

First, it increases the new green card cap from 40,000 to 90,000. Ninety thousand is the average number of green cards issued each year to parents who as I mentioned have to date been exempt from caps. Again this is just an average. Last year the number was 120,000.

It is abundantly clear that 40,000 green cards per year is an unreasonably low number. One of the goals of this bill is to clear the backlog on immigrant visa applicants which in some cases extends as far back as 22 years. If we don't allot sufficient numbers of green cards for parents in this bill, we risk creating a whole new category of backlog. Ninety thousand would meet this need.

To those who still think 90,000 is too high a number, I would also argue that it is simply not the place of the Senate to tell our fellow citizens that they should wait a year or two to see their parents. I would ideally not want the parents of any citizen of this country subject to caps but working within the framework of this bill, I believe 90,000 is entirely fair and reasonable.

Second, it extends the parent visitor visa to allow for an aggregate stay of 180 days per year and makes it valid for 3 years and renewable. These are already accepted timeframes for the validity of a visa. Madam President, 180 days is the length of a tourist visa; H-1Bs are valid for 3 years. This would allow those parents who do not want to permanently leave their countries of residence yet want to stay with their children in the U.S. for extended periods the ability to do so.

The current bill however limits the length of this visa to only 30 days per year—30 days. This is far too soon to pry parents away, particularly those who come to America for health reasons, or to care for their children during and after childbirth.

Many parents who live abroad, come to the United States at great expense. They often come from thousands of miles away just to be with their children and grandchildren. To limit them to a 30-day visit per year is simply unacceptable, especially when under a tourist visa, an individual can come to this country for 6 months.

To think that a parent can only be with his or her child or grandchild for 1 month out of 12 is simply unacceptable. Yet under this provision, a tourist can be in America six times longer than a parent of a citizen. That is not the America I know. That is not an America that cherishes family values.

Third, and finally, this amendment prevents collective punishment for parent visa overstays. Under this bill, if the overstay rate exceeds 7 percent for two years, either all nationals of countries with high overstay rates can be barred or the entire program can be terminated.

Needless to say, this form of collective punishment is patently wrong and unjust. We should never punish law abiding individuals on account of the misdeeds of others.

Under this bill, for example, a sponsor could be barred from sponsoring his widowed mother because his father at some earlier date overstayed his visa. That is not the type of law we want on our books. That is not what this country is about. Nor is it about stopping thousands of parents from entering this country because of the misdeeds of some.

This my amendment will unite and strengthen the families of our fellow Americans and the fabric of our society, while upholding the best traditions of this great country. Because as we all know, families are the backbone of our country. Their unity promotes our collective stability, health, and productivity and contributes to the economic and social welfare of the United States.

My amendment does not strike at this bill's core; nor should it be a partisan issue. It is one of basic humanity and fairness for our fellow citizens.

What is at stake here is whether Congress should dictate to U.S. citizens if and when they can unite with their parents; if and when their parents can come and be with their grandchildren; if and when U.S. citizens can care for their sick parents here on American soil.

It is our duty to remove as many obstacles as we can for our fellow citizens to be with their parents. None of us would stand for anyone dictating the terms of that union to us. Why should we then apply a double standard for other citizens of this country? We must craft a law that is tough yet just.

I urge my colleagues not to think of this amendment in terms of numbers and caps, but in terms of its all too real and painful human impact for U.S. citizens.

I urge them to vote for this amendment and to take down the legislative barrier that this bill has stood up between our fellow citizens and their parents.

Again, at the appropriate time, I will ask for a recorded vote on this amendment. I thank my colleague from Massachusetts for allowing us to get in the queue here so that when these matters come up for votes, we will be able to consider them.

The PRESIDING OFFICER. The Senator from Maryland is recognized.

CALLING UPON THE GOVERNMENT OF THE ISLAMIC REPUBLIC OF IRAN TO IMMEDIATELY RELEASE DR. HALEH ESFANDIARI

Mr. CARDIN. Madam President, I ask unanimous consent to proceed to the immediate consideration of S. Res. 214 submitted earlier today.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 214) calling upon the Government of the Islamic Republic of Iran to immediately release Dr. Haleh Esfandiari.

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

Mr. CARDIN. Madam President, this resolution brings to the Senate's attention the ongoing plight of Dr. Haleh Esfandiari. Dr. Esfandiari is the director of the Middle East Program at the Woodrow Wilson International Center for Scholars here in Washington, DC. She holds dual citizenship with the United States and Iran and visits her ailing 93-year-old mother twice a year in Iran.

