

Workers' Compensation Act Amendments of 2007. The Longshore Act provides medical, physical rehabilitation and lost wage replacement benefits to thousands of workers nationwide for work-related injuries, illnesses and deaths. The Act is long overdue for attention from Congress, and I am eager to engage with my colleagues from both sides as to how we can improve the system for our workers, their employers, taxpayers and our economy as a whole.

We all can agree that the workers covered under this program play a key role in our national security and in our vital international trade. Longshore and harbor workers labor on the piers of Portland, ME, in the dead of winter, just as they toil in the hot Southern sun in Savannah, GA. Their work is undoubtedly difficult and often dangerous. It is impossible to underestimate the extent to which Americans rely on the myriad of products these workers move in and out of our nations' ports. Every year, over 15 billion tons of freight moves through our ports, with a total value of \$9 trillion.

These workers deserve a fair and effective workers' compensation program. Since 1927, longshore and harbor workers have had a unique program all their own. Congress enacted the Act in response to *Southern Pacific Company v. Jensen*, a ruling by the Supreme Court in 1917. The Court held that the Maritime Clause in the Constitution forbids states from covering shore-based maritime workers who may become injured while working on vessels anchored in navigable waters. Now, nearly 90 years later, not only are private stevedoring companies covered by the Act, but so are virtually all maritime construction folks, builders and repairers of U.S. Naval and Coast Guard vessels, Federal contractors with overseas employees, oil rig workers, and even civilian employees at the Post Exchanges on U.S. military bases.

As many of us have learned if we ever spent time in our State legislatures, States nationwide regularly amend their programs to incorporate the most modern and best workers' compensation practices. However, unlike these responsible state legislatures, Congress has not addressed the Longshore Act in over two decades.

Since the last amendments to the Act, States from California to Rhode Island have found numerous methods of improving their workers' compensation programs, saving taxpayers' dollars, and eliminating waste, fraud and abuse, while always ensuring that workers have appropriate medical care. We must bring these State-level innovations in workers' compensation to the Longshore Act system.

Technology, events, and even Congressional interventions have continued to dramatically change our nations' seaports and shipyards. Indeed, since 2002, per Congress's instruction, U.S. Customs has begun locating so-called "VACIS machines" at U.S. ter-

minals. These machines are truck-mounted gamma ray imaging systems that produce radiographic images of the contents of containers and other cargo to determine the possible presence of many types of contraband. Eventually, EVERY port in the country will have the machines on sight. Will maritime workers be exposed to radiation? If so, will they file claims against their employers when the machines are owned and operated by the Federal Government?

The bill I introduce today will foster a sound and fair workers' compensation system for maritime workers with a clear, exclusive remedy for their workplace injuries and illnesses. It will guarantee fairness for workers, and in the event of death, their survivors. It will make our ports and shipbuilders more competitive. It will ensure fair compensability, in that it will hold employers responsible for only that which is caused by employment under the Longshore Act system. It will fix, once and for all, the so-called "Special Fund," an archaic and problematic vestige of early 20th Century public policy.

In May 2006, I chaired a hearing of the Subcommittee on Employment and Workplace Safety, at which we heard about many different problems with the implementation of this 80-year-old Act. I have incorporated suggestions from both sides in crafting the bill I introduce today.

Since I began dealing with this issue last year, I have talked with more and more workers, port operators, and administrators from the Port of Savannah in my home State of Georgia. Savannah is the Nation's eleventh busiest waterborne freight gateway for international trade. Every year, over \$20 billion of international freight move through it and its neighboring port of Brunswick. The folks I talk to at Savannah and Brunswick tell me that they can't emphasize enough the importance of revising the Longshore Act to make it more efficient.

I hope we can move on this bill, for the sake of taxpayers, for workers in Savannah and Brunswick and at ports and ship building facilities nationwide, and for the international commerce that is vital to our Nation's economy and way of life.

TO REVISE UNITED STATES POLICY ON IRAQ—MOTION TO PROCEED

CLOTURE MOTION

Mr. REID. Mr. President, last week, I asked unanimous consent with respect to S.J. Res. 9, along with several other resolutions regarding the subject of Iraq—that we proceed on these—and there was an objection. So I now move to proceed to Calendar No. 72, S.J. Res. 9, and send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on the motion to proceed to Calendar No. 72, S.J. Res. 9, to revise the United States policy on Iraq.

