

The subhead is:

When Jonathan Schulze came home from Iraq, he tried to live a normal life, but the war kept that from happening.

The story is a lengthy one about a man who served in Iraq, was a marine, very proud of being a marine, a combat marine. His name was Jonathan Schulze. In Iraq, he carried a heavy machine gun as part of his combat experience. He apparently indicated he had watched about 16 of his unit members and close friends die in some very aggressive fighting in Iraq, described the battles. He was twice wounded, earned two Purple Hearts, came back to this country, was discharged, and had very serious post-traumatic stress disorder, severe psychological problems. He couldn't sleep, reliving the combat during his sleep and then having flashbacks when awake.

On December 14, he went to the VA center in Minneapolis, met with a psychiatrist, according to this news account, and was told that he could be admitted for some treatment in March. This was December. On January 12, a couple of weeks ago, he went to the VA hospital in St. Cloud, according to this account. He told the people at the VA hospital in St. Cloud that he was thinking of committing suicide, thinking of killing himself. His parents were with him at that point. They verify that is what he told the VA hospital in St. Cloud. He was thinking of committing suicide, and he wanted to be admitted as a patient. They told him they could not admit him as a patient.

The next day, he called the VA, called them back, and they told him that he was No. 26 on the waiting list. Four days later, he hung himself. This young man who served his country honorably as a U.S. marine reached out for help. According to his parents, who were there at the time, he went to a VA hospital and said: I need help, I want to be admitted, I am having thoughts of suicide, and he was refused. The next day, he was told he is 26th on the list.

I don't know all of the facts about this. I only know the facts I have read in a newspaper. But the story is nearly unbelievable to me. The newspaper description of the flag-draped coffin of this young marine who earned two Purple Hearts fighting for his country in Iraq contains a sad, sad story of a young marine who should have gotten medical help for serious psychological problems that were the result of his wartime experience.

I am going to ask the inspector general to investigate what happened in this case. What happened that a young man who was a marine veteran with two Purple Hearts turns up at a VA center and says: I am thinking of committing suicide, can you help me, can you admit me, and he is told: No, the list is 26 long in front of you? Something dreadfully wrong happened. The result is a young man is dead. What happened here? Does it happen other places?

We know the heavy toll war imposes on these young men and women who wear America's uniform and who answer this country's call. My colleagues and I have all been to Bethesda and Walter Reed, and have visited the veterans who have lost arms and legs, who have had head injuries, especially, because the body armor these days means that the injuries more often sustained are the loss of an arm or a leg or a brain injury due to the improvised explosive devices. We know about the VA health care system. The VA health care system has been excellent in some respects. It has gotten good reviews. But what has happened here? Are there others who show up at a VA center and say: I need help, only to be told no help is available? I hope that is not the case.

But I am going to ask the Inspector General to investigate this case and find out what happened. Is it happening other places? And what can we do to prevent this from happening again? It is the unbelievable cost of war.

ISSUES OF PRIORITY

IRAQ

Mr. DORGAN. This week or next week we will discuss once again the war in Iraq—a war that has now lasted longer than World War II. President Bush has indicated to the Congress and to the American people he has a new strategy. The new strategy he is proposing is to move an additional 20,000 American troops into Iraq. This morning, the more recent polls suggest the President's approval is at 30 percent. Polls also suggest the American people do not support deepening our country's involvement in Iraq. It is quite clear that the Congress does not support it either.

The decision by the President comes on the heels of the Baker-Hamilton commission that had some of the best minds in this country—Republicans and Democrats, old hands and younger people—who took a look at this, who understand foreign policy, understand military policy, and evaluated what are the potential choices, and decided that the deepening of our country's involvement in Iraq would be the wrong choice.

The blue ribbon commission told the President it would be the wrong choice to deepen our involvement in Iraq. Yet, the President decided that is exactly what he is going to do.