During her return to the United States on her last visit, Dr. Esfandiari's vehicle was robbed by three knife-wielding men. She lost her luggage and her travel documents. Later, when she requested the replacement documents, agents of Iran's Ministry of Intelligence began to question her for hours over the course of several days. The Ministry of Intelligence asked Dr. Esfandiari questions about her work and her work at the Woodrow Wilson International Center. The Woodrow Wilson International Center supplied exhaustive material about her education and information about her mission.

Dr. Esfandiari was essentially kept under house arrest for 10 weeks. On May 7 she was informed she must return to the Intelligence Ministry on May 8. Upon honoring the summons, Dr. Esfandiari was immediately taken into custody and jailed. She has been denied contact with her family, her attorneys, and the outside world. Earlier this week, news reports stated that Dr. Esfandiari is suspected of espionage and supporting the "soft revolution" against the regime in Iran.

Dr. Esfandiari is well known and well respected as a Middle East scholar. She has dedicated her professional career to bringing people together from the West to gain greater understanding of the Middle East and to gain common ground.

Increasingly, Iran has begun to stifle debate among different people and international exchanges.

The Department of State has called upon the Iranians to release Dr. Esfandiari. I am joined in this resolution by Senators MIKULSKI, BIDEN, LIEBERMAN, SMITH, CLINTON, and DODD, which encourages the State Department to keep up the pressure on the Iranians to do the right thing and release Dr. Esfandiari.

I also wish to recognize the solid effort of the Woodrow Wilson International Center and its staff, led by our former colleague in the House of Representatives, Lee Hamilton, for its steadfast support of Dr. Esfandiari.

Finally, I wish to express my support for Dr. Esfandiari's family during this trying time. She has a strong family and dozens of caring friends who refuse to give up her plight and refuse to let the Iranians suppress a beacon of peace and understanding.

This is outrageous. The Iranians need to do the right thing and allow her to return home here in the United States.

I can tell my colleagues that this body needs to stand in strong opposition to what the Iranians are doing, urging them to release this U.S. citizen so she can return here to her home.

Madam 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 there to be printed in the RECORD.

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

The resolution (S. Res. 214) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 214

Whereas Dr. Haleh Esfandiari, Ph.D., holds dual citizenship in the United States and the Islamic Republic of Iran;

Whereas Dr. Esfandiari taught Persian language and literature for many years at Princeton University, where she inspired untold numbers of students to study the rich Persian language and culture;

Whereas Dr. Esfandiari is a resident of the State of Maryland and the Director of the Middle East Program at the Woodrow Wilson International Center for Scholars in Washington, D.C. (referred to in this preamble as the "Wilson Center");

Whereas, for the past decade, Dr. Esfandiari has traveled to Iran twice a year to visit her ailing 93-year-old mother;

Whereas, in December 2006, on her return to the airport during her last visit to Iran, Dr. Esfandiari was robbed by 3 masked, knife-wielding men, who stole her travel documents, luggage, and other effects;

Whereas, when Dr. Esfandiari attempted to obtain replacement travel documents in Iran, she was invited to an interview by a representative of the Ministry of Intelligence of Iran;

Whereas Dr. Esfandiari was interrogated by the Ministry of Intelligence for hours on many days;

Whereas the questioning of the Ministry of Intelligence focused on the Middle East Program at the Wilson Center;

Whereas Dr. Esfandiari answered all questions to the best of her ability, and the Wilson Center also provided extensive information to the Ministry in a good faith effort to aid Dr. Esfandiari;

Whereas the harassment of Dr. Esfandiari increased, with her being awakened while napping to find 3 strange men standing at her bedroom door, one wielding a video camera, and later being pressured to make false confessions against herself and to falsely implicate the Wilson Center in activities in which it had no part;

Whereas Lee Hamilton, former United States Representative and president of the Wilson Center, has written to the President of Iran to call his attention to Dr. Esfandiari's dire situation;

Whereas Mr. Hamilton repeated that the Wilson Center's mission is to provide forums to exchange views and opinions and not to take positions on issues, nor try to influence specific outcomes;

Whereas the lengthy interrogations of Dr. Esfandiari by the Ministry of Intelligence of Iran stopped on February 14, 2007, but she heard nothing for 10 weeks and was denied her passport;

Whereas, on May 8, 2007, Dr. Esfandiari honored a summons to appear at the Ministry of Intelligence, whereby she was taken immediately to Evin prison, where she is currently being held; and

Whereas the Ministry of Intelligence has implicated Dr. Esfandiari and the Wilson Center in advancing the alleged aim of the United States Government of supporting a "soft revolution" in Iran: Now, therefore, be it

*Resolved*, That—

(1) the Senate calls upon the Government of the Islamic Republic of Iran to immediately release Dr. Haleh Esfandiari, replace her lost travel documents, and cease its harassment tactics; and

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

(A) the United States Government, through all appropriate diplomatic means and channels, should encourage the Government of Iran to release Dr. Esfandiari and offer her an apology; and

(B) the United States should coordinate its response with its allies throughout the Middle East, other governments, and all appropriate international organizations.

