

## SENATE RESOLUTION 42—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON THE JUDICIARY

Mr. LEAHY submitted the following resolution; from the Committee on the Judiciary; which was referred to the Committee on Rules and Administration:

*Resolved*, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on the Judiciary is authorized from March 1, 2007, through September 30, 2007; October 1, 2007, through September 30, 2008; and October 1, 2008, through February 28, 2009, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or non-reimbursable basis the services of personnel of any such department or agency.

Sec. 2(a). The expenses of the committee for the period of March 1, 2007, through September 30, 2007, under this resolution shall not exceed \$5,220,177, of which amount (1) not to exceed \$200,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed \$20,000 may be expended for the training of the professional staff of such committee (Under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(b) for the period October 1, 2007, through September 30, 2008, expenses of the committee under this resolution shall not exceed \$9,150,340, of which amount (1) not to exceed \$200,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed \$20,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(c) For the period October 1, 2008, through February 28, 2009, expenses of the committee under this resolution shall not exceed \$3,886,766, of which amount (1) not to exceed \$200,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed \$20,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

SEC. 3. The Committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2007, respectively.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee except that vouchers shall not be required (1) for the disbursement of salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Door-

keeper, United States Senate, or (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording and Photographic Services, or (7) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

SEC. 5. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 2007, through September 30, 2007, October 1, 2007 through September 30, 2008; and October 1, 2008 through February 28, 2009, to be paid from the Appropriations account for “Expenses of Inquiries and Investigations.”

## SENATE RESOLUTION 43—HONORING THE IMPORTANT CONTRIBUTION TO THE NATION OF THE ACADEMY OF MUSIC IN PHILADELPHIA, PENNSYLVANIA, ON ITS 150TH ANNIVERSARY

Mr. SPECTER (for himself and Mr. CASEY) submitted the following resolution; which was considered and agreed to: (The resolution will be printed in a future edition of the RECORD.)

## SENATE RESOLUTION 44—COMMENDING THE UNIVERSITY OF NEBRASKA-LINCOLN WOMEN'S VOLLEYBALL TEAM FOR WINNING THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I WOMEN'S VOLLEYBALL CHAMPIONSHIP

Mr. HAGEL (for himself and Mr. NELSON of Nebraska) submitted the following resolution; which was referred to the Committee on the Judiciary:

## S. RES. 44

Whereas the University of Nebraska-Lincoln women's volleyball team (referred to in this preamble as the “Huskers”) won the 2006 National Collegiate Athletic Association (NCAA) Division I Women's Volleyball National Championship at the Qwest Center in Omaha, Nebraska, on December 16, 2006;

Whereas Husker junior Sarah Pavan was chosen as the Nation's top collegiate female volleyball player, winning the 2006-07 Honda Sports Award for volleyball;

Whereas Sarah Pavan was named the ESPN Magazine Academic All-American of the Year, becoming the University of Nebraska's 234th Academic All-American and the university's 29th Academic All-American in volleyball;

Whereas the University of Nebraska leads the Nation in the number of players named Academic All-Americans;

Whereas the Huskers completed the 2006 season with a record of 33-1;

Whereas Husker head coach John Cook has led the team to 3 national championships;

Whereas the Huskers made their sixth appearance in the NCAA finals;

Whereas the 2006 Huskers are only the third team in the history of the NCAA to lead the American Volleyball Coaches Association poll for an entire season;

Whereas the entire Husker volleyball team should be commended for its determination, work ethic, attitude, and heart;

Whereas the University of Nebraska is building an impressive legacy of excellence in its volleyball program; and

Whereas the University of Nebraska volleyball players have brought great honor to themselves, their families, their university, and the State of Nebraska: Now, therefore, be it

*Resolved*, That the Senate—

(1) commends the University of Nebraska-Lincoln women's volleyball team for winning the 2006 National Collegiate Athletic Association Division I Women's Volleyball National Championship; and

(2) recognizes the achievements of the players, coaches, students, and staff whose hard work and dedication made winning the Championship possible.

## AMENDMENTS SUBMITTED AND PROPOSED

SA 200. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 100 proposed by Mr. REID (for Mr. BAUCUS) to the bill H.R. 2, to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage; which was ordered to lie on the table.

