. . . the alien may make up to three attempts . . . but must satisfy the requirement prior to the expiration of the second extension of Z visa status.

As the bill is written, there is no real English requirement until 12 to 14 years down the road, and it is not as strong.

I don't know why we are so concerned about that. Is it a pandering? Is it some attempt to please people who are here illegally? Good policy, I submit, the right policy—both for the United States and for those here receiving amnesty—would be to encourage them to learn English sooner rather than later. How long does it take? Twelve years is too long, and I think that is a mistake in the bill.

Mr. President, I see my colleague, Senator KYL here. I will be pleased to yield the floor.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

(The remarks of Mr. KYL and Mr. SESSIONS are printed in today's RECORD under "Morning Business.")

Mr. SESSIONS. I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

LEDBETTER DECISION

Mr. KENNEDY. Mr. President, I urge my colleagues on both sides of the aisle to join in correcting the Supreme Court's decision last week in Ledbetter v. Goodyear Tire & Rubber Company. That decision has undermined a core protection of title VII of the Civil Rights Act of 1964, the landmark law against job discrimination based on gender, race, national origin, and religion. Title VII has made America a stronger, fairer, and better land. It embodies principles at the heart of our society—fairness and justice for all.

Americans believe in fair treatment, equal pay, and an honest chance at success in the workplace. These values have made our country a beacon of hope and opportunity around the world. The Ledbetter decision undermined these bedrock principles by imposing unrealistically short time limits for employees seeking redress for wage discrimination.

In the case before the Supreme Court, a jury had found that Goodyear Tire and Rubber Company had discriminated against Lily Ledbetter by downgrading her evaluations because she was a woman in a traditionally male job. Year after year, the company used these unfair evaluations to pay her less than her male coworkers who held the same job. The jury was outraged by Goodyear's misconduct and awarded back to Ms. Ledbetter to correct this basic injustice and hold the company accountable.

The Supreme Court ruled against her, holding that she had waited too long to file her lawsuit. It ruled that she should have filed her lawsuit within a short time after Goodyear first decided to pay her less than her male colleagues. Never mind that she didn't know at the outset that male workers were paid more. Never mind that the company discriminated against her for decades and that the discrimination continued with each new paycheck she received.

Requiring employees to file pay discrimination claims within a short time after the employer decides to discriminate makes no sense. Pay discrimination is different from other discriminatory actions because workers generally don't know what their colleagues earn. It is not a case of being told "you're fired" or "you didn't get the job" when workers at least knows they have been denied a job benefit. With pay discrimination, the paycheck comes in the mail, and workers usually have no idea if they are being paid fairly. Common sense and basic fairness require that they should be able to file a complaint within a reasonable time after getting a discriminatory paycheck instead of having to file the complaint soon after the company first decides to shortchange them for discriminatory reasons.

The Court's decision in the *Ledbetter* case is not only unfair, it sets up a perverse incentive for workers to file lawsuits before they have investigated whether pay decisions are actually based on discrimination. Under the decision, workers who wait to get all the information before filing a complaint of discrimination could be out of time. As a result, the decision will create unnecessary litigation as workers rush to beat the clock on their equal pay claims.

The Supreme Court's decision also breaks faith with the Civil Rights Act of 1991, which was enacted with overwhelming bipartisan support—a vote of 93 to 5 in the Senate and 381 to 38 in the House. The 1991 act had corrected this same problem in the context of seniority, overturning the Court's decision in a separate case. At the time, there was no need to clarify title VII for pay discrimination claims since the courts were interpreting title VII correctly. Obviously, Congress needs to act again to ensure that the law adequately protects workers against pay discrimination.

It is unacceptable that victims of discrimination are unable to file a lawsuit against ongoing discrimination. Yet that is what happened to Lily Ledbetter. I hope that all of us, on both sides of the aisle, can join in correcting this obvious wrong.