It is important, I think, as we discuss it this week and next week, to understand this Congress will always support the men and women whom we have asked to go to battle for our country. I would not support any effort by anyone to withdraw funds for our troops. If our troops are there, they must have everything they need to complete their mission and finish their jobs. But the fact is, in all of these discussions, I regret to say the President and Vice President do not have all that much credibility. Four years ago they presented

to this Congress—much of it in top-secret briefings in this Capitol—intelligence that supposedly buttressed the Administration's request that Congress pass a resolution that would give them the authority to use force against Iraq. It turns out now that much of that intelligence was wrong. Much of it was just fundamentally wrong. Now we know that those who offered the intelligence assessment to Congress knew there were serious doubts about it even as they were offering it to Congress as fact. They are some of the highest officials in our Government. I wish I did not have to say that, but it is the truth.

It was not good intelligence. For example, take the mobile chemical weapons labs that we were told existed for sure. We now understand that was the product of a single source of intelligence, a person named "Curveball," a person who was likely a drunk and a fabricator.

On the basis of a single source, whom the Germans, who turned Curveball's information over to our country, thought not to be reliable or likely not to be reliable, we were told by this administration in briefings that this was a case that would justify going to war.

The aluminum tubes. We now understand the aluminum tubes were not for the purpose of reconstituting a nuclear threat. We also understand there are those in the line of—well, I was going to say the chain of command—those at high positions in our Government today who knew there was substantial evidence and disagreement from other parts of our Government who did not believe the aluminum tubes were for the purpose of reconstituting a nuclear effort or nuclear capability in Iraq. Yet, that information was withheld from the Congress, probably and apparently deliberately withheld from the Congress.

Yellowcake from Niger: Again, another case of almost exactly the same thing.

It is the case that the Congress was misled by bad intelligence, and the American people were misled by that same intelligence. That is not me saying that. It is Colonel Wilkerson, who worked 17 years as a top assistant to Colin Powell, the Secretary of State, who made the case at the United Nations. Colonel Wilkerson, who was involved in all that activity, spoke out publicly, and he said it was the "perpetration of a hoax on the American people." That is not me. Those are the words of a top official who was involved, who was there. Yet, no one has had to answer for it, no one.

Hearings. No oversight hearings by the majority party in the last Congress. No one has answered for it.

Now we have a new Iraqi policy, new warnings about more danger in Iraq. But it comes at a time when there is precious little credibility. We now find ourselves in Iraq, longer than we were in the Second World War, in the middle of a civil war. Most of the violence in

Iraq is sectarian violence: Sunnis and Shias killing each other; American soldiers placed in the middle of a civil war.

The fact is, the leader of Iraq is now gone, dead. He was executed. Saddam Hussein does not exist. The Iraqi people were able to elect their own Government. They were able to vote for their own constitution. That is done. That is progress. But now Iraq is in the middle of a civil war. And to deepen America's involvement in the middle of a civil war in Iraq makes little sense to me.

What does make sense to me is to say to the Iraqis: This is your Government, not ours. This belongs to you, not us. And you have a responsibility now to provide for your own security.

Here is what General Abizaid, the head of Central Command, said 2 months ago. He said:

I met every divisional commander, General Casey, the corps commander, General Dempsey, we all talked together. And I said, "in your professional opinion, if we were to bring in more American troops now, does it add considerably to our ability to achieve success in Iraq?" And they all said no.

"I met with every divisional commander." "They said no."

Now, General Abizaid, also in testimony 2 months ago, said:

And the reason [his commanders said no to additional troops] is because we want the Iraqis to do more. It is easy for the Iraqis to rely upon us to do this work. I believe that more American forces prevent the Iraqis from doing more, from taking more responsibility for their own future.

In other words, the Iraqi attitude is: if American troops can do the job, that is fine. Let the American troops do the job. Our responsibility, it seems to me, is to say to the Iraqi people: This is your country, not ours. Security is your responsibility. And if you cannot provide for security, the American soldiers cannot do that for any great length of time. You have to decide whether you want to take your country back.

Now, as the President says, his change in strategy is to move more American troops to Iraq. I want to describe what John Negroponte, the head of our intelligence service, said in open testimony to the Congress 2 weeks ago:

Al-Qaeda is the terrorist organization that poses the greatest threat to U.S. interests, including to the homeland.

That is testimony from the top intelligence chief in our country: Al-Qaeda is the greatest terrorist threat to U.S. interests, including to the homeland. Then let me show you what he says beyond that. He says: al-Qaeda "continues to plot attacks against our homeland and other targets with the objective of inflicting mass casualties. And they continue to maintain active connections and relationships that radiate outward from their leaders' secure hideout in Pakistan. . . ."

