

through with the lawful permanent residency application or fail to file an application at all. This technical correction remedies the problem to ensure that all abused spouses and children otherwise eligible for VAWA HRIFA are able to access this relief.

Sec. 825. Motion to Reopen. This section, a correction to VAWA 2000, gives domestic abuse victims the opportunity to file one motion to reopen to pursue VAWA relief, and exempts them from the special motion to reopen filing deadlines.

Sec. 826. Protecting Abused Juveniles. This section assures that immigration authorities are not required to contact abusive parents or family members in connection with the abused, neglected, or abandoned juvenile's application for special immigrant juvenile status. This prevents abusive parents from keeping their children from accessing help and support in the United States.

Sec. 827. Exceptions for the Protection of Domestic Violence and Crime Victims. This section carves out an exception to the current requirements regarding driver's license or identification cards for victims of domestic violence to ensure their safety.

Sec. 831. Short Title for the International Marriage Broker Regulation Act of 2005.

Sec. 832. International Marriage Broker Information Requirements. This section provides that a U.S. citizen filing a petition for a K visa for a fiancée from another country must provide information on criminal convictions for specified crimes. These include a list of violent crimes, including assault and battery as well as crimes relating to substance or alcohol abuse. The Department of Homeland Security will provide this criminal history information, along with results of their search for any criminal convictions to the foreign national beneficiary. The Department of State is prohibited from approving a fiancée visa if the petitioner has petitioned for more than 2 K visas in the past, or less than 2 years have passed since the petitioner filed for a K visa and that visa was approved. DHS can waive this bar, but if person has history of violent crimes, the bar cannot be waived unless DHS determined that there are extraordinary circumstances, or the individual's crimes were a result of domestic violence, the individual was not the primary perpetrator of the violence, and the crime did not result in serious bodily injury. DHS is directed to create a database to track repeated K applications and notify petitioner and spouse when second K is applied for in 10-year period. All future K applications will trigger similar notice, with domestic violence pamphlet being sent to K beneficiary. The fact that an individual was provided with this information and the domestic violence pamphlet for immigrants cannot be used to deny their eligibility for relief under VAWA.

Sec. 833. Domestic Violence Information and Resources for Immigrants and Regulation of International Marriage Brokers. This section directs DOS, DHS and DOJ to create a pamphlet on domestic violence rights and resources for immigrants as well as a summary of that pamphlet for use by Federal officials in the interview process. The pamphlet is to be translated into at least 14 languages and the required list of translations is to review and revised every 2 years based on the language spoken by the greatest concentration of K nonimmigrant visa applicants. The pamphlet is to be mailed to all K applicants with their visa application process instruction packet as well as a copy of the petition submitted by the petitioner. The pamphlet is to be made available to the public at all consular posts, and posted on the DOS, DHS, and consular post websites. The pamphlet will also be provided to any international marriage broker, government agen-

cy or non-governmental advocacy organization.

Sec. 834. Sharing of Certain Information. This section provides that there is no bar to the sharing of information between the relevant departments for the purpose of fulfilling the disclosure requirements of the U.S. petition.

#### TITLE IX. SAFETY FOR INDIAN WOMEN

Sec. 901 and 902. Findings and Purposes.

Sec. 903. Consultation Requirement. This section requires the Secretary of the Interior and the Attorney General to consult with and seek recommendations from tribal governments concerning the administration of tribal VAWA funds and programs.

Sec. 904. Analysis and Research of Violence Against Indian Women. This provision requests that the National Institute of Justice conduct a national baseline study to examine violence against Indian women and the effectiveness of Federal, State, local and tribal responses. It also requires the Attorney General to establish a task force to assist in the development and implementation of the study and report to Congress. Members of the study shall include tribal governments and national tribal organizations. The violence study is authorized at \$1,000,000 for fiscal years 2007 and 2008. In addition, this section requires the Secretary of Health and Human Services to conduct a study of injuries to Indian women from incidents of domestic violence, dating violence, sexual assault and stalking and the costs associated with these injuries. The injury report shall be reported to Congress and is authorized at \$500,000 for fiscal years 2007 and 2008.

Sec. 905. Tracking of Violence Against Indian Women. In cases of domestic violence, dating violence, sexual assault and stalking, the provision authorizes tribal law enforcement to access and enter information on to Federal criminal information databases (set out in 28 U.S.C. §534). Second, it permits tribes to develop and maintain national tribal sex offender registries and tribal protection order registries. To undertake the latter, the provision authorizes \$1,000,000 for fiscal years 2007 through 2011.

Sec. 906. Safety for Indian Women Formula Grants. To better administer grants to Indian Country and enhance the responses of Indian tribal governments, this measure authorizes the Office on Violence Against Women to combine all Native American set asides appropriated under this Act and create a single grant source.

