas were revoked, immigration officials couldn't do anything about it. They were handicapped from locating the visa holders and deporting them. In the end, it turned out OK, but it is an example of the mistakes that can be made. It is also an example of the loophole terrorists are smart enough to exploit.

Why, then, are revoked visas such a problem? The short answer is that the

person with the revoked visa can stay in the United States—a terrorist, then, can stay in the United States—and can appeal the consular officer's decision of whether they had a right to be here in the first place. Thanks to a small provision inserted during the consideration of the Intelligence Reform and Terrorism Act of 2004, the visa holder has more rights than he or she should have, considering the terrorist connection. If they were originally denied a visa by the consular officer, there would be no right to dispute it.

I will give an example. If a consular officer grants a visa to a person and that person makes his or her way to the United States and after arriving in the United States the consular officer finds out that the foreign individual has ties to terrorism—maybe the consular officer found out that the visa holder attended a terrorist training camp or maybe the intelligence community just informed the consular officer that the visa holder was linked to the Taliban or maybe our Government just learned that the visa holder gave millions of dollars to a terrorist organization before they applied for a visa—whatever the case might be, the person should not have a visa, and the consular officer has to revoke it. This revocation should be a final determination—no ifs, ands, or buts about it. It should not be reviewable and especially should not be reviewable in the U.S. courts.

What are the ramifications, then, of where we are today with the law and why change the law? Deporting an alien on U.S. soil with a revoked visa is nearly impossible today if the alien is given the opportunity to appeal that revocation. This exception has made the visa revocation ineffective as an antiterrorism tool. Allowing review of revoked visas, especially on terrorism grounds, jeopardizes the classified intelligence that led to revocation. It can force agencies such as the FBI and the CIA to be hesitant to share information if it might get out within the environment of a court. Current law could be reversing our progress in information sharing.

So why is this relevant, then, to the bill on the floor? The 9/11 Commission—again, I want to emphasize it is a bipartisan commission—found flaws in our visa policies. Specifically, the staff report said that the 19 hijackers used—these are the 19 people who died on those airplanes that killed 3,000 Americans—these 19 hijackers used 364 aliases. Two of the hijackers may have obtained passports from family members working in the Saudi passport ministry. The 19 hijackers applied for 23 visas and obtained 22. The hijackers lied on their visa applications in detectable ways. The hijackers violated the terms of their visas, and they came and went at their very own convenience.

The leaders of the Senate claim that the underlying bill will finish the implementation of the 9/11 Commission recommendations. The floor manager on the other side of the aisle was quoted as saying:

> Every day that we don't act is another day in which we are not as secure here at home as we should be.

The 9/11 Commission pointed out the obvious by stating:

> Terrorists cannot plan and carry out attacks in the United States if they are unable to enter our country.

The 9/11 Commission explicitly recommends, on page 385, that:

> The United States should combine terrorist travel intelligence, operations, and law enforcement in a strategy to intercept terrorists, find terrorist travel facilitators, and constrain terrorist mobility.

So we are back to my amendment. The amendment, amendment No. 300, helps to achieve this goal. Intelligence officials need to share information with immigration and consular officers to prevent terrorists from entering the United States and impede the mobility of terrorists throughout our country, wherever they want to do their dirty work.

The Speaker of the House pointed out that:

> Implementing the 9/11 Commission recommendations is supported by 62 percent of Americans.

I think a higher percentage of Americans would agree that reforms to our immigration and visa policies should not be ignored, especially given the 9/11 Commission's recommended actions on these issues that then would make it easier to get these people with revoked visas out of the country and would not put them in an environment where, if they were going to be pursued through the courts to get them out of the country, that intelligence information or FBI sources would have to be disclosed in the courts.

Unfortunately, our leaders have forgotten a major recommendation of the 9/11 Commission. In other words, this bill is not as complete as the authors of this legislation want us to think it is, and this amendment will make it more complete. This amendment would constrain terrorists' travel, and it should be accepted on this bill. Allowing aliens to remain on U.S. soil with revoked visa or petition is a national security concern and is something about which the 9/11 Commission would suggest correction is needed. We must encourage, as the 9/11 Commission recommended, a procedure in which our intelligence community can work with consular officers, who then cooperate with our Nation's law enforcement to keep terrorists from coming to the United States. We should not allow potential terrorists and others who act counter to our laws to remain on U.S. soil and to run to the courts and to seek relief from deportation.

Terrorists took advantage of our system before 9/11—and I have laid this out, how you can get more visas than you even need, how you have hundreds of aliases, the tools they use—and proved how sophisticated they are and proved how they could carry out their dastardly acts on September 11. Enough is enough. They took advantage of our system before 9/11. We need to do everything we can to make sure they don't take further advantage of our system.

I hope my colleagues will support amendment No. 300.

I ask unanimous consent to add Senator VITTER as a cosponsor of this amendment.

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

46TH ANNIVERSARY OF PEACE CORPS

Mr. BYRD. Mr. President, 46 years ago, President John F. Kennedy proposed to the Congress one of the most successful and influential programs in the history of our Nation. It was on March 1, 1961, that President Kennedy asked the Congress to establish the Peace Corps.

In making that request, President Kennedy pointed out that the program would be of great benefit to struggling nations that were in ''urgent need for skilled manpower.'' The program has helped meet that need as more than 187,000 volunteers have served in the Peace Corps since its inception, in 139 countries.

President Kennedy also explained that the program would benefit developed nations as well. ''The future of freedom around the world,'' President Kennedy explained, ''depend[s], in a very real sense, on the ability to build growing and independent nations where men can live in dignity, liberated from the bonds of hunger, ignorance, and poverty.'' In pursuit of the Peace Corps mission of helping people help themselves throughout the world, Peace Corps volunteers have served as school teachers, economic development advisers, agricultural and environmental specialists, and in various capacities as skilled laborers. These dedicated Americans have helped developing nations with health and sanitation projects and have assisted them in increasing their agricultural production. They have helped these nations to combat diseases, including malaria and HIV/AIDS, that have, for too long, plagued underdeveloped nations. Because of the outstanding work of its volunteers, the Peace Corps has become an enduring symbol of the American commitment to freedom through the encouragement of the social, as well as the economic progress of all nations.

