

JANUARY 25, 2007

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:

## S. RES. 43

Whereas the Academy of Music opened in 1857 in Philadelphia, Pennsylvania and quickly became the most prestigious opera house in the United States;

Whereas the Academy of Music is the oldest grand opera house in the United States that is still used for its original purpose;

Whereas, in 1963, the Academy of Music was designated a National Historic Landmark;

Whereas, over the years, the Academy of Music served not only as a venue for the performing arts community, but has also hosted many graduation ceremonies, along with several Presidential conventions and other important public events;

Whereas the Academy of Music served as the Philadelphia Orchestra's main concert hall for more than a century, and the Orchestra purchased the Academy in 1957 and performs each year for the Academy's anniversary;

Whereas the Academy of Music has had a host of legendary artists grace its stage, from the disciplines of classical to popular music, dance, and drama, including Maria Callas, Joan Sutherland, Marian Anderson, Frank Sinatra, George Gershwin, Duke Ellington, Anna Pavlova, Ruth St. Denis, Ted Shawn, and Margot Fonteyn;

Whereas the Academy of Music has also hosted several sporting events, was turned into an indoor skating rink in 1866, had a wooden floor installed over the parquet level in 1889 to create space for an indoor football game between the University of Pennsylvania and the Riverton Club of Princeton, and had a wooden floor installed again in 1892 for the University of Pennsylvania for a track meet; and

Whereas the Academy of Music has also been a part of other historical and cultural events, such as a demonstration of the telephone by Alexander Graham Bell in 1877, the first ever concert in stereophonic sound in 1933 performed by Leopold Stokowski and the Philadelphia Orchestra, the filming of "One Hundred Gentlemen and a Girl" in 1937, and the recording of the soundtrack of the Disney classic "Fantasia" by the Philadelphia Orchestra in 1939: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates the Academy of Music in Philadelphia, Pennsylvania, on its 150th anniversary;

(2) honors the important contributions of the Academy of Music to the Nation; and

(3) directs the Secretary of the Senate to transmit a copy of this resolution to the Academy of Music.

AMENDMENTS SUBMITTED AND PROPOSED

SA 209. Mr. KYL 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.

SA 210. Mr. KYL 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 211. Mr. COBURN 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 209.** Mr. KYL 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:

On page 4, line 8, strike "2011" and insert "2013".

**SA 210.** Mr. KYL 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:

On page 4, strike lines 4 through 8 and insert the following:

**SEC. 201. PERMANENT EXTENSION OF INCREASED EXPENSING FOR SMALL BUSINESSES.**

Section 179 (relating to election to expense certain depreciable business assets) is amended by striking "and before 2010" each place it appears.

On page 4, strike lines 18 through 24 and insert the following:

**(1) PERMANENT EXTENSION OF LEASEHOLD IMPROVEMENTS.—**

(A) IN GENERAL.—Section 168(e)(3)(E)(iv) is amended by striking "placed in service before January 1, 2008".

(B) EFFECTIVE DATE.—The amendment made by this paragraph shall apply to property placed in service after December 31, 2007.

On page 4, after line 24 add insert the following:

**(2) PERMANENT EXTENSION OF RESTAURANT IMPROVEMENTS.—**

(A) IN GENERAL.—Section 168(e)(3)(E)(v) is amended by striking "placed in service before January 1, 2008".

(B) EFFECTIVE DATE.—The amendment made by this paragraph shall apply to property placed in service after December 31, 2007.

On page 6, strike lines 4 through 6 and insert the following:

"(ix) any qualified retail improvement property."

On page 12, strike lines 19 through 21 and insert the following:

(a) **PERMANENT EXTENSION OF COMBINED WORK OPPORTUNITY CREDIT AND WELFARE-TO-WORK CREDIT.**—Section 51(c) is amended by striking paragraph (4).

**SA 211.** Mr. COBURN 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 end of section 102 of the amendment, add the following:

(c) **APPLICABILITY TO AMERICAN SAMOA.**—Notwithstanding sections 5, 6(a)(3), 8, 10, and 13(e) of the Fair Labor Standards Act of 1938 (29 U.S.C. 205, 206(a)(3), 208, 210, 213(e)), sub-

sections (a) and (b) of this section shall apply to American Samoa in the same manner as such subsections apply to the Commonwealth of the Northern Mariana Islands.