SA 201. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 100 proposed by Mr. REID (for Mr. BAUCUS) to the bill H.R. 2, supra.

SA 202. Ms. COLLINS (for herself and Mr. WARNER) submitted an amendment intended to be proposed by her to the bill H.R. 2, supra; which was ordered to lie on the table.

SA 203. Mr. GREGG (for himself, Mr. ENZI, Mr. SUNUNU, Mr. ISAKSON, and Mr. ALEXANDER) submitted an amendment intended to be proposed to amendment SA 100 proposed by Mr. REID (for Mr. BAUCUS) to the bill H.R. 2, supra.

SA 204. Ms. COLLINS (for herself and Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 113 proposed by Mr. SMITH to the amendment SA 100 proposed by Mr. REID (for Mr. BAUCUS) to the bill H.R. 2, supra.

SA 205. Mr. KYL proposed an amendment to amendment SA 100 proposed by Mr. REID (for Mr. BAUCUS) to the bill H.R. 2, supra.

SA 206. Mr. BAUCUS submitted an amendment intended to be proposed to amendment SA 100 proposed by Mr. REID (for Mr. BAUCUS) to the bill H.R. 2, supra.

SA 207. Mr. BAUCUS proposed an amendment to amendment SA 100 proposed by Mr. REID (for Mr. BAUCUS) to the bill H.R. 2, supra.

SA 208. Mr. NELSON, of Nebraska submitted an amendment intended to be proposed to amendment SA 100 proposed by Mr. REID (for Mr. BAUCUS) to the bill H.R. 2, supra; which was ordered to lie on the table.

## TEXT OF AMENDMENTS

SA 200. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 100 proposed by Mr. REID (for Mr. BAUCUS) to the bill H.R. 2, to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage; which was ordered to lie on the table; as follows:

At the appropriate place insert the following:

## SEC. \_\_\_\_\_. SENSE OF THE SENATE CONCERNING EXPANDING THE MIDDLE CLASS.

(a) FINDINGS.—The Senate finds that—

(1) the United States has the most unequal distribution of wealth and income of any major country in the industrialized world;

(2) over the next 4 calendar years, the cost of the 2001 and 2003 Federal tax cuts for the

top 1 percent of households will total nearly \$350,000,000,000;

(3) if the Federal tax cuts enacted in 2001 and 2003 are made permanent, households with annual incomes of more than \$1,000,000 comprising the top 3/10ths of 1 percent of the population would receive approximately \$648,000,000,000 in tax cuts over the next decade;

(4) the wealthiest 400 Americans saw their combined net worth increase by \$120,000,000,000 from 2004 to 2005 and do not need a tax break;

(5) households with incomes exceeding \$1,000,000 received an average tax break of \$118,000 in 2006, households in the middle-fifth of the income spectrum received tax cuts averaging \$740, and the bottom fifth of households received tax cuts averaging \$20;

(6) the increased costs of a college education, child care, health care, and housing are creating enormous burdens on the middle class and working families; and

(7) no veteran in this country should be forced onto a waiting list to receive health care from the Department of Veterans Affairs.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) Congress and the President should work together to roll-back all of the Federal tax breaks enacted since 2001 that go to households with annual incomes exceeding \$1,000,000; and

(2) Congress and the President should work together to use the revenue gained from this action to increase investments for the needs of our veterans, affordable housing, health care, Pell Grants, child care, and Head Start.

**SA 201.** Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 100 proposed by Mr. REID (for Mr. BAUCUS) to the bill H.R. 2, to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage; as follows:

At the appropriate place insert the following:

**SEC. \_\_\_\_\_. SENSE OF THE SENATE CONCERNING POVERTY.**

(a) FINDINGS.—The Senate finds that—

(1) the United States has the highest rate of poverty and the highest rate of childhood poverty among 17 major countries in the Organization for Economic Cooperation and Development including Germany, France, Italy, the United Kingdom, Canada, Australia, Austria, Belgium, Denmark, Finland, Ireland, the Netherlands, Norway, Spain, Sweden, and Switzerland;

(2) 36,950,000 Americans are living in poverty, an increase of 5,400,000 since 2000;

(3) 12,896,000 children in the United States under the age of 18 lived in poverty in 2005, and the number of children living in extreme poverty rose by 87,000 from 2004 through 2005;