Harry Reid, Carl Levin, Dick Durbin, Byron L. Dorgan, Robert P. Casey, Jr., Barbara Boxer, Edward M. Kennedy, Patrick Leahy, Jay Rockefeller, Patty Murray, Jack Reed, Debbie Stabenow, Hillary Rodham Clinton, Jeff Bingaman, Barbara A. Mikulski, Ben Cardin, Robert Menendez.

Mr. REID. Mr. President, I now ask unanimous consent that the live quorum with respect to this cloture motion, as required under rule XXII, be waived.

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

Mr. REID. Mr. President, I now withdraw the motion to proceed.

The PRESIDING OFFICER. The motion is withdrawn.

PRESERVING UNITED STATES ATTORNEY INDEPENDENCE ACT OF 2007—MOTION TO PROCEED

Mr. REID. Mr. President, I will shortly move to proceed to S. 214, the U.S. attorneys bill. Before I do so, I would like to state for the record there are ongoing discussions about this bill and we have offered to the Republicans a proposal that would have a very limited number of amendments and debate time. I feel fairly confident at this time we can reach that agreement. There has been cooperation on both sides. If we are able to reach that agreement, then it will not be necessary to have a cloture vote. Therefore, if we reach agreement, it will be my intent to vitiate cloture on the motion to proceed.

CLOTURE MOTION

Mr. President, I now move to proceed to Calendar No. 24, S. 214, and send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on the motion to proceed to Calendar No. 24, S. 214, Preserving United States Attorney Independence Act of 2007.

Harry Reid, Dianne Feinstein, Benjamin L. Cardin, Maria Cantwell, Ted Kennedy, Robert C. Byrd, Kent Conrad, Max Baucus, Tom Harkin, Ken Salazar, Tom Carper, Jeff Bingaman, Patrick Leahy, Patty Murray, Dick Durbin, Jim Webb, Robert P. Casey, Jr.

Mr. REID. Mr. President, I now ask unanimous consent that the live quorum with respect to this cloture motion, as required under rule XXII, be waived.

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

Mr. REID. Mr. President, I now withdraw the motion to proceed.

The PRESIDING OFFICER. The motion is withdrawn.

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to 22 U.S.C. 276d-276g, as amended, appoints the following Senator as chairman of the Senate delegation to the Canada-U.S. Interparliamentary Group conference during the 110th Congress: the Honorable AMY KLOBUCHAR of Minnesota.

The Chair, on behalf of the President pro tempore, pursuant to 22 U.S.C. 276n, as amended, appoints the following Senator as chairman of the U.S.-China Interparliamentary Group conference during the 110th Congress: the Honorable DANIEL INOUE of Hawaii.

ORDERS FOR TUESDAY, MARCH 13, 2007

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m., Tuesday, March 13; that when the Senate reconvenes Tuesday, following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that there then be a period of morning business for 60 minutes, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees; that following morning business, the Senate then resume consideration of S. 4, and that the time until 11:45 a.m. be for debate with respect to the Coburn amendments Nos. 294 and 325, and that the time run concurrently and be equally divided and controlled between Senators Lieberman and Coburn or their designees; that at 11:45 a.m., without further intervening action or debate, the Senate proceed to a vote in relation to the amendment No. 294, to be followed by a vote in relation to the amendment No. 325, regardless of the outcome of the first vote; that there be 2 minutes of debate between the votes, equally divided and controlled; and that at 12:30 p.m. the Senate stand in recess until 2:15 p.m. for the respective work conferences.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

PROGRAM

Mr. REID. So tomorrow, beginning at 11:45 a.m., there will be two rollcall

votes in relation to the Coburn amendments Nos. 294 and 325. Members should be prepared to be on the floor at that time for those votes. The remaining amendments will be disposed of, if necessary, after the conference recess period. The managers are going to accept some of the amendments, so we may be able to complete this bill fairly quickly tomorrow afternoon.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. If there is no further business to come before the Senate—I now ask the Republican leader if he has any business to bring before the Senate?