Understand this is who attacked America: al-Qaeda. They described it. They boasted about it. They murdered thousands of Americans. They at-

tacked America on 9/11. Their leadership is now, according to our top intelligence chief, in testimony before this Congress 2 weeks ago, in a "secure hideout in Pakistan."

It seems to me if there are 20,000 additional soldiers available, job one for this country is to eliminate the greatest terrorist threat—the greatest terrorist threat—described by the intelligence chief the week before last as al-Qaeda. It "poses the greatest threat to U.S. interests, including to the homeland." He also says they are in secure hideaways in Pakistan.

I do not understand for a moment why the greatest priority for us is not to eliminate the most significant terrorist threat to our country and to eliminate the leadership of the organization that boasts about murdering Americans on 9/11. If that were part of the new strategy, I would be here saying: I am for it. But it is not.

There is not, regrettably, an easy answer or a good answer with respect to Iraq. The President described, last fall, prior to the election, false choices. He said the choice is between stay the course and cut and run. That was always a false choice.

We have to find a way to resolve this and be able to bring American troops home. It is just that simple. We have to say to the Iraqi people: This country belongs to you, and you have responsibilities. Meet those responsibilities.

We have responsibilities here at home—plenty of them—and we need to turn inward to meet those responsibilities. That does not mean we should pay no attention to what is going on around the world. But we also need to begin taking care of things here at home.

I was at a meeting in Minneapolis, a listening session with American tribes this weekend. Let me tell you what one fellow stood up and said. He was a tribal chair, a chairman of the tribe. He said: My two daughters are living in rehabilitated trailers that were brought to our reservation from Michigan. They heat those trailers with wooden stoves. The trailers have no plumbing. There is no running water and no indoor toilets. This is in South Dakota. Sound like something in a Third World country? He said: One of my daughters has eight children. The other has three. They live in donated trailers that came from Michigan, with no water and no toilet. And they heat it with a wood stove. Sound like the United States? No, it doesn't to me. It sounds like a Third World country. We have lots of people in this country living on Indian reservations in Third World conditions. We are told there is not enough money to respond to their housing, education, and health care needs. That is wrong.

We are going to have presented to us in a couple weeks another proposal for as much as \$120 billion in emergency spending to deal with Iraq and Afghanistan. That will bring to roughly \$600 billion what we have provided for the war. But when we have needs here at

home, it does not matter whether it is health care needs or housing or perhaps energy needs, the Administration tells us we cannot afford to spend for that.

Well, we have afforded now what is going to be about \$600 billion that the President has requested, all on an emergency basis, most of it for the war in Iraq. So we will debate and have great controversy, I assume, in the next couple weeks on the issue of a resolution dealing with Iraq. But controversy is not a stranger to the floor of the Senate.

MINIMUM WAGE INCREASE

Mr. President, we have a provision on the floor of the Senate today that should have been completed long ago dealing with the minimum wage. I mentioned the other day when I was talking about issues that come to the floor of the Senate that butter the bread of big interests, man, they float through here like greased lightning. We do not get it through fast enough, at least in the last Congress. Do you want to give a big tax break to the biggest interests in the country? Be my guest. We get it through here in 1, 2, 3 days.

Do you want to help the people at the bottom of the economic ladder, the people who make the beds in hotel rooms for the minimum wage, the people across the country in convenience stores getting the minimum wage—often working two, three jobs a day, 60 percent of whom are women, one-third of whom are working at the minimum wage for the only income for their family—well, then, you have some trouble because then it is going to get stalled. That does not get through here quickly because that hallway is not clogged with people representing the folks who are making the minimum wage and working two jobs a day.

It is just a fact, and it is a shame. We need to take care of some things here at home, and we need to do so soon. This minimum wage bill is not rocket science, nor should it be heavy lifting for any of us here. It has been 10 years since those who worked at the bottom of the economic ladder have had any adjustment in the minimum wage—10 years.

I mentioned the other day, what about a "maximum wage"? I am not proposing one. But I can tell you that the head of one of the largest oil companies in our country, when he left his company, was making \$150,000 a day in total income. Can you imagine that, \$150,000 a day?