And, in proposing the creation of the Peace Corps, President Kennedy forthrightly acknowledged that American self-interest was involved in the creation of the program. ''Our own young men and women,'' he explained, ''will be enriched by the [Peace Corps] experience . . . an experience which will aid them in their future careers.'' And it did. Members of the Senate, Senators Paul Tongas and CHRIS DODD, came to

this Chamber as Peace Corps veterans. My good friend and colleague from West Virginia, Senator JAY ROCKEFELLER had worked for the Peace Corps in Washington, DC, where he served as the operations director for its largest overseas program in the Philippines. Members of my staff, like Zach Pusch, and even the mothers of members of my staff, like Mrs. Dorothy Corbin, have served in the Peace Corps. I have heard all of them, on a number of occasions, discuss how their lives and careers were enhanced by their service in the Peace Corps. Their experience in the Peace Corps inspired them to persevere in making this world a better and safer place in which to live, work, and raise families, long after they had left the program.

It is through the Peace Corps that the dreams and the policies of the great and beloved President John F. Kennedy live on.

On this 46th Anniversary of the Peace Corps, and in celebration of National Peace Corps Week, I want to congratulate everyone and anyone ever involved in this unique organization for your service to our country. And, I want to commend you for your efforts in promoting freedom around the world.

VOTE EXPLANATION

Mr. BROWNBACK. Mr. President, I regret that on February 28, I was unable to vote on certain provisions of S.4, the Improving America's Security Act of 2007. I wish to address these votes so that the people of the great State of Kansas, who elected me to serve them as U.S. Senator, may know my position.

Regarding vote No. 54, on the Inouye amendment No. 285, I would not have voted in favor of this amendment. My vote would not have altered the result of the final vote.

Regarding vote No. 55, on the DeMint amendment No. 279 as modified, I would have voted in favor of this amendment. My vote would not have altered the result of the final vote.

TOMB OF THE UNKNOWNS

Mr. AKAKA. Mr. President, this Sunday, March 4, will mark the 86th anniversary of the enactment of a measure which established the Tomb of the Unknowns, honoring those members of the U.S. Armed Forces who fell in battle but who were not able to be identified, those ''known but to God.''

By its very nature, war takes life. Parents lose children, children lose parents, and with each passing this country loses a son or daughter that makes this Nation what it is, great. No funeral or ceremony can stop the pain that cuts deep into the families of servicemembers who have been killed in action. But for the families of servicemembers missing in action, the cutting pain of loss remains an open wound.

At the end of the First World War, this country asked itself questions related to those American soldiers who were unknown or missing in action. Where would those families come to pray, to grieve? Where would the rest of us go to ponder how it is we should honor them?

Eighty-six years ago, Members of Congress, standing in the Capitol where we stand today, sought to respond to those questions. Eighty-six years later, the Tomb of the Unknowns stands honored and guarded. Since 1937, Tomb Guards of the 3rd U.S. Infantry have safeguarded those buried in the tomb, every minute of every day, never failing. They epitomize our Nation's commitment to honor all of America's unknown and missing soldiers.

On this occasion, choosing to reflect on the Tomb of the Unknowns and what it means would be of value to us all. We should think of the the families of the missing, the spirits of the unknown soldiers, and of the Tomb Guards, who honor them. For myself, I extend heartfelt feelings my prayers for the families, my deepest gratitude to those unknown soldiers, honored by us all, though ''known but to God,''and my respect to those entrusted to guard the tomb.

ASSAULT WEAPONS PROTECTION

Mr. LEVIN. Mr. President, in 1994, I voted for the assault weapons ban which was enacted into law, and in March 2004, I joined a bipartisan majority of the Senate in voting to extend the ban for another 10 years. Unfortunately, despite the overwhelming support of the law enforcement community, the ongoing threat of terrorism, and bipartisan support in the Senate, neither President Bush nor the Republican congressional leadership acted to help protect Americans from assault weapons. On September 13, 2004, the assault weapons ban was allowed to expire. Today, law enforcement agencies across the country have been forced to upgrade their firepower in order to counter what they describe as an increasing presence of high-powered weapons on the streets.

According to an article last week in USA Today, Scott Knight, chairman of the Firearms Committee of the International Association of Chiefs of Police, revealed that an informal survey of approximately 20 police departments showed that since 2004, all of the agencies have been forced to either add weapons to their officers' units or replace existing weaponry with military-style arms. ''This (weapons upgrade) is being done with an eye to the absolute knowledge that more higher-caliber weapons are on the street since the expiration of the ban,'' Knight explained.

The 1994 assault weapons ban prohibited the sale of 19 of the highest powered and most lethal firearms produced. It also prohibited the sale of semiautomatic weapons that incorporated a detachable magazine and two or more specific military features. These features included folding telescoping stocks, threaded muzzles or flash suppressors, protruding pistol grips, bayonet mounts, barrel shrouds, or grenade launchers.

Ron Stucker, criminal investigations chief of the Orange County Sheriff's Department in Florida, stated that over the past 2 years his department has been arming many of its deputies with assault weapons. These deputies are now ''frequently'' encountering dangerous assault weapons even during routine traffic stops.

In Houston, homicides rose 25 percent in 2006 over the previous year. Police Chief Harold Hurtt acknowledged the AK–47 assault rifle has become the ''weapon of choice'' for major drug dealers, warring gangs and immigrant smugglers. ''The reality on the street is that many of these weapons are readily available,'' according to Hurtt, whose department has also been consistently upgrading its weaponry with assault style arms.

It is clear that allowing the 1994 assault weapons ban to lapse has contributed to the dangerous and deadly consequences so many of us feared. Over the past 2 years criminals have been permitted easier access to weapons that simply have no place on our streets. I urge my colleagues to enact a commonsense ban on assault weapons.

LOCAL LAW ENFORCEMENT HATE CRIMES PREVENTION ACT

Mr. LEVIN. Mr. President, it is with a heavy heart that I report that a victim of a hate crime in the city of Detroit died 10 days after the brutal incident.

Andrew Anthos was an extraordinary citizen with a passion for community service. During the last 20 years, Mr. Anthos repeatedly traveled by bus from Detroit to Lansing with a singular purpose, to urge the Michigan capital's dome be illuminated in red, white and blue, to honor his country.

Mr. Anthos wrote me last year to inform me of his efforts. As he put it, he wanted Michigan to be ''the first State to inaugurate this patriotic tribute to its loyal citizens.'' He had support from many in the State, and had hoped for dedication lighting during Michigan Week, which will occur in May of this year, when Michigan would celebrate its 170th anniversary as our 26th State.

