

S. 371. A bill to amend the Fair Labor Standards Act of 1938 to clarify the house parent exemption to certain wage and hour requirements; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ROCKEFELLER:

S. 372. An original bill to authorize appropriations for fiscal year 2007 for the intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; from the Select Committee on Intelligence; placed on the calendar, to the Committee on Armed Services pursuant to section 3(b) of S. Res. 400, 94th Congress, as amended by S. Res. 445, 108th Congress, for a period not to exceed 10 days of session.

By Mr. BUNNING (for himself and Mr. ROCKEFELLER):

S. 373. A bill to facilitate and expedite direct refunds to coal producers and exporters of the excise tax unconstitutionally imposed on coal exported from the United States; to the Committee on Finance.

By Mr. DOMENICI (for himself, Mr. SCHUMER, Mr. CRAIG, Mrs. CLINTON, Mr. CRAPO, and Mr. ALLARD):

S. 374. A bill to amend the Internal Revenue Code of 1986 to provide the same capital gains treatment for art and collectibles as for other investment property and to provide that a deduction equal to fair market value shall be allowed for charitable contributions of literary, musical, artistic, or scholarly compositions created by the donor; to the Committee on Finance.

By Mr. SMITH (for himself and Mr. WYDEN):

S. 375. A bill to waive application of the Indian Self-Determination and Education Assistance Act to a specific parcel of real property transferred by the United States to 2 Indian tribes in the State of Oregon, and for other purposes; to the Committee on Indian Affairs.

By Mr. LEAHY (for himself, Mr. SPECTER, Mr. KYL, and Mr. CORNYN):

S. 376. A bill to amend title 18, United States Code, to improve the provisions relating to the carrying of concealed weapons by law enforcement officers, and for other purposes; to the Committee on the Judiciary.

By Mr. LUGAR:

S. 377. A bill to establish a United States-Poland parliamentary youth exchange program, and for other purposes; to the Committee on Foreign Relations.

By Mr. LEAHY (for himself, Mr. SPECTER, Mr. REID, Mr. DURBIN, Mr. CORNYN, Mr. KENNEDY, Ms. COLLINS, Mr. HATCH, and Mr. SCHUMER):

S. 378. A bill to amend title 18, United States Code, to protect judges, prosecutors, witnesses, victims, and their family members, and for other purposes; to the Committee on the Judiciary.

By Ms. LANDRIEU:

S. 379. A bill to support the establishment or expansion and operation of programs using a network of public and private community entities to provide mentoring for children in foster care; to the Committee on Finance.

By Mr. WYDEN (for himself, Mr. STEVENS, Mrs. MURRAY, Mr. SMITH, Ms. CANTWELL, Mrs. BOXER, Mrs. FEINSTEIN, and Mr. TESTER):

S. 380. A bill to reauthorize the Secure Rural Schools and Community Self-Determination Act of 2000, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. INOUE (for himself, Mr. STEVENS, Mr. LEVIN, Mr. LEAHY, Ms. MURKOWSKI, Mr. AKAKA, and Mr. BENNETT):

S. 381. A bill to establish a fact-finding Commission to extend the study of a prior Commission to investigate and determine facts and circumstances surrounding the relocation, internment, and deportation to Axis countries of Latin Americans of Japanese descent from December 1941 through February 1948, and the impact of those actions by the United States, and to recommend appropriate remedies, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. COLLINS (for herself, Mr. HARKIN, Mr. KENNEDY, Mr. PRYOR, Mr. COLEMAN, Ms. CANTWELL, Mr. DURBIN, Ms. MIKULSKI, Mr. BINGAMAN, Mr. LAUTENBERG, and Mr. KERRY):

S. 382. A bill to amend the Public Health Service Act to establish a State family support grant program to end the practice of parents giving legal custody of their seriously emotionally disturbed children to State agencies for the purpose of obtaining mental health services for those children; to the Committee on Health, Education, Labor, and Pensions.

By Mr. AKAKA (for himself and Mr. ROCKEFELLER):

S. 383. A bill to amend title 38, United States Code, to extend the period of eligibility for health care for combat service in the Persian Gulf War or future hostilities from two years to five years after discharge or release; to the Committee on Veterans' Affairs.