(4) in 2005, an estimated 33 percent of the homeless population were children and an estimated 1,350,000 children will experience homelessness in a year;

(5) the number of uninsured Americans rose to 46,577,000 in 2005, 1,272,000 more than in the previous year, and the number of Americans without health insurance has risen for 4 consecutive years;

(6) the Department of Agriculture has found that, in 2005, 35,100,000 people lived in households experiencing food insecurity, meaning that they did not have adequate access to enough food to meet basic dietary needs to all times due to a lack of financial resources;

(7) households with children experience food insecurity at more than double the rate for households without children;

(8) The United States has the largest gap between the rich and the poor of any major industrialized country;

(9) the wealthiest 400 Americans saw their combined net worth increase by \$120,000,000,000 from 2004 to 2005;

(10) the richest 400 Americans have a combined net worth of \$1,250,000,000,000 equaling the annual income of over 45 percent of the entire world's population or 2,500,000,000 people;

(11) of the world's 793 billionaires, over 400 are Americans;

(12) in 1989, we only had 66 billionaires in this country; and

(13) on January 20, 2001, President Bush stated 'In the quiet of American conscience, we know that deep, persistent poverty is unworthy of our nation's promise. Where there is suffering, there is duty. Americans in need are not strangers, they are citizens, not problems, but priorities. And all of us are diminished when any are hopeless. And I can pledge our nation to a goal: When we see that wounded traveler on the road to Jericho, we will not pass to the other side.'.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the United States has a moral obligation to improve the lives of the 36,950,000 Americans living in poverty and the 15,928,000 of those who live in extreme poverty;

(2) the United States has a moral obligation to reduce the enormous gap between the rich and the poor; and

(3) the President should immediately present to Congress a comprehensive plan to eradicate child poverty and reduce the gap between the rich and the poor by 2017.

**SA 202.** Ms. COLLINS (for herself and Mr. WARNER) submitted an amendment intended to be proposed by her to the bill H.R. 2, to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage; which was ordered to lie on the table; as follows:

At the appropriate place insert the following:

**SEC. \_\_\_\_\_. PERMANENT EXTENSION OF ABOVE-THE-LINE DEDUCTION FOR CERTAIN EXPENSES OF ELEMENTARY AND SECONDARY SCHOOL TEACHERS.**

Subparagraph (D) of section 62(a)(2) of the Internal Revenue Code of 1986 is amended by striking "In the case of taxable years beginning during 2002, 2003, 2004, 2005, 2006, or 2007, the deductions" and inserting "The deductions".

**SA 203.** Mr. GREGG (for himself, Mr. ENZI, Mr. SUNUNU, Mr. ISAKSON, and Mr. ALEXANDER) submitted an amendment intended to be proposed to amendment SA 100 proposed by Mr. REID (for Mr. BAUCUS) to the bill H.R. 2, to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. EMPLOYEE OPTION TIME.**

(a) BIWEEKLY WORK PROGRAMS.—

(1) IN GENERAL.—The Fair Labor Standards Act of 1938 is amended by inserting after section 13 (29 U.S.C. 213) the following:

**"SEC. 13A. BIWEEKLY WORK PROGRAMS.**

"(a) VOLUNTARY PARTICIPATION.—

"(1) OPTION OF EMPLOYEE.—Except as provided in paragraph (2), no employee may be required to participate in a program described in this section. Participation in a program described in this section may not be a condition of employment.

"(2) COLLECTIVE BARGAINING AGREEMENT.—In a case in which a valid collective bargaining agreement exists between an employer and the labor organization that has been certified or recognized as the representative of the employees of the employer under applicable law, an employee may only be required to participate in such a program in accordance with the agreement.

"(b) BIWEEKLY WORK PROGRAMS.—

"(1) IN GENERAL.—Notwithstanding section 7, an employer may establish biweekly work programs that—

"(A) allow the use of a biweekly work schedule—

"(i) that consists of a basic work requirement of not more than 80 hours, over a 2-week period; and

"(ii) in which more than 40 hours of the work requirement may occur in a week of the period, except that no more than 10 hours may be shifted between the 2 weeks involved; and

"(B) provides that an employee participating in the program is compensated for overtime hours in accordance with paragraph (4).