Unfortunately, in recent years, the Supreme Court also has undermined other bipartisan civil rights laws in ways Congress never intended. It has limited the Age Discrimination in Employment Act, made it harder to protect children who are harassed in our schools, and eliminated individuals' right to challenge practices that have a discriminatory impact on their access to public services. Congress needs to correct these problems as well.

Let's not allow what happened to Lily Ledbetter to happen to any other victims of discrimination. As Justice Ginsburg wrote in her powerful dissent, the Court's decision is "totally at odds with the robust protection against employment discrimination Congress intended Title VII to secure." I urge my colleagues, Republicans and Democrats alike, to restore the law as it was before the *Ledbetter* decision, so that victims of ongoing pay discrimination have a reasonable time to file their claims. The Lily Ledbetters of our Nation deserve no less.

HONORING OUR ARMED FORCES

STAFF SERGEANT JAY EDWARD MARTIN

Mr. CARDIN. Mr. President, on May 16, 2007, I attended SSG Jay Edward Martin's funeral. A soldier born and raised in Baltimore, MD, Sergeant Martin lost his life in service to our country. He was 29 years old. I rise today to pay tribute to his life and his sacrifice.

Sergeant Martin and two others were killed Sunday, April 29, when an improvised explosive device detonated near their vehicle during combat operations in Baghdad.

Sergeant Martin was not new to the military. After joining the Army in November 1997, he served for nearly 2 years in Germany and Bosnia. He was then stationed at Fort Irwin in California as an Army recruiter. But as a recruiter, Sergeant Martin grew restless and chose to go to Baghdad. A childhood friend remembers Jay's explanation: "I'm supposed to be fighting for my country; I can't sit in an office." An experienced soldier, Sergeant Martin knew the risks and challenges he would face, and this knowledge makes his decision to serve all the more admirable.

Sergeant Martin had been scheduled for a 2-week break from Iraq in April. But in a selfless move—one that Jay's family describes as typical of his generous spirit—he allowed a fellow soldier whose wife just had a baby to take his place.

Jay is remembered by those who knew him for his determination, bravery, and devotion to service. Jay displayed remarkable leadership, focus, and determination even as he suffered setbacks in his young life. Jay's mother died when he was only 8 years old, but Jay remained focused on his dream of becoming a pilot and joining the military. An aunt, Lori Martin-Graham, recalls that he would talk about military service for hours with her husband, who had served in the Navy.

Sergeant Martin spoke fervently about the importance of college and attended Embry-Riddle Aeronautical University in Daytona Beach, FL. He left after a year when he realized his poor vision would prevent him from becoming a pilot. Jay moved forward and joined the Army. ''Jay was always . . . positive, ambitious,'' remembered a friend. ''He was always your good conscience.''

As one of Sergeant Martin's sisters, Lark Adams, put it, ''He was just a shining star. He followed the rules. He did what he was supposed to. He was an example to everyone.''

After his death, Jay's fiancé Maria Padilla, explained that he would have wanted to see those close to him ''laughing because he left us doing what he loved. He left us being the soldier he was so proud of being.''

I hope his family and all who loved Jay will find comfort in that image of the proud and selfless soldier who won several awards including the Army Commendation Medal and the Army Good Conduct Medal. But I also hope they find joy in their memories of the young man who devised hide-and-seek strategy with his friends, who was a swim and track star at Forest Park High School, who took such great pride in his Dodge Stratus RT, who played video games in his grandmother's kitchen, and who debated the future of the F–14 with his uncle.

My thoughts and prayers go out to Jay's father Dwight Martin and stepmother Penny Martin; his grandfather Harry Martin; his four sisters, Lark, Dove, Raven and Shannon; his fiancé Maria, and all the other relatives and friends who are bereaved. We honor him as a hero and together mourn his loss.

MATTHEW SHEPARD ACT OF 2007

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. Each Congress, Senator KENNEDY and I introduce hate crimes legislation that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society. Likewise, each Congress I have come to the floor to highlight a separate hate crime that has occurred in our country.