On the evening of February 13, 2007, Mr. Anthos was riding a bus home from the Detroit Public Library. A passenger on the bus yelled at him and asked if he was gay. The man then followed him off the bus, where Mr. Anthos was helping a wheelchair bound friend off of the bus. The assailant then struck Anthos in the back with a metal pipe, leaving him critically injured, lying in the snow.

The man left, without any effort to rob Mr. Anthos. This clearly was a hate crime, where Anthos was targeted because of his sexual orientation. Mr.

Anthos tragically was left paralyzed from the neck down, before he slipped into a 10-day coma. He passed away on February 23, 2007. His killer has yet to be found.

Unfortunately, Andrew Anthos has not been the only victim of a hate crime. The Federal Bureau of Investigation's latest statistics tell us that over 8,800 individuals were the victim of a hate crime in 2005. 4,900 of these crimes were racially motivated, while 1,200 were based on sexual orientation. Many of these crimes resulted in death or serious bodily harm.

No one should be targeted because of the color of their skin, their religion, their gender or their sexual orientation. We have an obligation to make America a fully inclusive nation, a country that does not tolerate bias, discrimination or bigotry.

Next week, as an original cosponsor, I will join Senators KENNEDY and SMITH in introducing the Local Law Enforcement Hate Crimes Prevention Act. This bill will, for the first time, expand the definition of a hate crime to include gender, gender identity, disability, and sexual orientation. It will also allow the Federal Government to assist local law enforcement in investigation of hate crimes.

We should condemn and act against the hate crimes that have plagued our Nation and have had such a devastating impact on Andrew Anthos, and thousands of others and their families. I hope the Senate will take swift action to enact the Kennedy-Smith bill.

In addition, I hope that State governments will strengthen their own hate crime statutes to combat this growing trend. Andrew Anthos gave so much to our community, and it is essential that we give back to his memory by doing everything we can to reduce the incidence of these crimes.

ADDITIONAL STATEMENTS

TRIBUTE TO JANET MILLER

• Mr. CRAPO. Mr. President, today I am pleased to recognize and celebrate the long record of public service by an Idaho woman who has improved the financial conditions for many of my State's residents, helped our children through countless fundraising efforts and offered of herself in a distinguished record of service as an Idaho Representative.

Janet Miller is well-known to many people in the Treasure Valley of Southwest Idaho, including the City of Boise. Janet is also well-known to many in this body; she assisted two of my predecessors in the U.S. Senate—Senator Jim McClure and Senator Dirk Kempthorne.

Janet and her late husband Don moved to Idaho from Utah back in 1966. They did not bring much with them except for their desire to help people. Janet was a founding member of the local charity group called Working Partners. She spent more than 20 years in fundraising efforts that brought benefit to Idaho children and other charitable efforts.

Janet worked on behalf of the former Booth Memorial High School—now the Pritchett School—where I have had the pleasure to see the difference her efforts make in people's lives. She raised money for the local Salvation Army. She worked every Christmas to see that young children who may not have had a merry Christmas had a gift under the tree.

She has been very involved in politics, having met several Presidents including her hero, Ronald Reagan. She walked the halls of Congress often and has been involved in numerous political efforts.

Janet decided to give even more of herself when, after years of working behind the scenes, she stepped forward and ran for public office, and she won. She was the voice of Boise's Bench Neighborhood in the Idaho Legislature. She spoke often and was direct about the issues in the hearts and minds of her constituents. She sought consensus but was not afraid to speak out on what mattered most to the people she represented.

Janet sought to improve the lives of unwed mothers and needy children, our environment and various social concerns. She could have sat back and let rheumatoid arthritis keep her down. But that is not the kind of person Janet is. Janet is like many of us in Idaho—independent, giving, not afraid to stand up for what is right and speak our mind when we need to.

Now, Janet is facing her final quest—to enjoy her time to the fullest with her cherished family, children and grandchildren as she fights terminal cancer.

Janet Miller gave of herself, tirelessly, over a lifetime of public service. And now, Janet, we want to give back just a little bit. I ask Janet's accomplishments be noted here in the RECORD of the Congress of the United States.•

MEASURES PLACED ON THE CALENDAR

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

H.R. 800. An act to amend the National Labor Relations Act to establish an efficient system to enable employees to form, join, or assist labor organizations, to provide for mandatory injunctions for unfair labor practices during organizing efforts, and for other purposes.

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. ALLARD (for himself, Mr. HAGEL, Mr. BROWNBACK, Mr. BAUCUS, Mr. DURBIN, and Mr. HARKIN):

S. 746. A bill to establish a competitive grant program to build capacity in veterinary medical education and expand the workforce of veterinarians engaged in public health practice and biomedical research; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ISAKSON (for himself, Mr. ALLARD, Mr. CHAMBLISS, Mr. CRAPO, and Mr. GRAHAM):

S. 747. A bill to terminate the Internal Revenue Code of 1986, and for other purposes; to the Committee on Finance.

By Mrs. CLINTON:

S. 748. A bill to establish the African Burial Ground International Memorial Museum and Educational Center in New York, New York, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. NELSON of Florida (for himself, Mr. DOMENICI, Mr. ENSIGN, and Mr. BURR):

S. 749. A bill to modify the prohibition on recognition by United States courts of certain rights relating to certain marks, trade names, or commercial names; to the Committee on the Judiciary.

By Mr. DOMENICI (for himself and Mr. BINGAMAN):

S. 750. A bill to authorize to be appropriated $1,800,000 for fiscal year 2008 to acquire real property and carry out a military construction project at Kirtland Air Force Base, New Mexico; to the Committee on Armed Services.

By Mr. GRASSLEY:

S. 751. A bill to amend title XIX of the Social Security Act to modify certain administrative eligibility rules relating to children born in the United States to Medicaid-eligible mothers; to the Committee on Finance.

By Mr. NELSON of Nebraska (for himself, Mr. ALLARD, Mr. SALAZAR, and Mr. HAGEL):

S. 752. A bill to authorize the Secretary of the Interior to participate in the implementation of the Platte River Recovery Implementation Program for Endangered Species in the Central and Lower Platte River Basin and to modify the Pathfinder Dam and Reservoir; to the Committee on Energy and Natural Resources.

By Mr. ROCKEFELLER (for himself, Ms. SNOWE, Mr. REED, Mr. HAGEL, Mr. BAUCUS, Mr. ROBERTS, and Mr. COCHRAN):

S. 753. A bill to enhance scientific research and competitiveness through the Experimental Program to Stimulate Competitive Research, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

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

S. 754. A bill to streamline and simplify the travel procedures used by Department of Defense personnel; to the Committee on Armed Services.