"(2) CONDITIONS.—An employer may carry out a biweekly work program described in paragraph (1) for employees only pursuant to the following:

"(A) AGREEMENT.—The program may be carried out only in accordance with—

"(i) applicable provisions of a collective bargaining agreement between the employer and the labor organization that has been certified or recognized as the representative of the employees under applicable law; or

"(ii) in the case of an employee who is not represented by a labor organization described in clause (i), a written agreement arrived at between the employer and employee before the performance of the work involved if the agreement was entered into knowingly and voluntarily by such employee and was not a condition of employment.

"(B) STATEMENT OF VOLUNTARY PARTICIPATION.—The program shall apply to an employee described in subparagraph (A)(ii) if such employee has affirmed, in a written statement that is made, kept, and preserved in accordance with section 11(c), that the employee has voluntarily chosen to participate in the program.

"(C) MINIMUM SERVICE.—No employee may participate, or agree to participate, in the program unless the employee has been employed for at least 12 months by the employer, and for at least 1,250 hours of service with the employer during the previous 12-month period.

"(3) COMPENSATION FOR HOURS IN SCHEDULE.—Notwithstanding section 7, in the case of an employee participating in such a bi-weekly work program, the employee shall be compensated for each hour in such a bi-weekly work schedule at a rate not less than the regular rate at which the employee is employed.

"(4) OVERTIME COMPENSATION PROVISION.—An employee participating in such a bi-weekly work program shall be compensated for each overtime hour at a rate not less than one and one-half times the regular rate at which the employee is employed, in accordance with section 7(a)(1).

"(5) DISCONTINUANCE OF PROGRAM OR WITHDRAWAL.—

"(A) DISCONTINUANCE OF PROGRAM.—An employer that has established a biweekly work program under paragraph (1) may discontinue the program for employees described in paragraph (2)(A)(ii) after providing 30 days' written notice to the employees who are subject to an agreement described in paragraph (2)(A)(ii).

“(B) WITHDRAWAL.—An employee may withdraw an agreement described in paragraph (2)(A)(ii) at the end of any 2-week period described in paragraph (1)(A)(i), by submitting a written notice of withdrawal to the employer of the employee.

“(c) PROHIBITION OF COERCION.—

“(1) IN GENERAL.—An employer shall not directly or indirectly intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce, any employee for the purpose of interfering with the rights of the employee under this section to elect or not to elect to work a biweekly work schedule.

“(2) DEFINITION.—In paragraph (1), the term ‘intimidate, threaten, or coerce’ includes promising to confer or conferring any benefit (such as appointment, promotion, or compensation) or effecting or threatening to effect any reprisal (such as deprivation of appointment, promotion, or compensation).

“(d) DEFINITIONS.—In this section:

“(1) BASIC WORK REQUIREMENT.—The term ‘basic work requirement’ means the number of hours, excluding overtime hours, that an employee is required to work or is required to account for by leave or otherwise.

“(2) COLLECTIVE BARGAINING.—The term ‘collective bargaining’ means the performance of the mutual obligation of the representative of an employer and the labor organization that has been certified or recognized as the representative of the employees of the employer under applicable law to meet at reasonable times and to consult and bargain in a good-faith effort to reach agreement with respect to the conditions of employment affecting such employees and to execute, if requested by either party, a written document incorporating any collective bargaining agreement reached, but the obligation referred to in this paragraph shall not compel either party to agree to a proposal or to make a concession.

“(3) COLLECTIVE BARGAINING AGREEMENT.—The term ‘collective bargaining agreement’ means an agreement entered into as a result of collective bargaining.

“(4) EMPLOYEE.—The term ‘employee’ means an individual—

“(A) who is an employee (as defined in section 3);

“(B) who is not an employee of a public agency; and

“(C) to whom section 7(a) applies.

“(5) EMPLOYER.—The term ‘employer’ does not include a public agency.

“(6) OVERTIME HOURS.—The term ‘overtime hours’ when used with respect to biweekly work programs under subsection (b), means all hours worked in excess of the biweekly work schedule involved, in excess of the allotted 50 hours a week, or in excess of the allotted 80 hours in the 2-week period involved, that are requested in advance by an employer.

“(7) REGULAR RATE.—The term ‘regular rate’ has the meaning given the term in section 7(e).”.