AUTHORITY FOR COMMITTEES TO MEET

SUBCOMMITTEE ON STRATEGIC FORCES

MR. KENNEDY. Mr. President, I ask unanimous consent that the Subcommittee on Strategic Forces be authorized to meet during the session of the Senate on Friday, January 26, 2007, at 9 a.m., in closed session to receive a briefing on recent Chinese anti-satellite testing.

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

PRIVILEGES OF THE FLOOR

MR. HARKIN. Mr. President, I ask unanimous consent that Erin Bergman of my staff be granted the privilege of the floor for the duration of today's session.

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

DISCHARGE AND REFERRAL—S. 172

MR. REID. Mr. President, I ask unanimous consent that the Banking Committee be discharged from further consideration of S. 172 and that the bill be referred to the Committee on Foreign Relations.

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

NATIONAL STALKING AWARENESS MONTH

MR. REID. Mr. President, I ask unanimous consent that the Senate proceed to Calendar No. 14, S. Res. 24.

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

The legislative clerk read as follows:

A resolution (S. Res. 24) designating January 2007 as National Stalking Awareness Month.

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

MR. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating thereto be printed in the RECORD, without further intervening action or debate.

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

The resolution (S. Res. 24) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

## S. RES. 24

Whereas an estimated 1,006,970 women and 370,990 men are stalked annually in the United States and, in the majority of such cases, the person is stalked by someone who is not a stranger;

Whereas 81 percent of women who are stalked by an intimate partner are also

physically assaulted by that partner, and 76 percent of women who are killed by an intimate partner were also stalked by that intimate partner;

Whereas 26 percent of stalking victims lose time from work as a result of their victimization, and 7 percent never return to work;

Whereas stalking victims are forced to take drastic measures to protect themselves, such as relocating, changing their addresses, changing their identities, changing jobs, and obtaining protection orders;

Whereas stalking is a crime that cuts across race, culture, gender, age, sexual orientation, physical and mental ability, and economic status;

Whereas stalking is a crime under Federal law and under the laws of all 50 States and the District of Columbia;

Whereas rapid advancements in technology have made cyber-surveillance the new frontier in stalking;

Whereas there are national organizations, local victim service organizations, prosecutors' offices, and police departments that stand ready to assist stalking victims and who are working diligently to craft competent, thorough, and innovative responses to stalking; and

Whereas there is a need to enhance the criminal justice system's response to stalking, including through aggressive investigation and prosecution: Now, therefore, be it

*Resolved*, That—

(1) The Senate designates January 2007 as "National Stalking Awareness Month";

(2) it is the sense of the Senate that—

(A) National Stalking Awareness Month provides an opportunity to educate the people of the United States about stalking;

(B) the people of the United States should applaud the efforts of the many victim service providers, such as police, prosecutors, national and community organizations, and private sector supporters, for their efforts in promoting awareness about stalking; and

(C) policymakers, criminal justice officials, victim service and human service agencies, nonprofit organizations, and others should recognize the need to increase awareness of stalking and availability of services for stalking victims; and

(3) the Senate urges national and community organizations, businesses, and the media to promote, through observation of National Stalking Awareness Month, awareness of the crime of stalking.

#### RECOGNIZING THE UNCOMMON VALOR OF WESLEY AUTREY OF NEW YORK, NEW YORK

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to Calendar No. 13, S. Res. 21.

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

The legislative clerk read as follows:

A resolution (S. Res. 21) recognizing the uncommon valor of Wesley Autrey of New York, New York.

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

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating thereto be printed in the RECORD, without intervening action or debate.