By Mr. SCHUMER (for himself and Mr. DOMENICI):

S. 755. A bill to amend title XIX of the Social Security Act to require States to provide diabetes screening tests under the Medicaid program for adult enrollees with diabetes risk factors, to ensure that States offer a comprehensive package of benefits under that program for individuals with diabetes, and for other purposes; to the Committee on Finance.

ADDITIONAL COSPONSORS

S. 329

At the request of Mr. CRAPO, the names of the Senator from New Jersey (Mr. MENENDEZ) and the Senator from

Maine (Ms. COLLINS) were added as cosponsors of S. 329, a bill to amend title XVIII of the Social Security Act to provide coverage for cardiac rehabilitation and pulmonary rehabilitation services.

S. 644

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

S. 721

At the request of Mr. ENZI, the name of the Senator from Wyoming (Mr. THOMAS) was added as a cosponsor of S. 721, a bill to allow travel between the United States and Cuba.

AMENDMENT NO. 280

At the request of Mr. SALAZAR, the names of the Senator from Washington (Ms. CANTWELL), the Senator from West Virginia (Mr. ROCKEFELLER) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of amendment No. 280 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. 295

At the request of Ms. LANDRIEU, the names of the Senator Massachusetts (Mr. KENNEDY), the Senator from Alaska (Mr. STEVENS), the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from Louisiana (Mr. VITTER) were added as cosponsors of amendment No. 295 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. 296

At the request of Ms. LANDRIEU, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of amendment No. 296 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. 300

At the request of Mr. GRASSLEY, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of amendment No. 300 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. ALLARD (for himself, Mr. HAGEL, Mr. BROWNBACK, Mr. BAUCUS, Mr. DURBIN, and Mr. HARKIN):

S. 746. A bill to establish a competitive grant program to build capacity in veterinary medical education and expand the workforce of veterinarians engaged in public health practice and biomedical research; to the Committee on Health, Education, Labor, and Pensions.

Mr. ALLARD. Mr. President, today I come to the floor to discuss an important piece of legislation that I am introducing to address a major public health need.

I am pleased to be joined by Senators HAGEL, BROWNBACK, and BAUCUS.

Today, I am introducing the Veterinary Public Health Workforce Expansion Act, to address the growing shortage of veterinarians in the public health sector.

Over the past decade, the world has faced a significant increase of newly emerging infectious disease outbreaks, including West Nile virus; Severe Acute Respiratory Syndrome, SARS; monkeypox; and avian influenza.

In addition to their ability to cause severe illness, and even death, these diseases share another important characteristic: they are all transmitted from animals to man.

Veterinary medicine is an integral and indispensable component of our Nation's public health system.

Veterinarians protect human health by preventing and controlling infectious diseases, ensuring the safety and security of the Nation's food supply, promoting healthy environments, and providing health care for animals.

Veterinarians are essential for early detection and response to unusual disease events that could be linked to newly emerging infectious diseases, or other biothreat agents of concern.

In fact, it was a veterinarian who first diagnosed West Nile virus in the United States and a veterinarian who first notified health authonties of the introduction of monkeypox to the United States.

A veterinarian's prompt diagnosis and reporting of screwworm infestation prevent this disease from becoming reestablished in the United States, thus saving hundreds of millions of dollars in expensive eradication programs.

There is a need to build national capacity in research and training in the prevention, surveillance, diagnosis, and control of newly emerging and reemerging infectious diseases.

Veterinarians are uniquely qualified to address these high-priority public health issues because of their extensive professional training in basic biomedical sciences, population medicine, and broad, multi-species, comparative medical approach to disease prevention and control.

There is a shortage of veterinarians working in public health practice. As used in the preceding sentence, the term ''public health practice'' includes bioterrorism and emergency preparedness, environmental health, food safety and food security, regulatory medicine, diagnostic laboratory medicine, and biomedical research.

The Bureau of Labor Statistics expects there to be 28,000 job openings in the veterinary medical profession by 2012 due to growth and net replacements, a turnover of nearly 38 percent.

The Nation's veterinary medical colleges do not have the capacity to satisfy the current and future demand for veterinarians and veterinary expertise that is vital to maintain public health preparedness.

Veterinary colleges also provide a broad, multi-species, comparative medical approach to disease prevention and control, which is fundamental to understanding the transmission and life cycle of infectious disease agents, especially those that are shared with animals.

Veterinarians have special expertise in preventing and controlling these types of diseases, but there is a critical shortage of veterinarians working in public health practice, and the Nation's veterinary medical colleges do not have enough capacity to meet the demand.

In order to meet the critical shortages of veterinarians today I am introducing the Veterinary Public Health Workforce Expansion Act, which will allow veterinary medical colleges to expand their training programs for veterinary public health professionals.

The Veterinary Public Health Workforce Expansion Act will create a new competitive grant program for capital improvements to allow veterinary medical colleges to expand their training programs for public health professionals.

There are critical shortages of veterinarians across the United States, and the Nation's veterinary medical colleges do not have enough capacity to meet the demand.

The Veterinary Public Health Workforce Expansion Act will build infrastructure, research laboratories, and classroom space to provide training for veterinary students in public health, food safety, infectious diseases, global health, and environmental quality.

By Mr. ISAKSON (for himself, Mr. ALLARD, Mr. CHAMBLISS, Mr. CRAPO, and Mr. GRAHAM):

S. 747. A bill to terminate the Internal Revenue Code of 1986, and for other purposes; to the Committee on Finance.

Mr. ISAKSON. Mr. President, back in Georgia, we have a saying. When people are treating the symptoms and never treating the cause, we say they are avoiding the 800-pound gorilla in the living room. I wish to talk for a minute about a 6-pound gorilla that is in the United States Capitol. It is called the U.S. Tax Code.

Printed in the 8-point font type, the U.S. Tax Code weighs 6 pounds, but the

burden is equal to that or more of an 800-pound gorilla on the backs of American business and American families. To that end, I am joined by Senators VITTER, CHAMBLISS, ALLARD, GRAHAM, and others in the introduction of Tax Code simplification legislation to finally address the 800-pound gorilla in the living room and the 6-pound gorilla on the back of every American.