“(2) REMEDIES.—

“(A) PROHIBITIONS.—Section 15(a)(3) of the Fair Labor Standards Act of 1938 (29 U.S.C. 215(a)(3)) is amended—

(i) by inserting “(A)” after “(3)”; and

(ii) by adding “or” after the semicolon; and

(iii) by adding at the end the following:

“(B) to violate any of the provisions of section 13A.”.

“(B) REMEDIES AND SANCTIONS.—Section 16 of the Fair Labor Standards Act of 1938 (29 U.S.C. 216) is amended—

(i) in subsection (c)—

(I) in the first sentence—

(aa) by inserting after “7 of this Act” the following: “, or of the appropriate legal or monetary equitable relief owing to any employee or employees under section 13A”; and

(bb) by striking “wages or unpaid overtime compensation and” and inserting “wages, unpaid overtime compensation, or legal or monetary equitable relief, as appropriate, and”; and

(II) in the second sentence, by striking “wages or overtime compensation and” and inserting “wages, unpaid overtime compensation, or legal or monetary equitable relief, as appropriate, and”; and

(III) in the third sentence—

(aa) by inserting after “first sentence of such subsection” the following: “, or the second sentence of such subsection in the event of a violation of section 13A.”; and

(bb) by striking “wages or unpaid overtime compensation under sections 6 and 7 or” and inserting “wages, unpaid overtime compensation, or legal or monetary equitable relief, as appropriate, or”; and

(ii) in subsection (e)—

(I) in the second sentence, by striking “section 6 or 7” and inserting “section 6, 7, or 13A”; and

(II) in the fourth sentence, in paragraph (3), by striking “15(a)(4) or” and inserting “15(a)(4), a violation of section 15(a)(3)(B), or”.

(3) NOTICE TO EMPLOYEES.—Not later than 30 days after the date of enactment of this section, the Secretary of Labor shall revise the materials the Secretary provides, under regulations contained in section 516.4 of title 29, Code of Federal Regulations, to employers for purposes of a notice explaining the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.) to employees so that the notice reflects the amendments made to the Act by this section.

(b) CONGRESSIONAL COVERAGE.—Section 203 of the Congressional Accountability Act of 1995 (2 U.S.C. 1313) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking “and section 12(c)” and inserting “section 12(c), and section 13A”; and

(B) by striking paragraph (3);

(2) in subsection (b)—

(A) by striking “The remedy” and inserting the following:

“(1) IN GENERAL.—Except as provided in paragraph (2), the remedy”; and

(B) by adding at the end the following:

“(2) BIWEEKLY WORK PROGRAMS AND FLEXIBLE CREDIT HOURS PROGRAMS.—The remedy for a violation of subsection (a) relating to the requirements of section 13A of the Fair Labor Standards Act of 1938 shall be such remedy as would be appropriate if awarded under sections 16 and 17 of such Act (29 U.S.C. 216, 217) for such a violation.”; and

(3) in subsection (c), by striking paragraph (4).

(c) TERMINATION.—The authority provided by this section and the amendments made by this section terminates 5 years after the date of enactment of this section.

**SA 204.** Ms. COLLINS (for herself and Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 113 proposed by Mr. SMITH to the amendment SA 100 proposed by Mr. REID (for Mr. BAUCUS) to the bill H.R. 2, to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage; as follows:

On page 2 of the amendment, strike lines 1 through 7, and insert the following:

(b) EXPANSION OF ABOVE-THE-LINE DEDUCTION FOR CERTAIN EXPENSES OF ELEMENTARY AND SECONDARY SCHOOL TEACHERS.—

(1) IN GENERAL.—Subparagraph (D) of section 62(a)(2) (relating to certain trade and business deductions of employees) is amended to read as follows:

“(D) CERTAIN EXPENSES OF ELEMENTARY AND SECONDARY SCHOOL TEACHERS.—The deductions allowed by section 162 which consist of expenses, not in excess of \$400, paid or incurred by an eligible educator—

“(i) by reason of the participation of the educator in professional development courses related to the curriculum and academic subjects in which the educator provides instruction or to the students for which the educator provides instruction, and

“(ii) in connection with books, supplies (other than nonathletic supplies for courses of instruction in health or physical education), computer equipment (including related software and services) and other equipment, and supplementary materials used by the eligible educator in the classroom.”.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to taxable years beginning after December 31, 2006.