Then when he left, the papers reported, in addition to having made \$150,000 a day, he got a \$400 million parachute on the way out. Anybody standing around here squawking about that? No, no complaints about that. It is the little guy, the person at the bottom. After 10 years, there is great complaint about trying to move a bill through the Senate that would give them some help, lift that minimum wage a bit. We are told: You can't do that without giving corporations a

break. I guess I don't understand the priorities. Some of the suggestions that have been described, expensing for small business, I support that, but it has nothing to do with this bill. We will almost certainly do it in other circumstances. We have done it before. But why should we hold hostage a bill that deals with a whole lot of folks who work hard all day long and for very little money, not \$150,000 a day but maybe \$44 a day, because of those who have an appetite for additional tax breaks? I don't understand that.

SWEATSHOP ABUSES

My point is, there is so much to do. I wish to talk for a moment about a couple of other items that relate to this. I introduced a bill last week with some of my colleagues to try to stop sweatshop abuses overseas, products made overseas in sweatshop conditions and sent into this country to compete unfairly against American workers.

The fact is, American workers are losing their jobs because there is so much outsourcing to foreign countries. American jobs are being shipped to foreign countries. The very people in this Chamber who are reluctant to increase the minimum wage and are holding us up are the same people who have voted when I have offered four times a simple amendment that says: Let's stop giving large tax breaks to U.S. companies that ship American jobs overseas.

Can you think of anything more pernicious than deciding, let's figure out what we have to do in America; let's give a big, fat tax break to a company that would fire their workers, lock their manufacturing plant, shut the lights off and move the jobs overseas? They move the jobs overseas, manufacture a product in Sri Lanka or Bangladesh and ship it back here and they get a big, fat tax break out of this Congress. That is unbelievable to me. We can't get that repealed. And we can't, on the other edge of the sword, get the minimum wage increased. Boy, that slices the wrong direction. There is something fundamentally wrong with that system.

I introduced legislation called the Decent Working Conditions and Fair Competition Act that sets up a circumstance so that at least if companies are going overseas to find sweatshop conditions, hire a bunch of people who will work for 20 or 30 cents an hour and then produce a product and ship it back here, at least we could try to stop them. There is a lot of dispute about trade and the conditions of employment. I think we could all agree that American workers should not have to compete against the product of prison labor in China. I think we could all agree that if somebody is making socks in a Chinese prison, that is not fair competition for an American worker. So we don't have Chinese prison labor products come into this country. What about the product of sweatshop labor, where people are brought into sweatshops?

I will cite an example: A sweatshop in northern Jordan, airplanes flying in

the Chinese and Bangladeshis, with Chinese textiles, being put in sweatshops in northern Jordan to produce products to ship into this country. Some were working 40-hour shifts, not a 40-hour week, 40 hours at a time. Some weren't paid for months. And then when they were paid, they were paid a pittance. Some were beaten.

Do we want that kind of product coming into this country? Is that whom we want American workers to compete with? I don't think so. This legislation is a first baby step toward some sanity in trying to make sure that what we are purchasing on the store shelves in our country is not the product of sweatshop labor overseas. We define what sweatshop labor is, what sweatshop conditions are. We establish a provision by the Federal Trade Commission to enforce, and we also allow American companies who are forced to compete against this unfairness to take action in American courts to seek recompense for the damages.

My hope is Congress will pass this. It is bipartisan. It relates to exactly the same thing we are talking about for people in this country who work on the minimum wage.

Last week, I also introduced a piece of legislation that deals with this building. This is a picture of a little white building on Church Street in the Cayman Islands. It is called the Ugland House. It is five stories. According to some enterprising investigative reporting done by David Evans of Bloomberg, this building is actually home to 12,748 corporations. It doesn't look like it could house 12,748 corporations. It is a five-story stucco building in the Cayman Islands, and it is what lawyers have allowed to become legal fiction so that companies could create a legal address in this little white building. It is their tax haven Cayman Island address so they can avoid paying taxes. Isn't that something? Twelve thousand seven hundred forty-eight companies call this place home. We ought to stop it.

I have introduced legislation to stop it, to say this: When U.S. companies want to set up a subsidiary in a tax-haven country, if they are not doing substantial business activity in that country, then they have created a legal fiction, and it will not be considered legal for us.