By Ms. LANDRIEU (for herself, Mr. DURBIN, Mr. GRAHAM, and Mr. KERRY):

S. 384. A bill to provide pay protection for members of the Reserve and the National Guard, and for other purposes; to the Committee on Finance.

By Mr. INOUE (for himself, Mr. STEVENS, Mr. KERRY, Mr. SMITH, and Ms. SNOWE):

S. 385. A bill to improve the interoperability of emergency communications equipment; to the Committee on Commerce, Science, and Transportation.

By Mr. CHAMBLISS:

S. 386. A bill to amend the Clean Air Act to require a higher volume of renewable fuel derived from cellulosic biomass, and for other purposes; to the Committee on Environment and Public Works.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. BINGAMAN:

S. Res. 38. An original resolution authorizing expenditures by the Committee on Energy and Natural Resources; from the Committee on Energy and Natural Resources; to the Committee on Rules and Administration.

By Mr. BYRD:

S. Res. 39. A resolution expressing the sense of the Senate on the need for approval by the Congress before any offensive military action by the United States against another nation; to the Committee on Foreign Relations.

By Mr. WARNER (for himself, Mr. NELSON of Nebraska, Ms. COLLINS, Mr. COLEMAN, Mr. SALAZAR, Mr. BAYH, Mr. SMITH, Ms. LANDRIEU, Mr. NELSON of Florida, and Mrs. McCASKILL):

S. Con. Res. 4. A concurrent resolution expressing the sense of Congress on Iraq; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 2

At the request of Mr. KENNEDY, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 2, a bill to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage.

S. 4

At the request of Mr. REID, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of 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.

S. 10

At the request of Mr. NELSON of Florida, his name was added as a cosponsor of S. 10, a bill to reinstate the pay-as-you-go requirement and reduce budget deficits by strengthening budget enforcement and fiscal responsibility.

S. 65

At the request of Mr. INHOFE, the names of the Senator from Idaho (Mr. CRAIG) and the Senator from Arizona (Mr. MCCAIN) were added as cosponsors of S. 65, a bill to modify the age-60 standard for certain pilots and for other purposes.

S. 85

At the request of Mr. MCCAIN, the name of the Senator from Colorado (Mr. SALAZAR) was added as a cosponsor of S. 85, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to clarify that territories and Indian tribes are eligible to receive grants for confronting the use of methamphetamine.

S. 121

At the request of Mr. FEINGOLD, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 121, a bill to provide for the redeployment of United States forces from Iraq.

S. 166

At the request of Mr. MCCAIN, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 166, a bill to restrict any State from imposing a new discriminatory tax on cell phone services.

S. 206

At the request of Mr. LEAHY, his name was added as a cosponsor of S. 206, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

At the request of Mrs. FEINSTEIN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 206, supra.

S. 236

At the request of Mr. FEINGOLD, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 236, a bill to require reports to Congress on Federal agency use of data mining.

S. 261

At the request of Ms. CANTWELL, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 261, a bill to amend title 18, United States Code, to strengthen prohibitions against animal fighting, and for other purposes.

S. 267

At the request of Mr. BINGAMAN, the names of the Senator from Utah (Mr. HATCH) and the Senator from Colorado (Mr. SALAZAR) were added as cosponsors of S. 267, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to clarify that territories and Indian tribes are eligible to receive grants for confronting the use of methamphetamine.

S. 287

At the request of Mr. KENNEDY, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 287, a bill to prohibit the use of funds for an escalation of United States military forces in Iraq above the numbers existing as of January 9, 2007.

S. 311

At the request of Ms. LANDRIEU, the names of the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Maryland (Ms. MIKULSKI) and the Senator from Arizona (Mr. MCCAIN) were added as cosponsors of S. 311, a bill to amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, and for other purposes.

S. 315

At the request of Mr. WARNER, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 315, a bill to establish a digital and wireless network technology program, and for other purposes.

S. 357

At the request of Mrs. FEINSTEIN, the names of the Senator from Rhode Island (Mr. REED) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 357, a bill to improve passenger automobile fuel economy and safety, reduce greenhouse gas emissions, reduce dependence on foreign oil, and for other purposes.