This bill simply calls on the Congress to establish a tax review commission which will be required to report back to the Congress on July 4, 2010. Its job will be to analyze all options for revenue for the United States. Consumption taxes or sales taxes, flat taxes, income taxes, productivity taxes, whatever it might be, wipe the slate clean and say: If we could do it all over again, what would be the best way to finance this great country of ours.

Second, once they have made those determinations, they make the recommendations back to the Congress. Then it is the Congress's responsibility to either adopt the commission's recommendations, much as we do with BRAC, or to reject them and affirmatively ratify the Tax Code of 1986, amended thousands of times, now weighing 6 pounds on the back of every single American.

All of us have different ideas over what is the right way to do things. All of us know the United States of America needs revenue to operate. All of us know that. But since 1986 and the major rewrite of the Tax Code, every year all we have done is decorate it like a Christmas tree, amend it here, lower it there, raise it somewhere else—until it has become an absolute burden.

We all know—I know the Presiding Officer deals with it in his State, as I do—the tremendous upheaval over the alternative minimum tax which passed in the 1960s to address the 169 taxpayers who made over a million dollars who did not pay any taxes. Today, the AMT affects everybody, including a family of four making $50,000 a year, if they own their own home, deduct interest, and itemize their deductions. That is just wrong.

So rather than take individual Senators—I respect every one of us in the Chamber, including, obviously, myself—take our ideas and try to volley them back and forth, why not get a distinguished commission of learned people to sit down for a protracted period of time, analyze what is right for this country, and make recommendations to us?

We solved the political disability in terms of reforming the military when we passed BRAC. Why not take the greatest disability on the American people—and that is the Tax Code—and approach it the same way: have thoughtful people who are knowledgeable and understand the Tax Code as it is make the recommendations on what might make it better? It may be a sales tax or a consumption tax. It may be a flat income tax. It may be a series of fees or other revenue streams. It may be a combination.

But what we need most importantly is simplicity, fairness, equity, and I would submit one other thing—participation by all Americans. Everybody has a stake in this country, and everybody should contribute something. I think if we open up the Tax Code to scrutiny, we give this group 3 solid years to look and make their determination, we get the recommendation back by July 4, and then we debate it in this Congress, then, by the end of 2010, we have two choices: We ratify what we have today, which is the 600-pound gorilla on the back of every American citizen, or we look to a vision for the future and adopt a fair and a simpler and a more equitable tax system for every citizen of the United States of America.

I urge my colleagues to join us on this legislation, help bring about and make it a reality, and, for the first time since 1986, address the cause and not the symptom of the cumbersome nature of the American Tax Code.

By Mr. DOMENICI (for himself and Mr. BINGAMAN):

S. 750. A bill to authorize to be appropriated $1,800,000 for fiscal year 2008 to acquire real property and carry out a military construction project at Kirtland Air Force Base, New Mexico; to the Committee on Armed Services.

Mr. DOMENICI. Mr. President, I rise today with Senator BINGAMAN to introduce legislation authorizing new construction at Kirtland Air Force Base, NM.

Kirtland Air Force Base serves many roles for the Department of Defense and the U.S. Air Force. The Nuclear Weapons Center, Air Force Research Laboratories, the New Mexico Air National Guard, and a Department of Energy National Nuclear Security Administration national laboratory are some of the many Federal entities doing work at Kirtland. As such, Kirtland's construction needs are many.

Therefore, I am proud to offer this bill to authorize replacement of a fuel unloading facility at Kirtland Air Force Base. The President's fiscal year 2008 budget requests $1.8 million for this work, and in keeping with that request my legislation authorizes $1.8 million for the work.

Our Armed Forces deserve our full support. I am proud to offer my support for the personnel at Kirtland Air Force Base by introducing this bill.

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. 750

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

SECTION 1. AUTHORITY TO CARRY OUT MILITARY CONSTRUCTION PROJECT AT KIRTLAND AIR FORCE BASE, NEW MEXICO.

(a) AUTHORITY.—Using amounts appropriated pursuant to the authorization of appropriations under subsection (b), the Secretary of the Air Force may acquire real property and carry out a military construction project at Kirtland Air Force Base, New Mexico, as specified under such subsection.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for fiscal year 2008 for military construction and land acquisition for the Department of the Air Force for the replacement of a fuel unloading facility at Kirtland Air Force Base, New Mexico, $1,800,000.

By Mr. GRASSLEY:

S. 751. A bill to amend title XIX of the Social Security Act to modify certain administrative eligibility rules relating to children born in the United States to Medicaid-eligible mothers; to the Committee on Finance.

Mr. GRASSLEY. Mr. President, I am pleased today to introduce the Guaranteed Access to Medicaid for Newborns Act. This bill corrects a problem that has arisen during the implementation of the Deficit Reduction Act, DRA, of 2005. Through this act, we will guarantee that children born in America who are eligible for Medicaid can seamlessly get Medicaid coverage.

For the last two decades, Medicaid recipients have been required to be a U.S. citizen or qualified alien who has been in the country for at least 5 years. In a July 2005 report, the HHS Office of Inspector General found that 47 States allowed individuals to ''self attest'' their citizenship status to qualify for Medicaid benefits. In short, the State simply asked a Medicaid applicant if they were a citizen. The applicant need only respond, ''Yes, I am an American.'' No documents necessary. And of those 47 States, 27 did no followup verification such as checking with the Social Security Administration. In response to this report, the DRA included a House-led provision that I supported to require States to more carefully document the citizenship of Medicaid recipients and applicants.

Implementation of this provision, as is often the case with legislation, has not been without its challenges. The interim final rule that was issued by CMS effective July 6, 2006, did make many improvements so that the new statute could be implemented consistent with legislative intent. I think, on the whole, CMS did a good job. However, there was one specific provision in the interim final rule that I do not think is consistent with congressional intent: the provision that makes it more difficult for children born to undocumented mothers to gain Medicaid eligibility.

In section 1903(v) of the Social Security Act, the Medicaid statute makes available payment to States for treatment of an alien who is not otherwise eligible for Medicaid in the case of an emergency medical condition. A woman who is undocumented or not

otherwise eligible for Medicaid is covered under Medicaid for labor and delivery. Nothing in the DRA changed that nor was anything in the DRA intended to change that.