They will be taxed as if they never left our country. We can shut this down like that. If this Congress has the will, we can shut down these tax havens in a moment. And we should. Everybody else is paying taxes. It will be April 15th in a couple months. The American people work. They pay taxes and support the Government for the cost of roads and bridges and health care, all the things we do together, the National Institutes of Health, and our national defense. So they pay taxes. It is just that there are some in this country who decide they don't want to participate. They don't want to pay taxes.

Here is a report from the Government Accountability Office. It was done at my request and, I believe, that of Senator LEVIN as well. The report showed the number of large Federal contractors who do business with the Federal Government—that is, they want to benefit from having contracts with the Federal Government—who set up offshore subsidiaries in tax-haven countries to avoid paying U.S. taxes. The very companies that benefit from doing business with the Federal Government in getting contracts are setting up offshore tax haven companies to avoid paying U.S. taxes. That is unbelievable. It ought to stop.

I have introduced legislation—I should call it the Ugland House Act, now that I think about it—that shuts down that opportunity. This bill can shut down in a moment the opportunity for companies to decide they want all the benefits America has to offer them, but they don't want the responsibility of paying taxes. My hope is that this bill, which is cosponsored by Senators LEVIN and FEINGOLD, will be dealt with by the Senate Finance Committee and the full Senate in the days and weeks ahead.

FAST TRACK AUTHORITY

One final point, if I might. We are told this week that the President Bush will be asking the Congress for something called fast-track authority. Although the Constitution provides Congress the right to regulate foreign commerce—it is a constitutional responsibility of the Congress—the Congress has, in the past, given the President something called fast track, which says: Mr. President, you go out and negotiate trade agreements in secret and then you bring them back and we will have an expedited procedure. And we will require that no Senator be allowed to offer any amendments, no matter what you have negotiated.

I don't support fast-track authorization. I didn't support it for President Clinton. I don't support it for this President. This President has had it for 6 years over my objection. He is attempting to now get an extension of it by the end of June 30. I intend—and I am sure a number of my colleagues with whom I have spoken intend—to aggressively resist it. I am for trade and plenty of it. But I am for fair trade. I demand fair trade. This notion of a trade policy that has an \$800 billion trade deficit is an unbelievable failure. No one can describe it as a success for this country.

It is time to have a fair debate about trade, what strengthens America and what weakens it, what are the conditions under which we participate in the global economy? We have a right to participate the way we choose. We have been told in recent years that the way to participate in the global economy is to engage in a race to the bottom. If American workers can't compete with somebody making 36 cents an hour, that is tough luck.

I have often told stories about the companies and the stories of struggle

of the last 100 years. But James Fyler died of lead poisoning. He was shot 54 times. I suppose that is lead poisoning. Why was he shot 54 times? Because it was 1914, and James Fyler was radical enough to believe that people who went underground to dig coal should be paid a fair wage and ought to be able to work in a safe workplace. For that, he was shot 54 times. Over a century, going back to the early 1900s, we have created the standards of work. We lifted America. We expanded the middle class. We said: We will put in place fair labor standards, child labor provisions, safe workplace rules. We are going to lift America up. We are going to expand the opportunity for health care. We will have good jobs that pay well. We will give people the right to organize. We did all of that. We created the broadest middle class in the world and an economic engine that is unparalleled.

Now we are told it is a new day. We should compete. If there is a woman named "Saditia" in Indonesia making shoes and she makes 21 cents an hour and we can't compete with that, that is tough luck. If we have people in China making 33 cents an hour producing Huffy bicycles that used to be produced here and we can't compete with that, tough luck. If the Radio Flyer little red wagon that used to be produced in Chicago went to China, it was because we can't compete with Chinese workers. If Pennsylvania House furniture left Pennsylvania and they now ship the wood to China and then ship the furniture back, those workers in Pennsylvania should not complain because they couldn't compete with Chinese workers. It doesn't matter to me whether it is Chinese workers or Sri Lanka or Bangladeshi. The fact is, we are seeing a diminished standard in which we are racing to the bottom.

I read in the paper this weekend an op-ed piece. Somebody was asking: What is everybody complaining about? Things are great.