Sec. 907. Deputy Director in the Office on Violence Against Women. To coordinate and guide Federal, State, local and tribal responses to violence against Indian women, this provision establishes a Deputy Director of Tribal Affairs in the Office on Violence Against Women. The Deputy Director is charged with several duties, including, but not limited to, oversight of tribal grant programs and developing federal policies and protocols on matters relating to violence against Indian women. In addition, the Deputy Director is authorized to ensure that some portion of tribal funds distributed through VAWA programs will be devoted to enhancing tribal resources such as legal services or shelters for Indian women victimized by domestic violence or sexual assault.

Sec. 908 and 909. Enhanced Criminal Law Resources and Domestic Assault by Habitual Offender. Sections 908 and 909 make several changes to existing criminal law. Under current law persons who have been convicted of a qualifying misdemeanor crime of domestic violence under federal or state law are prohibited from possessing firearms. This amendment would expand that prohibition to those persons convicted of a qualifying misdemeanor crime of domestic violence under tribal law.

Under current law, federal courts have exclusive jurisdiction over domestic violence crimes committed in Indian country where the perpetrator is a non-Indian and the victim is an Indian, and concurrent jurisdiction with the tribal courts where the perpetrator is an Indian and the victim is a non-Indian. Under this scheme, federal officers can only arrest for misdemeanors that occur in the presence of the arresting officer. Most domestic violence offenses are misdemeanors not committed in the presence of a federal officer. Accordingly, this amendment will eliminate that requirement and allow a federal arrest if there is reasonable grounds that the offense was committed. Finally, the provision creates a repeat offender provision.

#### TITLE X. DNA FINGERPRINTING

Sec. 1001. Short Title.

Sec. 1002. Use of Opt-Out Procedure to Remove Samples from National DNA Index. Because this title expands the scope of the national DNA database to include DNA samples from arrestees, this particular section amends the current expungement protocols and directs the FBI to remove samples in the event of an overturned conviction, acquittal, or the charge was dismissed.

Sec. 1003. Expanded Use of COIS Grants. To reduce the extraordinary backlog of rape kits and other crime scene evidence waiting for DNA testing, the federal government makes available to States a targeted DNA grant program. Specifically, States may seek funding to reduce the backlog in crime scene evidence, to reduce the backlog in DNA samples of offenders convicted of qualifying state offenses, or to enhance the State's DNA laboratory capabilities. This section would expand the grant purpose regarding offender DNA samples to include all samples collected under applicable state law; accordingly, States could use federal funding to test samples collected from arrestees or voluntary elimination samples.

Sec. 1004. Authorization to Conduct DNA Sample Collection From Persons Arrested or Detained Under Federal Authority. Current law allows federal authorities to collect DNA samples from individuals upon indictment. This provision would expand that authority to permit the Attorney General to collect DNA at arrest or detention of non-United States persons.

Sec. 1005. Tolling of Statute of Limitations for Sexual Abuse Offenses. This amendment strikes a carve-out authorizing John Doe indictments in sexual assault crimes and makes uniform the federal law that tolls the statute of limitations for all federal crimes where DNA evidence is collected (§3297).

The bill (H.R. 3402), as amended, was read the third time and passed.

#### UNANIMOUS CONSENT REQUEST— S. RES. 336

Mr. SANTORUM. Mr. President, I am going to propound what I hope will be two unanimous consent requests about one particular issue. The issue is on the anti-Semitic statements made by the President of Iran, Mr. Ahmadinejad, who said, among other things, that the state of Israel should be wiped off the face of the Earth. We have been working cooperatively to try to get this resolution cleared, condemning those statements. We had some concerns raised with the resolution which I will discuss in more detail. We finally have a version cleared, and I will discuss in detail how we had to work through that. Suffice it to say

that it is good to see that we are going to finally get strong bipartisan support to condemn this conduct and call for Iran to be a constructive partner in the peace process in the Middle East.

I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 336, a resolution to condemn the recent destructive and anti-Semitic statements of the President of Iran which I submitted earlier today. I ask that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

Mr. WYDEN. Mr. President, while I personally am vehemently opposed to the statements that have been made by the President of Iran, I have been asked by the Members on this side of the aisle to object, and I do so object.

The PRESIDING OFFICER. Objection is heard.

#### CONDEMNING ANTI-SEMITIC STATEMENTS OF THE PRESIDENT OF IRAN

Mr. SANTORUM. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 337, a revised version of the same resolution.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 337) to condemn the harmful, destructive, and anti-Semitic statements of Mahmoud Ahmadinejad, the President of Iran, and to demand an apology for those statements of hate and animosity toward all Jewish people of the world.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SANTORUM. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 337) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 337

Whereas Mahmoud Ahmadinejad, the President of Iran, declared in an October 26, 2005, address at the World Without Zionism conference in Tehran that “the new wave that has started in Palestine, and we witness it in the Islamic World too, will eliminate this disgraceful stain from the Islamic World” and that Israel “must be wiped off the map.”;

Whereas the President of Iran told reporters on December 8th at an Islamic conference in Mecca, Saudi Arabia, “Some European countries insist on saying that Hitler killed millions of innocent Jews in furnaces...although we don’t accept this claim.”;

