

Subtitle F—Prison Sexual Abuse Prevention
SEC. 61. SHORT TITLE.

This subtitle may be cited as the "Prison Sexual Abuse Prevention Act of 2007".

SEC. 62. SEXUAL ABUSE.

Sections 2241, 2242, 2243, and 2244 of title 18, United States Code, are each amended by striking "the Attorney General" each place that term appears and inserting "the head of any Federal department or agency".

Subtitle G—Authorization of Appropriations
SEC. 71. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to the Department, the Department of Justice, and the Department of Health and Human Services, such sums as may be necessary to carry out—

(1) the provisions of section 462 of the Homeland Security Act of 2002 (6 U.S.C. 279); and

(2) the provisions of this title.

(b) AVAILABILITY OF FUNDS.—Amounts appropriated pursuant to subsection (a) shall remain available until expended.

SA 1147. Mr. LEAHY (for himself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 849, to promote accessibility, accountability, and openness in Government by strengthening section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act), and for other purposes; which was ordered to lie on the table; as follows:

Strike section 6 and insert the following:

SEC. 6. TIME LIMITS FOR AGENCIES TO ACT ON REQUESTS.

(a) TIME LIMITS.—

(1) IN GENERAL.—Section 552(a)(6)(A)(i) of title 5, United States Code, is amended by striking "determine within 20 days (excepting Saturdays, Sundays, and legal public holidays) after the receipt of any such request" and inserting "within the 20-day period commencing on the date on which the request is first received by the agency (excepting Saturdays, Sundays, and legal public holidays), which shall not be tolled without the consent of the party filing the request, determine".

(2) EFFECTIVE DATE.—The amendment made by this subsection shall take effect 1 year after the date of enactment of this Act.

(b) APPLICABILITY OF AGENCY FEES.—

(1) LIMITATION.—Section 552(a)(4)(A) of title 5, United States Code, is amended by adding at the end the following:

"(viii) An agency shall refund any fees collected under this subparagraph if the agency fails to comply with any time limit that applies under paragraph (6). Such refunds shall be paid from annual appropriations provided to that agency."

(2) EFFECTIVE DATE AND APPLICATION.—The amendment made by this subsection shall take effect 1 year after the date of enactment of this Act and shall apply to requests for information under section 552 of title 5, United States Code, filed on or after that effective date.

SA 1148. Mrs. MCCASKILL (for herself and Mr. DODD) submitted an amendment intended to be proposed by her to the bill S. 1348, to promote for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 123, strike line 5 and all that follows through page 124, line 6, and insert the following:

"(1) EMPLOYERS.—Whenever an employer who does not hold Federal contracts, grants,

or cooperative agreements is determined by the Secretary to be a repeat violator of this section or is convicted of a crime under this section, the employer shall be subject to debarment from the receipt of Federal contracts, grants, or cooperative agreements for a period of not less than 5 years in accordance with the procedures and standards prescribed by the Federal Acquisition Regulations. The Secretary or the Attorney General shall advise the Administrator of General Services of any such debarment, and the Administrator of General Services shall list the employer on the List of Parties Excluded from Federal Procurement and Nonprocurement Programs for the period of the debarment.

"(2) CONTRACTORS AND RECIPIENTS.—Whenever an employer who holds Federal contracts, grants, or cooperative agreements is determined by the Secretary to be a repeat violator of this section or is convicted of a crime under this section, the employer shall be subject to debarment from the receipt of Federal contracts, grants, or cooperative agreements for a period of not less than 5 years in accordance with the procedures and standards prescribed by the Federal Acquisition Regulations. Prior to debarring the employer, the Secretary, in cooperation with the Administrator of General Services, shall advise all agencies holding contracts, grants, or cooperative agreements with the employer of the proceedings to debar the employer from the receipt of new Federal contracts, grants, or cooperative agreements for a period of not less than 5 years."

SA 1149. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 1348, to promote for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 281, between lines 40 and 41, insert the following:

(vi) MISDEMEANOR OFFENSE.—The alien shall admit to a misdemeanor offense for being in the United States illegally, and such offense shall be punishable by at least 416 hours of community service.