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

The resolution (S. Res. 21) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 21

Whereas Wesley Autrey is a citizen of New York, New York;

Whereas Wesley Autrey is a veteran of the United States Navy;

Whereas Wesley Autrey has been a member in good standing of the Construction and General Building Laborers' Local 79 since 1996;

Whereas Wesley Autrey witnessed a fellow subway passenger suffer from a seizure and fall onto the train tracks;

Whereas Wesley Autrey was compelled by his belief that he should "do the right thing" and serve as an example to his 2 young daughters;

Whereas Wesley Autrey demonstrated uncommon valor and tremendous bravery in diving onto the train tracks to save the life of his fellow subway passenger only moments before an incoming train passed over them;

Whereas the beneficiary of Wesley Autrey's courageous actions is now recovering at St. Luke's Roosevelt Hospital Center, New York;

Whereas Wesley Autrey has conducted himself with the utmost humility in the midst of his newfound fame; and

Whereas Wesley Autrey stands out as an example of selflessness to members of his community, his State, and the Nation: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes that Wesley Autrey acted heroically by putting his own life at risk to save that of his fellow citizen; and

(2) expresses its deep appreciation for Wesley Autrey's example and the values that his actions represent.

#### MARTIN LUTHER KING, JR. DAY LESSONS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 15, S. Res. 29.

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

The legislative clerk read as follows:

A resolution (S. Res. 29) expressing the sense of the Senate regarding Martin Luther King, Jr. Day and the many lessons still to be learned from Dr. King's example of non-violence, courage, compassion, dignity, and public service.

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

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating thereto be printed in the RECORD, without intervening action or debate.

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

The resolution (S. Res. 29) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 29

Whereas Reverend Doctor Martin Luther King, Jr. dedicated his life to securing the Nation's fundamental principles of liberty and justice for all citizens;

Whereas Dr. King was the leading civil rights advocate of his time, spearheading the civil rights movement in the United States during the 1950s and 1960s, and earned worldwide recognition as an eloquent and articulate spokesperson for equality;

Whereas in the face of hatred and violence, Dr. King preached a doctrine of nonviolence and civil disobedience to combat segregation, discrimination, and racial injustice, and believed that each person has the moral capacity to care for other people;

Whereas Dr. King awakened the conscience and consciousness of the Nation and used his message of hope to bring people together to build the Beloved Community—a community of justice, at peace with itself;

Whereas Dr. King was born on January 15, 1929, and attended segregated public schools in Georgia;

Whereas Dr. King began attending Morehouse College in Atlanta, Georgia at the age of 15, and received a B.A. degree in 1948 from Morehouse College, following in the footsteps of both his father and grandfather;

Whereas Dr. King received his B.D. in 1951 from Crozer Theological Seminary in Pennsylvania and his Ph.D. in theology in 1955 from Boston University;

Whereas in Boston Dr. King met Coretta Scott, his life partner and fellow civil rights activist, and they married on June 18, 1953, and had 2 sons and 2 daughters;

Whereas Dr. King was ordained in the Christian ministry in February 1948 at the age of 19 at Ebenezer Baptist Church, in Atlanta, Georgia, and became Assistant Pastor of Ebenezer Baptist Church;

Whereas, in 1954, Dr. King accepted the call of Dexter Avenue Baptist Church in Montgomery, Alabama, and was pastor there until November 1959, when he resigned to move back to Atlanta to lead the Southern Christian Leadership Conference;

Whereas from 1960 until his death in 1968, Dr. King was again a pastor at Ebenezer Baptist Church, along with his father;

Whereas between 1957 and 1968, Dr. King traveled over 6,000,000 miles, spoke over 2,500 times, and wrote 5 books and numerous articles, supporting efforts around the Nation to end injustice and bring about social change and desegregation;

Whereas Dr. King led the Montgomery bus boycott for 381 days to protest the arrest of Mrs. Rosa Parks and the segregation of the bus system of Montgomery, Alabama, in the first great nonviolent civil rights demonstration of contemporary times in the United States;

Whereas during the boycott, Dr. King was arrested and his home was bombed, yet he responded with nonviolence and courage in the face of hatred;

Whereas, on November 13, 1956, the Supreme Court of the United States declared the laws requiring segregation in Montgomery's bus system to be unconstitutional, leading to the end of the bus boycott on December 21, 1956;

Whereas Dr. King led the March on Washington, D.C. on August 28, 1963, the largest rally of the civil rights movement;

Whereas during that march, Dr. King delivered his famous "I Have A Dream" speech from the steps of the Lincoln Memorial and before a crowd of over 200,000 people;

Whereas Dr. King's "I Have A Dream" speech is one of the classic orations in United States history;

Whereas Dr. King was a champion of non-violence, fervently advocating nonviolent resistance as the strategy to end segregation and racial discrimination in the United States;