

bills to people who are insured. But Republicans have had a very valid point as well that there ought to be private options, that there ought to be choices, that you need to have a strong delivery system with American health care in the private sector. That is why I made mention of the emphasis in the children's health bill on the private sector options.

My message to the White House has been, and I think the distinguished Senator from Iowa has made the same point, that it will not be possible to go on to the broader issue of health care reform until first the urgent needs of our children, needs that are demonstrated every single day in communities across the land—we are not going to see efforts on the broader reform effort pay off until first the needs of our children are met.

I hope the White House will see that the prospects of getting into issues that they correctly identify as important—I have said for a long time, and I say to my colleagues again, every liberal economist with whom we have talked in the Finance Committee and the Budget Committee has made the point that the current Tax Code disproportionately on health care favors the most wealthy and encourages inefficiency.

If the children's health bill can get passed, and passed quickly, we can then go forward, Democrats and Republicans, to work together on it. I have a different approach than the White House has with respect to fixing the Tax Code on health care, but certainly there are ways that Democrats and Republicans can work together if there is the same kind of good faith, bipartisan effort we have seen with Democratic and Republican leaders on the CHIP legislation.

I hope the White House will not veto the CHIP bill. They want broader health care reform, and so do I. The fact is, Senator BENNETT of Utah and I, along with Senator GREGG, Senator ALEXANDER, and Senator BILL NELSON, have brought to the floor of the Senate the first bipartisan universal coverage health bill in more than 13 years. It has been more than a decade, I say to my colleagues, since there has been a bipartisan universal coverage bill.

The fact is, out on the Presidential campaign trail, a lot of the Democratic candidates for President and a lot of the Republican candidates for President are talking about some of the very same approaches I outlined when I proposed the Healthy Americans Act in December of 2006.

This is an important time for the future of health care in our country. I hope steps will be taken to meet the needs of our kids that are so urgent and the President will sign that legislation, that he will see the value of the important bipartisan work done in this Chamber. If he does, even though the clock is ticking down on this Congress—and there is not a lot of time left for major initiatives—I still be-

lieve, as do Senator BENNETT and the sponsors of the Healthy Americans Act, Democratic and Republican colleagues with whom we continue to talk, that it is possible to go forward after a good children's health bill is passed to have broader health reform. And I think colleagues understand how urgent that is.

One of the sponsors of our Healthy Americans Act, Senator GREGG, the ranking Republican on the Budget Committee, just came into the Chamber. I am very honored to have him as a cosponsor of the Healthy Americans Act. Senators GREGG and CONRAD have correctly identified entitlement spending and the need to address it as a special priority.

The fact is, we cannot address the growing escalation in entitlement spending unless we deal with health care reform. We just cannot do it. It cannot happen because there are no costs rising in America like medical bills. Medical bills are a wrecking ball, flattening communities across the country and are the principal factor in the mushrooming cost of entitlements.

Again and again, the question of our country's well-being, the place of our companies in a tough global marketplace, the spiraling cost of entitlements comes down to the need to better address comprehensive health reform.

I believe, even though there is not a lot of time left in this session of Congress, that can be done, but only if, as Senator GRASSLEY noted early in the evening, the legislation that ensures that at least this session of Congress, at a minimum, takes steps to remove some of that moral taint we now face because our kids don't have health care. If that is done, we can go on from there.

I hope tomorrow we will see a resounding vote for the country's children. It is in their interests, it is in their name that we have had a bipartisan coalition working on the legislation. But I also suggest to the White House and others who want broader reform, reform that picks up on some of the White House's principles, it cannot happen unless the children's health bill is passed, and passed with a strong majority this week and the President signs it into law.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I echo the words of the Senator from Oregon and thank him for his leadership on health care issues and especially his urging the President of the United States to sign the children's health insurance bill. We are hoping for a strong vote in the Senate tomorrow in passing that very important legislation.

HATE CRIMES

Mr. BROWN. Mr. President, I rise this evening in support of the Kennedy amendment, the hate crimes amend-

ment. Our Nation's strength lies in its diversity, its tolerance, its respect for the individual. Hate crimes borne of prejudice and ignorance, of fear and cowardice, contravene these core principles which our Nation for more than two centuries has held dear. They are perpetuated by individuals who fear, in some sense, individuality. Terrorism is a hate crime.