Under section 1902(e)(4) of the Social Security Act, a child born to a woman receiving Medicaid at the time of the child's birth is deemed onto Medicaid for a year. States had been interpreting that to mean the child of a woman who was undocumented could be deemed onto Medicaid for a year since the mother, under 1903(v), was eligible for Medicaid at the time of the child's birth. The interim final rule now specifically prevents a State from deeming the child of an undocumented mother onto the State Medicaid program without properly documenting the child's citizenship first.

In this case, I believe CMS has gone too far. A child born in the United States of America is a citizen. Before the DRA, children born to mothers on Medicaid were deemed onto Medicaid, and I think that is absolutely in the best interest of that newborn child. The DRA did not change two fundamental facts: First, the mother, regardless of documentation status, was eligible for Medicaid at the time of the child's birth and, second, the child is a citizen. In my mind, there is no reason then to have any new documentation requirement for the child.

The legislation I am introducing today reinstitutes the pre-DRA policy with one notable exception. Under the old rule, a State could issue a temporary Medicaid identification number to the mother which served as the identification number for the child for up to a year. I don't think that it's necessary or appropriate for a State to provide a child Medicaid benefits by issuing the mother a Medicaid card. This especially problematic in cases where the mother may not be in the country legally nor eligible for Medicaid after delivery. My legislation changes the old policy by requiring the State to issue an identification number to the child of the undocumented mother. This does not in any way change the States' responsibility to provide the mother benefits when she comes to the emergency room in labor.

The legislation makes one further change to the statute to benefit newborns. Under the interim final rule, all children born to mothers on Medicaid are required to document their citizenship within 1 year of birth. I do not think that is necessary. Medicaid paid for the birth of an American citizen. It is simple common sense that the child is a citizen and requiring any further documentation is redundant and counter-intuitive.

I want to be clear that I support the requirement that a State more fully document the citizenship of applicants for Medicaid. Given what the Congressional Budget Office has told us would be the cost of making undocumented aliens eligible for public programs, the Deficit Reduction Act addressed a real concern by requiring documentation. I want the new statutory provision to go forward to ensure that the people getting the benefits are actually eligible for the benefits. However, CMS and the States should recognize what is to me, common sense: A child born in the United States whose birth was paid for by Medicaid is a citizen under current law. No further documentation necessary.

By Mr. ROCKEFELLER (for himself, Ms. SNOWE, Mr. REED, Mr. HAGEL, Mr. BAUCUS, Mr. ROBERTS, and Mr. COCHRAN):

S. 753. A bill to enhance scientific research and competitiveness through the Experimental Program to Stimulate Competitive Research, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. ROCKEFELLER. Mr. President, today, I introduce the EPSCoR Research and Competitive Act of 2007, and I am proud to have the bipartisan support of my colleagues, Senators SNOWE, REED, HAGEL, BAUCUS, ROBERTS, and COCHRAN.

The Experimental Program to Stimulate Competitive Research, EPSCoR, is part of the National Science Foundation and is intended to assist smaller States competing for research grants that historically have not received as much funding from the NSF as larger States. Twenty-six States, representing 20 percent of our Nation's population and 25 percent of our doctoral and research institutions are currently eligible for the EPSCoR program yet receive only 10 percent of the total NSF research funding. EPSCoR funding provides valuable research opportunities in States with unique scientific features. States such as West Virginia, Alaska, Hawaii, Montana and New Mexico all stand to gain from EPSCoR funding, and our country will gain from the scientists and innovations made in our States.

EPSCoR has the additional bonus of having a proven track record. Over 50 percent of researchers supported by EPSCoR funds have successfully competed for non-EPSCoR funding. EPSCoR is also helping drive the economy in active States by providing cutting edge job opportunities. Seventy-five percent of new technology companies started by university research are based in the States where the original research was done.

In order for our Nation to remain competitive in the global marketplace, EPSCoR will play an important role in promoting science nationwide. This legislation provides some specifics to meet that goal. First off, this bill proposes that the Research Infrastructure Improvements Grant increase to $75 million beginning in fiscal year 2009 and remain at that level through 2012. Secondly, it seeks 20 percent of the EPSCoR budget for the cofunding program, an innovative initiative to help encourage each of the NSF directorates to collaborate and fund meritorious projects from the EPSCoR States. Thirdly, it encourages the NSF Director to develop creative ways to ensure that the EPSCoR States are part of the new major initiatives of the foundation, including cyberinfrastructure and major research instrumentation.

The citizens of West Virginia have benefited tremendously as a result of this program. Competitive Federal research has increased 68 percent in West Virginia since 2001. In 2005 alone, research created more than $147 million in economic activity and supported 4,432 jobs. Much like other States involved, EPSCoR has been a tremendous boon to our flagship higher institutions with West Virginia University and Marshall University having worked together through this program to come up with innovate solutions like never before. To help ensure that EPSCoR States remain competitive, this legislation suggests that EPSCoR grow proportionately with the foundation. To achieve our competitiveness goals and to increase the numbers of engineers and scientists, every State needs to play a role. It is encouraging to note that the administration's budget request for this year seeks a $7 million increase in EPSCoR.

Ensuring the economic well-being of all our States is an essential part of keeping our entire Nation competitive and EPSCoR is an important step in that direction. EPSCoR States are the home for 25 percent of the doctoral and research universities, and our States train nearly 20 percent of our science and engineering graduate students. This legislation will help encourage and promote competitiveness.

AMENDMENTS SUBMITTED AND PROPOSED

SA 321. Ms. LANDRIEU proposed an amendment to 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.

SA 322. Mrs. FEINSTEIN submitted an amendment intended to be proposed to 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 323. Mrs. FEINSTEIN submitted an amendment intended to be proposed to 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 324. Mr. SCHUMER submitted an amendment intended to be proposed to 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 325. Mr. COBURN submitted an amendment intended to be proposed to 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 326. Mr. CARDIN proposed an amendment to amendment SA 275 proposed by Mr.

REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S. 4, supra.

SA 327. Mr. CARDIN proposed an amendment to amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S. 4, supra.

SA 328. Mr. CARDIN proposed an amendment to amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S. 4, supra.

SA 329. Mr. DOMENICI (for himself and Mr. BINGAMAN) submitted an amendment intended to be proposed to 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 330. Ms. CANTWELL (for herself, Mr. LEVIN, Mrs. MURRAY, Mr. CRAIG, and Mr. CRAPO) submitted an amendment intended to be proposed to amendment SA 275 proposed by Mr. REID (for himself, Mr. LIEBERMAN, and Ms. COLLINS) to the bill S. 4, which was ordered to lie on the table.