Wages and salaries are the way most people get their income. They are the lowest percentage of gross domestic product since they started keeping score in 1947. We added 5 million people to the poverty rolls in the last 6 years. Everything is great. Probably for some. Maybe the guy who is making \$100,000 a day running an oil company but not for the person working three jobs at a minimum wage who hasn't been boosted for 10 years, not to Natasha Humphrey. She did everything. She went to Stanford, an African-American woman, got her degree, went to work for a technology company. Her last job was to train her replacement, an engineer from India who would work for one-fifth the cost of an engineer in the United States. So things aren't so great for everybody. When you have a \$700 billion-a-year trade deficit, over \$250 billion a year with China alone, I say you better pay attention. You better get it straight.

ENERGY POLICY

There is a lot to say and a lot to do. I was going to talk about energy policy briefly, but I will only say that one of the major challenges in our country is the challenge of energy. We are so unbelievably dependent on foreign sources of oil. The bulk of our oil comes from outside of our country, well over 60 percent. We are dependent on the Saudis and the Kuwaitis, the Iraqis, the Venezuelans, and others for oil. It is unhealthy.

We need to make a major commitment to renewable energy. What we have done in energy is pretty much what we have done in too many areas. We put in place, in 1916, permanent robust tax incentives to incentivize the production of oil. It has been in place for 90 years. In 1992, we said: You know what, let's boost the production of renewable energy, so we put in place a production tax credit—temporary and rather narrow. It has been extended short term five times and allowed to expire three times. There has been virtually no consistent commitment to renewable energy. It has been on again/off again, like a switch. That is not a commitment.

If you are going to commit as a country to move in a direction on energy, whether it is renewable, biofuels, or hydrogen fuel cells, you should make a commitment and say: Here is where the country is headed, where we intend to be in 10 years, and we are going to give a tax incentive for 10 years for the production of these renewable fuels. You should have targets and timetables. That hasn't been the case. It has been a rather limited, tepid, miniature kind of provision that is turned off again and on again, a stutter-stop approach that tells investors: Don't rely on this because this Government isn't committed to it. We need to do better. I hope this year we can decide, as the President asked for in his State of the Union Address, on a much more robust commitment to renewable energy.

Having said that, let me point out, under this President and previous Presidents, the amount of money we have committed to the renewable energy area. We have laboratories, renewable energy laboratories, whose funding dropped consistently. Again, it is one thing to say something and have a goal; it is another thing to decide you are going to take steps to meet the goal. We have not done that.

So, Mr. President, I have said a lot about a lot of things because we are facing a lot of things that, in many ways, are related, including the war in Iraq, the international challenges. All of us want the same thing for our country. We all want this country to succeed and do well. I don't think there is a difference in goals. We will have sharp debate in the next 2 weeks, but I don't believe there is a difference in the goals we have. I suspect everybody in this Chamber wants very much for the Iraq war to be over, for our troops to be home, and for stability to exist in

Iraq and in that region. I expect we share the goal on energy. Does anybody think that we as a country aspire to be 60, 65 percent dependent upon oil from Saudi Arabia, Kuwait, Iraq, and elsewhere? I don't think so. It seems to me that it would make some sense for us to find a way to get the best of what both sides have to offer in these discussions rather than the worst of each. I hope in the coming days we can at least clear away the bill on the floor so we can move to other issues.

Last week, Senator KENNEDY gave a pretty animated presentation about his frustration with the day after day after day digging in the heels of this Chamber to stop or delay the passage of a minimum wage. Again, I just walked through the halls coming over here. They are not filled with people representing the workers at the bottom. We should represent those workers. We have that responsibility. We have the responsibility to do the right thing, and after 10 long years, it is the right thing to pass this minimum wage bill and not hold it hostage for other issues and other agendas. We will have plenty of opportunity with amendments that have nothing to do with this bill; we will have the opportunity to offer them. But not now. Don't hold a bill hostage that would help those working two and three jobs a day trying to take care of their families.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, I understand the Senator from Arizona wanted to address the Senate. We also have, as I understand it, a request from the Senator from Alabama to speak from 4 to 5. So I would like to, if I could, speak and I will yield before 4 and request that the Senator from Alabama be delayed by a little. I think we were scheduled to come back to the minimum wage now. I don't mind starting 5 minutes after that. I would be glad to go 5 minutes early and make a request that we delay Senator SESSIONS' 5 minutes, and then the Senator from Arizona would have 10 minutes. I see my other friend here. It is going to get complicated after this. Senator SESSIONS, I think, is to be recognized.