The amendment offered by my colleague, Mr. KENNEDY, ensures that hate crimes be investigated and prosecuted to the fullest extent of the law. It enables Federal investigations of what are clearly Federal crimes. Hate crimes target individuals because they are part of a community. In the national community, all of us have a stake in fighting back against these crimes.

My colleague's amendment sends a strong message. The message is this: Our Nation will not turn the other way when individuals try to divide us. We will not tread softly when individuals use violence to perpetuate hatred. We will prosecute to the fullest extent of the law crimes that reflect a vicious disregard for individual rights and our Nation's core central values.

Our Nation is a community of people who care about one another. Hate crimes destroy our cohesiveness and our mutual respect and replace those values with paranoia, with divisiveness, and with destruction. Hate crimes weaken our Nation. This amendment strengthens it.

I urge my colleagues to support the amendment.

FOREWARN ACT OF 2007

Mr. BROWN. Mr. President, in July, I introduced S. 1792, the FOREWARN Act of 2007, a direct outgrowth of legislation that one of my predecessors, two predecessors ago, Senator Metzenbaum from Ohio, introduced called the WARN Act, legislation he got through the Congress in the 1980s, but legislation that now needs an update. It is about plant closings and job loss.

Job loss, whether it is in Ohio or whether it is in Seattle, does not just affect a worker or a worker's family. Job loss devastates entire communities and local economies.

While notice of a layoff is no substitute for a job, the WARN Act of 20 years ago was supposed to give employees time to find a new job and for help to be provided. Under current law, however, fair notice has proven to be the exception, not the rule, because too many have gamed the old WARN Act.

Employers have laid off workers in phases to avoid the threshold level of the WARN Act, used subsidiaries to evade liability, and pressured workers in too many cases, in too many places around Ohio to waive their rights.

Whether one lives in Toledo, Columbus, Cleveland, Akron, Cincinnati, or Lebanon, it is absolutely critical that in these situations, workers and groups have sufficient notice to begin working to attempt to limit the damage this causes a community.

The new legislation which I introduced in July, with Senator CLINTON, Senator OBAMA, and Senator STABENOW, S. 1792, will close these loopholes and provide the tools necessary for the enforcement of the rules.

The legislation gives the Labor Department the authority to take civil action for violations, as well as giving authority to State attorneys general if the Labor Secretary fails to act within 6 months. So if the Labor Secretary today refuses to act, if this happens in Zanesville or Lima, Attorney General Marc Dann of Ohio may take action.

The legislation reduces the closing plant threshold from the current number 50, which is gamed all too often, to 25 employees. It recalculates the mass layoff figure. The current mass layoff figure is calculated from at least one-third of the employees, or 50. FOREWARN sets the number at 100 in all events, or one-third of employees if there are between 50 and 100 employees.

Our legislation, S. 1792, reduces the employer size to 50 employees and lengthens the notification period from 60 calendar days to 90 calendar days. It requires employers to provide written notification to the Labor Secretary, as well as local stakeholders, including early warning networks and mayors. It increases penalties for violations of the WARN Act from back pay to double back pay.

Mr. President, I know you have had this problem in the State of Pennsylvania, the problem of lost manufacturing, and you know that the worst thing a community can face is a major plant closing or major reduction of workforce in a plant. And you know that as bad as that is, there are some things employers can do to make it better, and many do. But you also know that the law passed 20 years ago has not always made sure that the transition from losing their job to going back into the community and getting work, getting their family through the hardest times, getting the community through the hardest times—the law has not always addressed the best way to do that, and I think this legislation, S. 1792, does that very well.