SA 1150. Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) proposed an amendment to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; as follows:

(The amendment will be printed in a future edition of the RECORD.)

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to hold an off-the-floor markup during the session of the Senate on Monday, May 21, 2007, at 5:30 p.m., in S-216 of the Capitol, to consider pending committee business.

Agenda

Nomination

Howard C. Weizmann to be Deputy Director, Office of Personnel Management.

Post Office naming bills

(1) S. 1352, a bill to designate the facility of the U.S. Postal Service located at 127 East Locust Street in Fairbury, Illinois, as the "Dr. Francis Townsend Post Office Building";

(2) H.R. 1402, a bill to designate the facility of the U.S. Postal Service located at 320 South Lecanto Highway in Lecanto, Florida, as the "Sergeant Dennis J. Flanagan Lecanto Post Office Building";

(3) H.R. 625, a bill to designate the facility of the U.S. Postal Service located at 4230 Maine Avenue in Baldwin Park, California, as the "Atanacio Haro-Marin Post Office";

(4) H.R. 988, a bill to designate the facility of the U.S. Postal Service located at 5757 Tilton Avenue in Riverside, California, as the "Lieutenant Todd Jason Bryant Post Office";

(5) H.R. 437, a bill to designate the facility of the U.S. Postal Service located at 500 West Eisenhower Street in Rio Grande City, Texas, as the "Lino Perez Jr. Post Office";

(6) H.R. 414, a bill to designate the facility of the U.S. Postal Service located at 60 Calle McKinley West in Mayaguez, Puerto Rico, as the "Miguel Angel Garcia Mendez Post Office Building."

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

PRIVILEGES OF THE FLOOR

Mr. LEAHY. Madam President, I ask unanimous consent that Ellen Gallagher, a detailee to my staff from the Department of Homeland Security, be given floor privileges for the duration of debate on the comprehensive immigration reform bill.

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

POSTHUMOUSLY AWARDING A CONGRESSIONAL GOLD MEDAL TO CONSTANTINO BRUMIDI

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 150, S. 254.

The PRESIDING OFFICER (Mr. KLOBUCHAR). The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 254) to award posthumously a Congressional gold medal to Constantino Brumidi.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Banking, Housing, and Urban Affairs, with an amendment on page 5, line 13 to strike "Unites" and insert in lieu thereof "United".

Mr. REID. Madam President, I ask unanimous consent that the committee-reported amendment be agreed to, the bill as amended be read a third time and passed, the motion to reconsider be laid on the table, and that any statements relating to the bill be printed in the RECORD.

The committee amendment was agreed to.

The bill (S. 254), as amended, was ordered to be engrossed for a third reading, read the third time, and passed.

NATIONAL DAY OF THE AMERICAN COWBOY

Mr. REID. Madam President, I ask unanimous consent that the Senate now proceed to Calendar No. 153, S. Res. 130.

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

The legislative clerk read as follows:

A resolution (S. Res. 130) designating July 28, 2007, as the "National Day of the American Cowboy."

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

Mr. REID. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 130) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 130

Whereas pioneering men and women, recognized as cowboys, helped establish the American West;

Whereas that cowboy spirit continues to infuse the Nation with its solid character, sound family values, and good common sense;

Whereas the cowboy embodies honesty, integrity, courage, compassion, respect, a strong work ethic, and patriotism;

Whereas the cowboy loves, lives off of, and depends on the land and its creatures, and is an excellent steward, protecting and enhancing the environment;

Whereas the cowboy continues to play a significant role in the culture and economy of the United States;

Whereas approximately 800,000 ranchers in all 50 States are conducting business and contributing to the economic well-being of nearly every county in the Nation;

Whereas rodeo is the sixth most-watched sport in the United States;

Whereas membership in rodeo and other organizations encompassing the livelihood of a cowboy transcends race and sex and spans every generation;

Whereas the cowboy is an American icon;

Whereas to recognize the American cowboy is to acknowledge the ongoing commitment of the United States to an esteemed and enduring code of conduct; and

Whereas the ongoing contributions made by cowboys to their communities should be recognized and encouraged: Now, therefore, be it

Resolved, That the Senate—

(1) designates July 28, 2007, as "National Day of the American Cowboy"; and

(2) encourages the people of the United States to observe the day with appropriate ceremonies and activities.