SA 331. Ms. CANTWELL submitted an amendment intended to be proposed to 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.

TEXT OF AMENDMENTS

SA 321. Ms. LANDRIEU proposed an amendment to 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; as follows:

On page 233, line 11, after ''the Secretary'' insert ''shall include levees in the list of critical infrastructure sectors and''.

SA 322. Mrs. FEINSTEIN submitted an amendment intended to be proposed to 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 236, line 17, insert before the period ''and a description of how ongoing critical infrastructure initiatives developed by the Department in coordination with State and local governments, such as the Automated Critical Asset Management System, were used in the assessments''.

SA 323. Mrs. FEINSTEIN submitted an amendment intended to be proposed to 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 23, strike lines 11 through 15, and insert the following:

(a) CURRICULUM.—The Secretary, acting through the Chief Intelligence Officer, shall—

(1) develop curriculum for the training of State, local, and tribal government officials relating to the handling, review, and development of intelligence material; and

(2) ensure that the curriculum includes executive level training.

SA 324. Mr. SCHUMER submitted an amendment intended to be proposed to 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 389, after line 13, add the following:

SEC. 15___. ENHANCEMENT OF THE NATIONAL DOMESTIC PREPAREDNESS CONSORTIUM.

The National Domestic Preparedness Consortium shall include the National Center for Homeland Security Studies of the State University of New York.

SA 325. Mr. COBURN submitted an amendment intended to be proposed to 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 106, between the matter preceding line 7 and line 7, insert the following:

SEC. 204. COMPLIANCE WITH THE IMPROPER PAYMENTS INFORMATION ACT OF 2002.

(a) DEFINITIONS.—In this section, the term—

(1) ''appropriate committees'' means—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Oversight and Government Reform of the House of Representatives; and

(2) ''improper payment'' has the meaning given that term under section 2(d)(2) of the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note).

(b) REQUIREMENT FOR COMPLIANCE CERTIFICATION AND REPORT.—The Secretary shall not award any grants or distribute any grant funds 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—

(1) contains a certification that the Department has for each program and activity of the Department—

(A) performed and completed a risk assessment to determine programs and activities that are at significant risk of making improper payments; and

(B) estimated the total number of improper payments for each program and activity determined to be at significant risk of making improper payments; and

(2) describes the actions to be taken to reduce improper payments for the programs and activities determined to be at significant risk of making improper payments.

SA 326. Mr. CARDIN proposed an amendment to 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; as follows:

At the end of title XV, add the following:

SEC. ___. STUDY OF MODIFICATION OF AREA OF JURISDICTION OF OFFICE OF NATIONAL CAPITAL REGION COORDINATION.

(a) STUDY.—The Secretary, acting through the Director of the Office of National Capital Region Coordination, shall conduct a study of the feasibility and desirability of modifying the definition of ''National Capital Region'' applicable under section 882 of the Homeland Security Act of 2002 to update the geographic area under the jurisdiction of the Office of National Capital Region Coordination.

(b) FACTORS.—In conducting the study under subsection (a), the Secretary shall analyze whether modifying the geographic area under the jurisdiction of the Office of National Region Coordination will—

(1) improve coordination among State and local governments within the Region, including regional governing bodies, and coordination of the efforts of first responders;

(2) enhance the ability of such State and local governments and the Federal Government to prevent and respond to a terrorist attack within the Region; and

(3) affect the distribution of funding under the Homeland Security Grant Program.

(c) REPORT.—Not later than 6 months after the date of the enactment of this Act, the Secretary shall submit a report to Congress on the study conducted under subsection (a), and shall include in the report such recommendations (including recommendations for legislation to amend section 882 of the Homeland Security Act of 2002) as the Secretary considers appropriate.

SA 327. Mr. CARDIN proposed an amendment to 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; as follows:

At the end of title XV, add the following:

SEC. 15___. NATIONAL CAPITAL REGION MUTUAL AID.

Section 7302 of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 5196 note) is amended—

(1) in subsection (a)—

(A) in paragraph (4), by striking '', including its agents or authorized volunteers,''; and

(B) in paragraph (5), by striking ''or town'' and all that follows and inserting ''town, or other governmental agency, governmental authority, or governmental institution with the power to sue or be sued in its own name, within the National Capital Region.'';

(2) in subsection (b)(1), in the matter preceding subparagraph (A), by striking '', the Washington Metropolitan Area Transit Authority, the Metropolitan Washington Airports Authority, and any other governmental agency or authority''; and

(3) in subsection (d), by striking ''or employees'' each place that term appears and inserting '', employees, or agents''.

SA 328. Mr. CARDIN proposed an amendment to 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; as follows:

At the appropriate place, insert the following:

SEC. ___. APPLICABILITY OF DISTRICT OF COLUMBIA LAW.

Section 24301 of title 49, United States Code, is amended by adding at the end the following:

''(n) APPLICABILITY OF DISTRICT OF COLUMBIA LAW.—In the case of Maryland, any lease or contract entered into by the National Railroad Passenger Corporation after the date of the enactment of this subsection shall be governed by the laws of the District of Columbia.''.

SA 329. Mr. DOMENICI (for himself and Mr. BINGAMAN) submitted an amendment intended to be proposed to 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; as follows:

At the appropriate place, insert the following:

SEC. ___. LASER VISA EXTENSION.

(a) SHORT TITLE.—This section may be cited as the ''Laser Visa Extension Act of 2007''.

(b) PROHIBITION ON CERTAIN TRAVEL RESTRICTIONS FOR TEMPORARY VISITORS FROM MEXICO.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary of Homeland Security shall permit a national of Mexico to travel up to 100 miles from the international border between Mexico and the State of New Mexico if such national—

(A) possesses a valid machine-readable biometric border crossing identification card issued by a consular officer of the Department of State;

(B) enters the State of New Mexico through a port of entry where such card is processed using a machine reader;

(C) has successfully completed any background check required by the Secretary for such travel; and

(D) is admitted into the United States as a nonimmigrant under section 101(a)(15)(B) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(B)).

(2) EXCEPTION.—On a case-by-case basis, the Secretary of Homeland Security may limit the travel of a national of Mexico who meets the requirements of subparagraphs (A) through (D) of paragraph (1) to a distance of less than 100 miles from the international border between Mexico and the State of New Mexico if the Secretary determines that the national was previously admitted into the United States as a nonimmigrant and violated the terms and conditions of the national's nonimmigrant status.