I ask my colleagues to consider this legislation. It is time to update the 20-year law, the WARN Act, which passed and was approved by President Reagan. I think this legislation will help ease the lost-job problems. We need to do much more. We need to train differently, we need new trade law, different tax laws, and all the different kinds of things the Presiding Officer and I have worked on already in our time in the Senate, but the FOREWARN Act will matter for communities such as Steubenville, Portsmouth, and Chillicothe, and it will matter for families who have suffered the indignities and the tragedies and the hardship of lost jobs and plant closings.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

COMMISSION ON WARTIME CONTRACTING

Mr. CASEY. Mr. President, I rise to deliver tonight some brief remarks about a matter that a group of freshmen Democrats in this body have worked on together, and that is a bipartisan commission on wartime contracting and to expand the authority of the existing oversight mechanisms to help make sure our taxpayer dollars are spent properly and wisely in Iraq and Afghanistan.

I, like the Presiding Officer from the State of Ohio, joined Senators WEBB and McCASKILL and 23 other Members in cosponsoring this amendment and encourage the full Senate to approve it when it comes to a vote tomorrow. As a former auditor general in Pennsylvania, I know firsthand the need to aggressively root out waste in government. But it is especially egregious to discover waste and abuse and the loss of taxpayer dollars when our troops are in harm's way.

I also know that the oversight required to monitor potential abuse is a full-time job. That is why this amendment takes the extraordinary step of creating a new commission, evenly divided between the political parties, to investigate contractor abuses in a thorough manner. Some have argued we should leave this task to our existing committees in the Senate. I and my cosponsors, respectfully disagree with that assessment. As the distinguished Senator from Michigan said earlier today on the floor, our existing committees in the Senate, if they have this responsibility, would grind to a halt if any of those committees had to undertake a full investigation of contractor abuses in Iraq and Afghanistan. The commission we propose is deliberately patterned after the Truman Commission—named, of course, after a former President, but at the time the Truman Commission was named for his work in the Senate.

The Truman Commission consisted of a group of patriotic Americans that was charged with the mission of studying all financial and military transactions related to the execution of our war effort during World War II. This Commission recognized that it was not only American military might that would win the war in the struggle against the axis powers, but that every dollar saved, every dollar and every resource rescued would materially contribute to the war effort and enable the American Nation to focus its power and its energy on our common enemy at that time.

The wars in Afghanistan and Iraq are very different from World War II, we know that, but the same principles apply when it comes to rooting out waste, fraud, and abuse. Every day we read the horror stories about the lack of body armor for our troops. We see that the military has failed to order enough mine resistant ambush protective—so-called MRAP—vehicles to secure all of our troops. We hear our military stock is in need of urgent replenishment. The United States is a wealthy nation, we know that, but we are not a nation of infinite riches and resources. We have to prioritize our spending and make hard choices. That is why it is so important to crack down on contractor abuses in Iraq and Afghanistan. We cannot afford to let companies doing business there profit—profit—from fraud and abuse at the same time we need those very dollars for real priorities—our men and women in uniform.

In 2005, the Special Inspector General for Iraq Reconstruction reported that \$9 billion spent on Iraq's reconstruction was missing—unaccounted for—due to inefficiencies and bad management. When I say missing, I literally mean the special inspector general's office was unable to find out what happened to this money. Only last week, the Pentagon disclosed that it is auditing \$88 billion in contracts and programs for financial irregularities. Let me repeat that number—\$88 billion. This is not a case of a few inappropriate cost overruns in contracts or sloppy bookkeeping in other contracts. Here we know that 40 individuals—40 individuals—and private companies have already been suspended, debarred, or are proposed for debarment. Another 30 investigations await prosecution at the Department of Justice.

Contractor abuse in Iraq and Afghanistan is a national scandal. It is an embarrassment. I think it also represents a taking. Every dollar wasted there is a dollar taken away from our troops and our ability to fight the enemy. Most of us supporting this amendment today were elected last year on the promise to change the culture in Washington and to no longer take for granted this type of crass corruption. We shouldn't accept it. We should root it out and do everything possible to make it almost impossible to commit this kind of crime.

This legislation establishes an independent commission to comprehensively vet Federal agency contracting for reconstruction, logistical support of coalition forces, and security and intelligence functions in Iraq and Afghanistan. What we are talking about is an independent and bipartisan commission to provide real credibility and real authority in cracking down on waste, fraud, and abuse.

This amendment also provides significant new powers to the already existing Special Inspector General for Iraq Reconstruction to expand his important work and coordinate with this