Mr. KYL. Mr. President, if I may respond to the Senator, I would like to get in, and I will ask unanimous consent to speak as in morning business for 10 minutes. I don't know where Senator SESSIONS is. I gather it would be fine if he is delayed for 5 minutes. I don't know what Senator CORNYN's intentions are.

Mr. CORNYN. Mr. President, I ask unanimous consent to be recognized following Senator KENNEDY and Senator KYL for no more than 5 minutes.

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

Mr. KENNEDY. Mr. President, I personally don't have any objection. As I understood it, as part of the general agreement on the minimum wage, Senator SESSIONS would be recognized at 4.

I don't have any personal objection, and I will not object, and I will let those two Senators handle Senator SESSIONS.

Mr. KYL. Mr. President, I ask unanimous consent to speak as in morning business.

Mr. KENNEDY. Well, Mr. President, I intend to talk now.

Mr. KYL. I am sorry. I thought I would be recognized now. Excuse me.

Mr. KENNEDY. I intend to talk for about 15 to 18 minutes, and then we will be on the minimum wage bill. I plan to speak on that minimum wage bill. I said I would end 5 minutes early to try to accommodate the Senator. We are scheduled to deal with the bill at 3:30. So I have recognition.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

FAIR MINIMUM WAGE ACT OF 2007

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 2, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2) to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage.

Pending:

Reid (for Baucus) amendment No. 100, in the nature of a substitute.

McConnell (for Gregg) amendment No. 101 (to amendment No. 100), to provide Congress a second look at wasteful spending by establishing enhanced rescission authority under fast-track procedures.

Kyl amendment No. 115 (to amendment No. 100), to extend through December 31, 2008, the depreciation treatment of leasehold, restaurant, and retail space improvements.

Enzi (for Ensign/Inhofe) amendment No. 152 (to amendment No. 100), to reduce document fraud, prevent identity theft, and preserve the integrity of the Social Security system.

Enzi (for Ensign) amendment No. 153 (to amendment No. 100), to preserve and protect Social Security benefits of American workers, including those making minimum wage, and to help ensure greater Congressional oversight of the Social Security system by requiring that both Houses of Congress approve a totalization agreement before the agreement, giving foreign workers Social Security benefits, can go into effect.

Vitter/Voinovich amendment No. 110 (to amendment No. 100), to amend title 44 of the United States Code, to provide for the suspension of fines under certain circumstances for first-time paperwork violations by small business concerns.

DeMint amendment No. 155 (to amendment No. 100), to amend the Public Health Service Act to provide for cooperative governing of individual health insurance coverage offered in interstate commerce, and to amend the Internal Revenue Code of 1986 regarding the disposition of unused health benefits in cafeteria plans and flexible spending arrangements and the use of health savings accounts for the payment of health insurance premiums for high deductible health plans purchased in the individual market.

DeMint amendment No. 156 (to amendment No. 100), to amend the Internal Revenue Code

of 1986 regarding the disposition of unused health benefits in cafeteria plans and flexible spending arrangements.

DeMint amendment No. 157 (to the language proposed to be stricken by amendment No. 100), to increase the Federal minimum wage by an amount that is based on applicable State minimum wages.

DeMint amendment No. 159 (to amendment No. 100), to protect individuals from having their money involuntarily collected and used for lobbying by a labor organization.

DeMint amendment No. 160 (to amendment No. 100), to amend the Internal Revenue Code of 1986 to allow certain small businesses to defer payment of tax.

DeMint amendment No. 161 (to amendment No. 100), to prohibit the use of flexible schedules by Federal employees unless such flexible schedule benefits are made available to private sector employees not later than 1 year after the date of enactment of the Fair Minimum Wage Act of 2007.

DeMint amendment No. 162 (to amendment No. 100), to amend the Fair Labor Standards Act of 1938 regarding the minimum wage.

Kennedy (for Kerry) amendment No. 128 (to amendment No. 100), to direct the Administrator of the Small Business Administration to establish a pilot program to provide regulatory compliance assistance to small business concerns.

Martinez amendment No. 105 (to amendment No. 100), to clarify the house parent exemption to certain wage and hour requirements.