Whereas Mr. Ahmadinejad then stated, “If the Europeans are honest they should give some of their provinces in Europe ... to the Zionists, and the Zionists can establish their state in Europe.”;

Whereas on December 14, 2005, Mr. Ahmadinejad said live on Iranian television, “they have invented a myth that Jews were massacred and place this above God, religions and the prophets.”;

Whereas the leaders of the Islamic Republic of Iran, beginning with its founder, the Ayatollah Ruhollah Khomeini, have issued statements of hate against the United States, Israel, and Jewish peoples;

Whereas certain leaders, including Ahmadi Nezhad, and the Supreme Leader, Ali Khamenei, have similarly called for the destruction of the United States, and the Islamic Republic of Iran has funded, armed, trained, assisted, and sheltered leading terrorists, including terrorists in Iraq who use Iranian support to kill military personnel of the United States;

Whereas an estimated 6,000,000 Jews were killed in the Nazi Holocaust;

Whereas the remarks of President Ahmadinejad have been denounced around the world and condemned by among others, the political leaders of the United States, Arab nations, Israel, Europe, and the United Nations;

Whereas it is a crime in the Federal Republic of Germany to deny the existence of the Holocaust; and

Whereas the United Nations, in General Assembly Resolution 181 (1947), recommended the adoption of the Plan of Partition with Economic Union for Palestine, which called for an independent Jewish State: Now, therefore, be it

Resolved, That the Senate—

(1) condemns the recent statement by President Ahmadinejad that denied the occurrence of the Holocaust and supported moving the State of Israel to Europe;

(2) demands an official apology for these damaging, anti-Semitic statements that ignore history, human suffering, and the loss of life during the Holocaust;

(3) and

(6) reaffirms the need for Iran to—

(A) end its support for international terrorism; and

(B) join other Middle Eastern countries in seeking a successful outcome of the Middle East peace process.

Mr. SANTORUM. Mr. President, I thank the Senator from Oregon. I know he personally believes in the original resolution. Before I get into the disparities between the two resolutions and some of the difficulty we have had over the last several days in trying to pass this resolution, it is important to understand how reprehensible these statements are and how dangerous they are in light of not only the conflicts within the Middle East but the frightening perspective of Iran having nuclear capabilities.

We hear mixed reports. We have heard reports from the overseas press in the last few weeks about fears that Iran is actually within months, potentially, of having nuclear weapons capability. The idea that a country with a President who says that Israel should be wiped off the map and then amends the statement, if you can call it that, to say, Well, maybe they could move it to Europe, Germany or Austria, as Charles Krauthammer recently noted:

... perhaps near the site of an old concentration camp.

This is the kind of ridiculous statement one would expect out of a street merchant who is out there spewing anti-Semitic statements but not from

the President of a country. It is unbelievable. As unbelievable as that statement is, it is almost equally unbelievable, the silence of response from the civilized world in condemning this statement and calling for actions on the part of the United Nations to condemn Iran, sanction Iran, and a whole host of other remedies available.

This condemnation we passed is a mild condemnation. We tried to make it a little stronger. We didn’t achieve that. But what we need to recognize is that Iran, as the President has said, is a real threat. It is a real threat because there are people in that country, not the average Iranian but people at the leadership levels of that government who have explicit designs to not only disrupt the process of democracy building in the Middle East but also disrupt any attempt for peace and finally eliminate millions of Israelis from the face of the Earth.

That is something that the civilized world should not stand for. The United Nations should not stand for it, should not countenance the continuation of Iran sitting where they sit without having to undergo some sort of sanction or reprimand.

It is important to understand how destabilizing Iran is in our fight to create stable democracies in the Middle East, how they foment anti-Semitic, anti-Zionist, as well as anti-democratic sentiment in the Middle East, and how they sponsor terrorism.

One of the pieces of legislation I am most proud of in my time in the Senate was the Syrian Accountability Act. Throughout the years, Iranian influence in Lebanon and Syria has oppressed fellow Arabs. Well, Iranians are not Arabs but oppress fellow Muslims and obviously some Christians. But it is important for us, as a Senate, as a people, to understand the threat that Iran poses to everything we believe in and the larger picture of what we are trying to accomplish in Iraq and the Middle East.

We are trying to do something that for a long time people in this country and even some today believe is not possible. Some have suggested we can’t win the mission we have engaged in. The mission we have engaged in is to create a stable democracy in the Middle East, in the Arab world. The mission we have engaged in, more fundamentally, is to provide increased national security to this country. That is the first mission.

The strategy is to ensure security for this country. The tactic is to establish democracies in an area of the world that threatened this country. Iran stands starkly opposed to that objective and, further, with statements such as this, destabilizes the entire region and foments and uses sort of the lowest base, primitive instincts of the haters in the Middle East to undermine our objective.

We are succeeding in Iraq in spite of the Iranians. We are succeeding in Afghanistan in spite of the Iranians. We