Mr. MCCONNELL. No, Mr. President, I have nothing to add tonight. We look forward to wrapping up the 9/11 bill sometime in the early afternoon tomorrow.

Mr. REID. I now ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 6:05 p.m., adjourned until Tuesday, March 13, 2007, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate March 12, 2007:

SECURITIES INVESTOR PROTECTION CORPORATION

WILLIAM HERBERT HEYMAN, OF NEW YORK, TO BE A DIRECTOR OF THE SECURITIES INVESTOR PROTECTION CORPORATION FOR A TERM EXPIRING DECEMBER 31, 2007 VICE DEBORAH DOYLE MCWHINNEY, TERM EXPIRED.

WILLIAM HERBERT HEYMAN, OF NEW YORK, TO BE A DIRECTOR OF THE SECURITIES INVESTOR PROTECTION CORPORATION FOR A TERM EXPIRING DECEMBER 31, 2010. (REAPPOINTMENT)

UNITED STATES INSTITUTE OF PEACE

ANNE CAHN, OF MARYLAND, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE UNITED STATES INSTITUTE OF PEACE FOR A TERM EXPIRING JANUARY 19, 2009, VICE BETTY F. BUMPERS, TERM EXPIRED.

BRUCE P. JACKSON, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE UNITED STATES INSTITUTE OF PEACE FOR A TERM EXPIRING JANUARY 19, 2011, VICE CHESTER A. CROCKER, TERM EXPIRED.

KATHLEEN MARTINEZ, OF CALIFORNIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE UNITED STATES INSTITUTE OF PEACE FOR A TERM EXPIRING JANUARY 19, 2011, VICE SEYMOUR MARTIN LIPSET, TERM EXPIRED.

GEORGE E. MOOSE, OF COLORADO, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE UNITED STATES INSTITUTE OF PEACE FOR A TERM EXPIRING JANUARY 19, 2009, VICE MORA L. MCLEAN, TERM EXPIRED.

JEREMY A. RABKIN, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE UNITED STATES INSTITUTE OF PEACE FOR A TERM EXPIRING JANUARY 19, 2009, VICE BARBARA W. SNELLING, TERM EXPIRED.

FEDERAL LABOR RELATIONS AUTHORITY

DALE CABANISS, OF VIRGINIA, TO BE A MEMBER OF THE FEDERAL LABOR RELATIONS AUTHORITY FOR A TERM OF FIVE YEARS EXPIRING JULY 29, 2012. (REAPPOINTMENT)

CAROL WALLER POPE, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE FEDERAL LABOR RELATIONS AUTHORITY FOR THE TERM OF FIVE YEARS EXPIRING JULY 1, 2009. (REAPPOINTMENT)

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. JAMES T. COOK, 0000

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. JAMES L. WILLIAMS, 0000

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 531 AND 1211:

To be major

MARK A. YUSPA, 0000

IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

GERALD J. LUKOWSKI, JR., 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

CHARLES W. WHITTINGTON, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C. SECTION 624:

To be major

VASILIOS LAZOS, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AS A CHAPLAIN UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be lieutenant colonel

THOMAS G. MCFARLAND, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTIONS 624:

To be major

JEFFREY R. BAVIS, 0000
SORREL B. COOPER, 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

ARTHUR W. STAUFF, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

CHARLES A. MCLENITHAN, 0000

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

JEFFREY P. BEJMA, 0000
MICHAEL S. FERRELL, 0000
SEAN M. HUSSEY, 0000
ERIC V. LEWIS, 0000
KATHLEEN J. McDONALD, 0000
WILLIAM P. OMEARA, 0000
MANAN M. TRIVEDI, 0000
JORDAN I. ZIEGLER, 0000

WITHDRAWAL

Executive Message transmitted by the President to the Senate on March 12, 2007 withdrawing from further Senate consideration the following nomination:

WILLIAM HERBERT HEYMAN, OF NEW YORK, TO BE A DIRECTOR OF THE SECURITIES INVESTOR PROTECTION CORPORATION FOR A TERM EXPIRING DECEMBER 31, 2008, VICE THOMAS WATERS GRANT, TERM EXPIRED, WHICH WAS SENT TO THE SENATE ON JANUARY 29, 2007.