Sanders amendment No. 201 (to amendment No. 100), to express the sense of the Senate concerning poverty.

Gregg amendment No. 203 (to amendment No. 100), to enable employees to use employee option time.

Burr amendment No. 195 (to amendment No. 100), to provide for an exemption to a minimum wage increase for certain employers who contribute to their employees health benefit expenses.

Chambliss amendment No. 118 (to amendment No. 100), to provide minimum wage rates for agricultural workers.

Kennedy (for Feinstein) amendment No. 167 (to amendment No. 118), to improve agricultural job opportunities, benefits, and security for aliens in the United States.

Enzi (for Allard) amendment No. 169 (to amendment No. 100), to prevent identity theft by allowing the sharing of Social Security data among government agencies for immigration enforcement purposes.

Enzi (for Cornyn) amendment No. 135 (to amendment No. 100), to amend the Internal Revenue Code of 1986 to repeal the Federal unemployment surtax.

Enzi (for Cornyn) amendment No. 138 (to amendment No. 100), to amend the Internal Revenue Code of 1986 to expand workplace health incentives by equalizing the tax consequences of employee athletic facility use.

Sessions (for Kyl) amendment No. 209 (to amendment No. 100), to extend through December 31, 2012, the increased expensing for small businesses.

Division I of Sessions (for Kyl) amendment No. 210 (to amendment No. 100), to provide for the permanent extension of increasing expensing for small businesses, the depreciation treatment of leasehold, restaurant, and retail space improvements, and the work opportunity tax credit.

Division II of Sessions (for Kyl) amendment No. 210 (to amendment No. 100), to provide for the permanent extension of increasing expensing for small businesses, the depreciation treatment of leasehold, restaurant, and retail space improvements, and the work opportunity tax credit.

Division III of Sessions (for Kyl) amendment No. 210 (to amendment No. 100), to pro-

vided for the permanent extension of increasing expensing for small businesses, the depreciation treatment of leasehold, restaurant, and retail space improvements, and the work opportunity tax credit.

Division IV of Sessions (for Kyl) amendment No. 210 (to amendment No. 100), to provide for the permanent extension of increasing expensing for small businesses, the depreciation treatment of leasehold, restaurant, and retail space improvements, and the work opportunity tax credit.

Division V of Sessions (for Kyl) amendment No. 210 (to amendment No. 100), to provide for the permanent extension of increasing expensing for small businesses, the depreciation treatment of leasehold, restaurant, and retail space improvements, and the work opportunity tax credit.

Mr. KENNEDY. Mr. President, it has been a week now that the Senate has had on its agenda and before the Senate legislation to increase the minimum wage from \$5.15 to \$7.25. In that week, every Member of Congress has effectively earned \$3,200, but we have not acted on an increase in the minimum wage for hard-working American people who are earning \$5.15, to raise their minimum wage to \$7.25. We have had 1 week of talking here on the floor of the Senate without action.

It looks to me as if we are going to have, thankfully, as a result of the action of the majority leader, a vote at least on cloture to try to terminate the debate. But there will be additional procedural issues that will mean that those who are opposed to an increase in the minimum wage will be able to delay the increase in the minimum wage for another week.

As the parliamentary situation is playing its way out, there will be the possibility of 60 hours after the vote on cloture, which will take us effectively through the end of this week. So that will be 2 weeks where the Members of the Senate have then earned \$6,400, but we have been unwilling to either vote up or down on the increase of the minimum wage from \$5.15 an hour to \$7.25 an hour.

For the millions of people at the lower end of the economic ladder—men and women of dignity who work hard, those who are assistants to our teachers and work in the schools of this country, those who work in some of the nursing homes and look after the elderly, many of those of the great generation that fought in World War II and brought the country out of the time of the Depression—they are still earning \$5.15 an hour. They work in many of the hotels and motels that dot the countryside and the great buildings of American commerce—these people are working at \$5.15. They will work for that tomorrow, and they worked for that the day before. And now, because our Republican friends refuse to permit us a vote, they are going to continue to work at \$5.15 an hour. It has been 10 years.

I went back and looked at the number of days we have tried to get an increase in the minimum wage since our last increase, and that was 16 days. So we have effectively been debating an