S. 358

At the request of Mr. LEAHY, his name was added as a cosponsor of S. 358, a bill to prohibit discrimination on the basis of genetic information with respect to health insurance and employment.

S. CON. RES. 2

At the request of Mr. SALAZAR, his name was added as a cosponsor of S. Con. Res. 2, a concurrent resolution expressing the bipartisan resolution on Iraq.

At the request of Mr. BIDEN, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. Con. Res. 2, *supra*.

AMENDMENT NO. 106

At the request of Mr. SESSIONS, the name of the Senator from Oklahoma

(Mr. INHOFE) was added as a cosponsor of amendment No. 106 proposed to H.R. 2, a bill to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage.

AMENDMENT NO. 112

At the request of Mr. SUNUNU, the names of the Senator from Maine (Ms. SNOWE) and the Senator from Alaska (Mr. STEVENS) were added as cosponsors of amendment No. 112 proposed to H.R. 2, a bill to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage.

AMENDMENT NO. 119

At the request of Mr. BUNNING, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of amendment No. 119 proposed to H.R. 2, a bill to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage.

AMENDMENT NO. 121

At the request of Ms. SNOWE, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of amendment No. 121 intended to be proposed to H.R. 2, a bill to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MARTINEZ (for himself and Mr. SESSIONS):

S. 371. A bill to amend the Fair Labor Standards Act of 1938 to clarify the house parent exemption to certain wage and hour requirements; to the Committee on Health, Education, Labor, and Pensions.

Mr. MARTINEZ. Mr. President, today I rise to discuss an issue that is near and dear to my heart, because it involves children and youth in our foster care system. Inconsistencies in our Federal wage laws, coupled with increases in the minimum wage, are financially crippling the private, non-profit organizations and institutions that make up a necessary part of our communities' support systems for the most vulnerable in our society, the children.

More than 500,000 children are in America's foster care system at any given time, because their own families are in crisis or unable to provide for their essential well-being—most because they have been subject to abuse and neglect. Thankfully, most of these children are able to be placed with individual caring families. But for those children without a suitable or available foster family, they are placed in one of the many group homes associated with our foster care system.

Many of these group homes are specially tailored to the specific needs of foster care children by offering unique programs and on-site education to help heal the emotional scarring they have experienced.

These homes—often run by private, non-profit organizations—are dedicated

to providing residential care and treatment for the "orphans of the living," and they have long been a vital part of the social service networks in America's communities.

An essential component of the foster care network is the presence of caring parents in a family-like situation. And as in traditional parenting, the houseparents of group foster homes seek to provide the same love, care, and supervision of a traditional family for the five to eight children that reside with them.

Houseparents volunteer to permanently reside at the group home in order to create a family-like environment for those without a true sense of home—one that offers a structured atmosphere where these most vulnerable youth can heal, grow, and become productive members of society.

Foster care alumni studies show us that it is the consistent and life-long connection of caring foster parents that plays the biggest role in helping foster children transition into society.

However, our current laws are working against this cause, forcing group homes to move away from what they know is best for the children and preventing them from providing the most appropriate and consistent care. These youth so desperately need the stability that a family-like situation can provide. And this is what my amendment seeks to address.

Traditionally, in addition to a modest, fixed salary, houseparents have received food, lodging, insurance, and transportation free of charge.

In 1974, Congress recognized and confirmed the unique role houseparents serve when it passed the Hershey Exemption. This amended the Fair Labor Standards Act to preserve the appropriate method of compensation for houseparents—and allowed the lodging and food provided them to be considered when determining an appropriate salary for married houseparents serving with their spouse at nonprofit educational institutions.

Through this exemption, Congress supplied a way for these vital social services to continue to be provided by non-profit organizations in a way that is cost-effective, and at the same time appropriate and meaningful to both the children and the houseparents.

However, since the addition of this exemption, the demographics of America and of America's foster children have changed. Research now shows that due to the negative experiences some youth have faced, they may find a better environment for growth and healing in having a single houseparent of the same sex.

Our labor standards for these group homes have not kept pace with the ever-changing needs of these children.

Because the Hershey Exemption was only extended to married couples, group homes are now forced to choose between what is cheaper and what is best for the children. Unfortunately, the financial realities of the situation