**SA 205.** Mr. KYL proposed an amendment to amendment SA 100 proposed by Mr. REID (for Mr. BAUCUS) to the bill H.R. 2, to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage; as follows:

On page 4, line 21, strike “April 1, 2008” and insert “January 1, 2009”.

On page 6, lines 5 and 6, strike “April 1, 2008” and insert “January 1, 2009”.

On page 99, after line 19, add the following:

**SEC. \_\_\_\_.** TERMINATION OF EXCLUSION FOR QUALIFIED TUITION REDUCTION.

(a) IN GENERAL.—Section 117(d) is amended by redesignating the last paragraph as paragraph (4) and by adding after paragraph (4) the following new paragraph:

“(5) TERMINATION.—This subsection shall not apply to taxable years beginning after December 31, 2006.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2006.

**SA 206.** Mr. BAUCUS submitted an amendment intended to be proposed to amendment SA 100 proposed by Mr. REID (for Mr. BAUCUS) to the bill H.R. 2, to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage; as follows:

At the appropriate place insert the following:

**SEC. \_\_\_\_.** SENSE OF THE SENATE REGARDING PERMANENT TAX INCENTIVES TO MAKE EDUCATION MORE AFFORDABLE AND MORE ACCESSIBLE FOR AMERICAN FAMILIES.

It is the sense of the Senate that Congress should make permanent the tax incentives to make education more affordable and more accessible for American families and eliminate wasteful spending, such as spending on unnecessary tax loopholes, in order to fully offset the cost of such incentives and avoid forcing taxpayers to pay substantially more interest to foreign creditors.

**SA 207.** Mr. BAUCUS proposed an amendment to amendment SA 100 proposed by Mr. REID (for Mr. BAUCUS) to the bill H.R. 2, to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage; as follows:

At the appropriate place insert the following:

**SEC. \_\_\_\_.** SENSE OF THE SENATE REGARDING REPEAL OF 1993 INCOME TAX INCREASE ON SOCIAL SECURITY BENEFITS.

It is the sense of the Senate that Congress should repeal the 1993 tax increase on Social

Security benefits and eliminate wasteful spending, such as spending on unnecessary tax loopholes, in order to fully offset the cost of such repeal and avoid forcing taxpayers to pay substantially more interest to foreign creditors.

**SA 208.** Mr. NELSON of Nebraska submitted an amendment intended to be proposed to amendment SA 100 proposed by Mr. REID (for Mr. BAUCUS) to the bill H.R. 2, to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage; which was ordered to lie on the table; as follows:

At the appropriate place insert the following:

**SEC. \_\_\_\_\_. DISABILITY PREFERENCE PROGRAM FOR TAX COLLECTION CONTRACTS.**

(a) **IN GENERAL.**—Section 6306 (relating to qualified tax collection contracts) is amended—

(1) by striking “Nothing” in subsection (a) and inserting “Except as provided in subsection (c), nothing”;

(2) by redesignating subsections (c), (d), (e), and (f) as subsections (d), (e), (f), and (g), respectively, and

(3) by inserting after subsection (b) the following new subsection:

**“(c) DISABILITY PREFERENCE PROGRAM FOR TAX COLLECTION CONTRACTS.—**

“(1) **IN GENERAL.**—The Secretary shall provide a qualifying disability preference to any program under which any qualified tax collection contract is awarded on or after the effective date of this subsection and shall ensure compliance with the requirements of paragraph (3).

**“(2) QUALIFYING DISABILITY PREFERENCE.—**

“(A) **IN GENERAL.**—For purposes of this subsection, the term ‘qualifying disability preference’ means a preference pursuant to which at least 10 percent (in both number and aggregate dollar amount) of the accounts covered by qualified tax collection contracts are awarded to persons satisfying the following criteria:

“(i) Such person employs within the United States at least 50 severely disabled individuals.

“(ii) Such person shall agree as an enforceable condition of its bid for a qualified tax collection contract that within 90 days after the date such contract is awarded, not less than 35 percent of the employees of such person employed in connection with providing services under such contract shall—

“(I) be hired after the date such contract is awarded, and

“(II) be severely disabled individuals.