SA 330. Ms. CANTWELL (for herself, Mr. LEVIN, Mrs. MURRAY, Mr. CRAIG, and Mr. CRAPO) submitted an amendment intended to be proposed to 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. ___. NORTHERN BORDER PROSECUTION REIMBURSEMENT.

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

(b) NORTHERN BORDER PROSECUTION INITIATIVE.—

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

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

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

(A) Prosecution and related costs.

(B) Court costs.

(C) Costs of courtroom technology.

(D) Costs of constructing holding spaces.

(E) Costs of administrative staff.

(F) Costs of defense counsel for indigent defendants.

(G) Detention costs, including pre-trial and post-trial detention.

(4) DEFINITIONS.—In this section:

(A) The term ''eligible northern border entity'' means—

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

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

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

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

(D) The term ''case disposition'', for purposes of the Northern Border Prosecution Initiative, refers to the time between a suspect's arrest and the resolution of the criminal charges through a county or State judicial or prosecutorial process. Disposition does not include incarceration time for sentenced offenders, or time spent by prosecutors on judicial appeals.

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

SA 331. Ms. CANTWELL submitted an amendment intended to be proposed to 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. ___. COMPREHENSIVE STRATEGY TO REDUCE GLOBAL POVERTY AND ELIMINATE EXTREME GLOBAL POVERTY.

(a) FINDINGS.—Congress makes the following findings:

(1) The 9/11 Commission found that a ''comprehensive U.S. strategy to counter terrorism should include economic policies that encourage development, more open societies, and opportunities for people to improve the lives of their families and to enhance prospects for their children's future''.

(2) Global poverty creates conditions that give rise to terrorism.

(b) DECLARATION OF POLICY.—It is the policy of the United States to promote the reduction of global poverty, the elimination of extreme global poverty, and the achievement of the United Nations Millennium Development Goal of reducing by one-half the proportion of people worldwide, between 1990 and 2015, who live on less than $1 per day.

(c) COMPREHENSIVE STRATEGY.—

(1) STRATEGY REQUIRED.—The President, acting through the Secretary of State and in consultation with the heads of other appropriate departments and agencies of the Government of the United States, international organizations, international financial institutions, the governments of developing and developed countries, United States and international nongovernmental organizations, civil society organizations, and other appropriate entities, shall develop and implement a comprehensive strategy to further the United States foreign policy objective of promoting the reduction of global poverty, the elimination of extreme global poverty, and the achievement of the United Nations Millennium Development Goal of reducing by one-half the proportion of people worldwide, between 1990 and 2015, who live on less than $1 per day.

(2) CONTENT.—The strategy required under paragraph (1) shall include specific and measurable goals, efforts to be undertaken, benchmarks, and timetables to achieve the objectives described in such paragraph.

(3) GUIDELINES.—The strategy required under paragraph (1) should adhere to the following guidelines:

(A) Continued investment in existing United States initiatives related to international poverty reduction, such as the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7601 et seq.), the Millennium Challenge Act of 2003 (22 U.S.C. 7701 et seq.), the

Heavily Indebted Poor Countries Initiative, and trade preference programs for developing countries.

(B) Increasing overall United States development assistance levels while at the same time improving the effectiveness of such assistance.

(C) Enhancing and expanding debt relief.

(D) Leveraging United States trade policy where possible to enhance economic development prospects for developing countries.

(E) Coordinating efforts and working in cooperation with developed and developing countries, international organizations, and international financial institutions.

(F) Mobilizing and leveraging the participation of businesses, United States and international nongovernmental organizations, civil society, and public-private partnerships.

(G) Coordinating the goal of poverty reduction with other development goals, such as combating the spread of preventable diseases such as HIV/AIDS, tuberculosis, and malaria, increasing access to potable water and basic sanitation, and reducing hunger and malnutrition.

(H) Integrating principles of sustainable development into policies and programs.

(d) REPORTS.—

(1) INITIAL REPORT.—Not later than one year after the date of the enactment of this Act, the President, acting through the Secretary of State, shall transmit to the appropriate congressional committees a report that describes the strategy required under subsection (c).

(2) SUBSEQUENT REPORTS.—Not less than once every year after the submission of the initial report under paragraph (1) until and including 2015, the President shall transmit to the appropriate congressional committees a report on the status of the implementation of the strategy, progress made in achieving the global poverty reduction objectives described in subsection (c)(1), and any changes to the strategy since the date of the submission of the last report.

(e) DEFINITIONS.—In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

(2) EXTREME GLOBAL POVERTY.—The term ''extreme global poverty'' refers to the conditions in which individuals live on less than $1 per day, adjusted for purchasing power parity in 1993 United States dollars, according to World Bank statistics.

(3) GLOBAL POVERTY.—The term ''global poverty'' refers to the conditions in which individuals live on less than $2 per day, adjusted for purchasing power parity in 1993 United States dollars, according to World Bank statistics.

PRIVILEGES OF THE FLOOR

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that Seth Poldberg of Senator GRASSLEY's office be granted floor privileges on this coming Monday, March 5.

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

APPOINTMENT OF COMMITTEE TO ESCORT HIS MAJESTY KING ABDULLAH II BIN AL HUSSEIN, KING OF THE HASHEMITE KINGDOM OF JORDAN

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the President of the Senate be authorized to appoint a committee on the part of the Senate to join with a like committee on the part of the House of Representatives to escort His Majesty King Abdullah II bin Al Hussein, King of the Hashemite Kingdom of Jordan, into the House Chamber for a joint meeting at 11 a.m. on Wednesday, March 7, 2007.

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

ORDERS FOR MONDAY, MARCH 5, 2007

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 1:30 p.m., Monday, March 5; that on Monday, following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that there be a period of morning business until 3 p.m., with Senators permitted to speak for up to 10 minutes each; that at 3:00 p.m. the Senate resume consideration of S. 4, the 9/11 Commission legislation.

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

PROGRAM

Ms. KLOBUCHAR. Mr. President, on behalf of the majority leader, there have been discussions about the vote schedule for Monday. The leader has indicated we will be voting Monday at 5:30. For the information of the Senate, the vote at 5:30 Monday will be with respect to an Executive Calendar matter.

ADJOURNMENT UNTIL MONDAY, MARCH 5, 2007, at 1:30 P.M.

Ms. KLOBUCHAR. If there is no further business to come before the Senate today, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 1:02 p.m., adjourned until Monday, March 5, 2007, at 1:30 p.m.