COMPREHENSIVE IMMIGRATION REFORM ACT OF 2007—Continued

Mr. MENENDEZ. Madam President, what is the pending business before the Senate?

The PRESIDING OFFICER. The Dodd amendment No. 1199.

AMENDMENT NO. 1194 TO AMENDMENT NO. 1150

Mr. MENENDEZ. I ask unanimous consent that the amendment be set aside in order to call up amendment No. 1194.

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

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Jersey [Mr. MENENDEZ], for himself and Mr. HAGEL, Mr. DURBIN, Mrs. CLINTON, Mr. DODD, Mr. OBAMA, Mr. AKAKA, Mr. LAUTENBERG, and Mr. INOUE, proposes an amendment numbered 1194 to amendment No. 1150.

Mr. MENENDEZ. 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 is as follows:

AMENDMENT NO. 1194

(Purpose: To modify the deadline for the family backlog reduction)

In paragraph (1) of subsection (c) of the quoted matter under section 501(a), strike "567,000" and insert "677,000".

In the fourth item contained in the second column of the row relating to extended family of the table contained in subparagraph (A) of paragraph (1) of the quoted matter under section 502(b)(1), strike "May 1, 2005" and insert "January 1, 2007".

In paragraph (3) of the quoted matter under section 503(c)(3), strike "May 1, 2005" and insert "January 1, 2007".

In paragraph (3) of the quoted matter under section 503(c)(3), strike "440,000" and insert "550,000".

In subparagraph (A) of paragraph (3) of the quoted matter under section 503(c)(3), strike "70,400" and insert "88,000".

In subparagraph (B) of paragraph (3) of the quoted matter under section 503(c)(3), strike "110,000" and insert "137,500".

In subparagraph (C) of paragraph (3) of the quoted matter under section 503(c)(3), strike "70,400" and insert "88,000".

In subparagraph (D) of paragraph (3) of the quoted matter under section 503(c)(3), strike "189,200" and insert "236,500".

In paragraph (2) of section 503(e), strike "May 1, 2005" each place it appears and insert "January 1, 2007".

In paragraph (1) of section 503(f), strike "May 1, 2005" and insert "January 1, 2007".

In paragraph (6) of the quoted matter under section 508(b), strike "May 1, 2005" and insert "January 1, 2007".

In paragraph (5) of section 602(a), strike "May 1, 2005" and insert "January 1, 2007".

In subparagraph (A) of section 214A(j)(7) of the quoted matter under section 622(b), strike "May 1, 2005" and insert "January 1, 2007".

Mr. MENENDEZ. Madam President, I ask unanimous consent that Senators DURBIN, CLINTON, DODD, OBAMA, AKAKA, LAUTENBERG, and INOUE be added as cosponsors of this amendment, along with Senator HAGEL and myself.

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

Mr. MENENDEZ. Madam President, the legislation currently before us curtails the ability of American citizens, or U.S. permanent residents, to petition for their families to be reunified here in America. Right now, if the bill goes untouched, this bill sets two different standards for groups of people, and it sets it in a way that is fundamentally unfair. One group is those who have followed the law and obeyed the rules by having their U.S. citizen relative or U.S. lawful permanent resident petition to bring them into this country legally, and one more favorably—it treats the next group much more favorably, one who has entered or remained in the country without proper documentation. So those who have obeyed the rules, followed the law, relatives of U.S. citizens, get treated in an inferior way to those who have not followed the law, who get treated in a better way. Let me explain how.

The Menendez-Hagel amendment simply states that at a minimum, the two groups should be treated equally under the bill. Our amendment is about fundamental fairness. All this amendment does is to make sure both groups face the same cutoff date.

Right now, those who are in our Nation in an undocumented status are allowed under the bill to potentially earn permanent residency so long as they entered this country before January 1, 2007. All our amendment says is that those who followed the rules who are waiting outside of the country who are the immediate relatives of U.S. citizens shouldn't be treated worse because they obeyed the law and followed the rules. They should at least be treated the same, not worse. Therefore, they should have the same date: January 1, 2007. All this amendment does is simply apply the same standard, the same cutoff date to those who followed the rules so that those who did obey the law and who legally applied for their green card can potentially earn permanent residency so long as they apply for their visa before January 1, 2007.

Now, this is a somewhat complicated issue, so let me explain exactly what the legislation as it is currently drafted does if we don't adopt this amendment. Right now, there is a family