“(B) **DETERMINATION OF SATISFACTION OF CRITERIA.**—Within 60 days after the end of the period specified in subparagraph (A)(ii), the Secretary shall determine whether such person has met the 35 percent requirement specified in such subparagraph, and if such requirement has not been met, shall terminate the contract for nonperformance. For purposes of determining whether such 35 percent requirement has been satisfied, severely disabled individuals providing services under such contract shall not include any severely disabled individuals who were counted toward satisfaction of the 50-employee requirement specified in subparagraph (A)(i), unless such person replaced such individuals by hiring additional severely disabled individuals who do not perform services under such contract.

“(3) **PROGRAM-WIDE EMPLOYMENT OF SEVERELY DISABLED INDIVIDUALS.**—Not less than 15 percent of all individuals hired by all persons to whom tax collection contracts are issued by the Secretary under this section,

to perform work under such tax collection contracts, shall qualify as severely disabled individuals.

“(4) **SEVERELY DISABLED INDIVIDUAL.**—For purposes of this subsection, the term ‘severely disabled individual’ means any one of the following:

“(A) Any veteran of the United States Armed Forces with—

“(i) a disability determined by the Secretary of Veterans Affairs to be service-connected, or

“(ii) a disability deemed by statute to be service-connected.

“(B) Any individual who is a disabled beneficiary (as defined in section 1148(k)(2) of the Social Security Act (42 U.S.C. 1320b-19(k)(2)) or who would be considered to be such a disabled beneficiary but for having income or assets in excess of the income or asset eligibility limits established under title II or XVI of the Social Security Act, respectively.”

(b) **REPORT BY GOVERNMENT ACCOUNTABILITY OFFICE.**—

(1) **IN GENERAL.**—The Comptroller General of the United States shall conduct a study of the effectiveness and efficiency of the use of private contractors for Internal Revenue Service debt collection. The study required by this paragraph shall be completed in time to be taken into account by Congress before any new contracting is carried out under section 6306 of the Internal Revenue Code of 1986 in years following 2008.

(2) **STUDY OF COMPARABLE EFFORTS.**—As part of the study required under paragraph (1), the Comptroller General shall—

(A) make every effort to determine the relative effectiveness and efficiency of debt collection contracting by Federal staff compared to private contractors, using a cost calculation for both Federal staff and private contractors which includes all benefits and overhead costs,

(B) compare the cost effectiveness of the contracting approach of the Department of the Treasury to that of the Department of Education’s Office of Student Financial Assistance, and

(C) survey State tax debt collection experiences for lessons that may be applicable to the Internal Revenue Service collection efforts.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply to any tax collection contract awarded on or after the date of the enactment of this Act.

**NOTICES OF HEARINGS/MEETINGS**

**COMMITTEE ON ENERGY AND NATURAL RESOURCES**

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Thursday, February 1, 2007, at 9:30 a.m. in room SD-G50 of the Dirksen Senate Office Building.

The purpose of this hearing is to examine accelerated biofuels diversity, focusing on how home-grown, biologically derived fuels can blend into the Nation’s transportation fuel mix.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Re-

sources, United States Senate, Washington, DC 20510-6150.

For further information, please contact Tara Billingsley at (202) 224-4756 or David Marks at (202) 224-8046.

**AUTHORITY FOR COMMITTEES TO MEET**

**COMMITTEE ON ARMED SERVICES**

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Thursday, January 25, 2007, at 9:30 a.m., in open session to receive testimony on the current situation in Iraq on the Administration’s recently announced strategy for continued United States assistance to the Iraqi Government and for an increased United States military presence in Iraq.

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

**COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS**

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on January 25, 2007, at 9:30 a.m., to vote on committee organizational matters for the 110th Congress; immediately following the executive session the committee will meet to conduct a hearing on “Examining the Billing, Marketing, and Disclosure Practices of the Credit Card Industry, and Their Impact on Consumers.”

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

**COMMITTEE ON ENERGY AND NATURAL RESOURCES**

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to hold a hearing during the session of the Senate on Thursday, January 25, 2007, at 9:30 a.m. in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on oil and gas resources on the Outer Continental Shelf and areas available for leasing in the Gulf of Mexico.

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

**COMMITTEE ON FOREIGN RELATIONS**

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, January 25, 2007, at 9:15 a.m. to hold a hearing on Iraq.

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

**COMMITTEE ON FOREIGN RELATIONS**

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, January 25, 2007, at 2:30 p.m. to hold a hearing on Iraq.

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