CONCLUSION OF MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent that morning business be closed.

The PRESIDING OFFICER. Without objection, it is so ordered. Morning business is closed.

COMPREHENSIVE IMMIGRATION REFORM ACT OF 2007—Continued

AMENDMENT NO. 1150

Mr. REID. Madam President, on behalf of Senators KENNEDY and SPECTER, I call up an amendment that is now at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. KENNEDY, for himself, and Mr. SPECTER, proposes an amendment No. 1150.

Mr. REID. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

(The amendment will be printed in a future edition of the RECORD.)

ORDERS FOR TUESDAY, MAY 22, 2007

Mr. REID. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until Tuesday at 10 a.m.; that on Tuesday, May 22, following the prayer and pledge, the morning hour be deemed expired and the time for the two leaders 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 for up to 10 minutes each, with the time equally divided and controlled, with the Republicans controlling the first half and the majority controlling the final half; that at the close of morning business, the Senate resume consideration of S. 1348, the immigration bill, and Senator SESSIONS be recognized to speak until 12:30 p.m., at which time the Senate stand in recess until 2:15 p.m. in order to accommodate the respective party conference meetings; that at 2:15 p.m., if Senator SESSIONS has not concluded his remarks, he then be recognized to conclude those remarks, with no amendments in order during the time of his remarks. He will complete his remarks to the extent of 2 hours for tomorrow. Under the order we previously entered, he has 2 hours tomorrow. So at 2:15, whatever time he didn't use prior to 12:30, he would have that time.

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

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. Madam President, I ask unanimous consent that the Senate now stand in adjournment.

There being no objection, the Senate, at 8:14 p.m., adjourned until Tuesday, May 22, 2007, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate May 21, 2007:

DEPARTMENT OF ENERGY

THOMAS P. D'AGOSTINO, OF MARYLAND, TO BE UNDER SECRETARY FOR NUCLEAR SECURITY, DEPARTMENT OF ENERGY, VICE LINTON F. BROOKS, RESIGNED.

DEPARTMENT OF STATE

ERIC G. JOHN, OF INDIANA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF THAILAND.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

CHARLES W. GRIM, OF OKLAHOMA, TO BE DIRECTOR OF THE INDIAN HEALTH SERVICE, DEPARTMENT OF HEALTH AND HUMAN SERVICES, FOR THE TERM OF FOUR YEARS. (REAPPOINTMENT)

IN THE COAST GUARD

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT AS A PERMANENT COMMISSIONED REGULAR OFFICER IN THE UNITED STATES COAST GUARD IN THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 211:

To be lieutenant

JASON D. RIMINGTON, 0000

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT AS A PERMANENT COMMISSIONED REGULAR OFFICER IN THE UNITED STATES COAST GUARD IN THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 211:

To be lieutenant

JEFFERY J. RASNAKE, 0000

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. RICHARD P. ZAHNER, 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. JOSEPH MAGUIRE, 0000

IN THE ARMY

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

To be lieutenant colonel

KENNETH C. SIMPKISS, 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS 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

ANTHONY G. HOFFMAN, 0000
PATRICIA L. WOOD, 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS 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

ROY V. MCCARTY, 0000
PETER C. VANAMBURGH, 0000
HUNG Q. VU, 0000

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 531:

To be major

ERIC M. ARBOGAST, 0000
DAVID A. BECKER, 0000
MEREDITH E. BROWN, 0000
MICHAEL R. BUNTING, 0000
LOUIS D. CAPOALE, JR., 0000
ANDREW J. FOREMAN, 0000
CHRISTOPHER W. HAMPTON, 0000
MATTHEW J. LANDRY, 0000
CHRISTOPHER B. LOGAN, 0000
PATRICK W. MCCUEN, 0000
WILLIAM G. MITCHELL, 0000
KEITH A. PARRY, 0000
MICHAEL J. PEITZ, 0000
JAMES L. WETZEL IV, 0000