On July 7, 2002 in Tampa, FL, Devin Scott Angus attacked Sonny Gonzales and Stephen Hair as the two men were leaving a gay pride event at the Florida Aquarium. Angus allegedly yelled antigay slurs at the men, dropped his pants, and screamed additional obscenities. He then attacked Gonzales and Hair, repeatedly punching and kicking them. Gonzales suffered a gash in his head, while Hair suffered a skull fracture, a cracked sinus, and a broken front tooth. According to reports, Angus' sole motivation was the victims' sexual orientation.

I believe that the Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Matthew Shepard Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

HONORING EARNELL LUSTER

Mr. COLEMAN. Mr. President, every day, millions of American make sacrifices for their families and friends. Yet the man I honor today has made the ultimate sacrifice for neither kin nor kind. Earnell Luster is a former Marine and a great American. As a lifelong resident of Minneapolis, MN, he exemplified the role of a Good Samaritan within his community. Mr. Luster sacrificed his own life for the sake of another, and his bravery and courage makes him a hero.

On February 15, 2007, Mr. Luster was walking by an apartment building in south Minneapolis when he came across two women who were being repeatedly beaten by a male attacker. Being the man he was, Mr. Luster could not walk away from what he was witnessing. He sprang into action by demanding the attacker halt his assault upon the women. By doing so, he gave the women enough time to escape their attacker. Tragically, the attacker turned his anger on Mr. Luster and delivered several blows to his head that proved to be fatal. That evening, in an act of true selflessness, Earnell Luster gave his life for another.

His actions that evening exemplify the life he lived. As a well-respected elder in his church and within his community, Mr. Luster lived a life full of joy, duty, and great conviction. His service to the Marines in the mid-1970s demonstrates the strength of his character. Mr. Luster enjoyed life, especially the opportunities that he had to go fishing with his twin brother Earnest.

Earnell Luster's tragic death is evidence that crime can affect each one of us. Our commitment to fighting crime must not ebb and flow with the statistics.

My thoughts and prayers remain with Earnell's twin brother Earnest, his mother Lorraine Scott, and his entire family. Mr. Luster's selfless act of bravery earns him a place in the hearts of Minnesotans and Americans everywhere.

TRIBUTE TO SENATOR TED STEVENS

Mr. COLEMAN. Mr. President, I rise to join in this body's hearty congratulations to our colleague from Alaska, Mr. STEVENS, as the longest serving Republican Senator. The remarkable thing about TED STEVENS is not the number of years he has served but the amount of service he has put into those years.

The Founders did a unique thing when they created the Senate. They knew that democracy should both let the majority rule most of the time but also protect minority viewpoints from the tyranny of the majority. They created a House of Representatives based on proportional representation. Meanwhile, in the Senate, they gave every State, large and small, exactly two votes. They then went a step further, and created the Senate as a body that operates by consensus. The result is a place where one person with a good idea can impact the entire body.

TED STEVENS is a living embodiment of the wisdom of our Founding Fathers. He is precisely the kind of Senator they hoped for: forceful, persevering, principled and indefatigably devoted to his State's interests.

Alaska is a unique State and Senator STEVENS reflects its style and unlimited potential exceptionally. In every aspect, Alaska is a long, long way from Washington, DC, and its unusual bureaucratic culture. We all benefit from the independent, self-reliant spirit of Alaska that the Senator brings, reminding us of the pioneer heritage of the West. I am personally appreciative of the Senator's hospitality when visiting in his home State. I thought we had ''wide open spaces'' in Minnesota, but Alaska's are certainly both wider and more open.

When President Abraham Lincoln's Secretary of State, William Seward, finalized the purchase of Alaska, it was thought to be a folly. How blessed we all are as Americans to have its abundant wilderness and natural resources as part of our national experience.

I have found that when people want to learn something really important, they prefer an example to an explanation. As I have tried to learn my way around this institution, Senator STEVENS has been a role model, an example, and a friend. I thank him for his kindness.

But even more I thank him for his service which has made this Nation safer, stronger and freer for all. He makes his great State and all his colleagues proud to say they know TED STEVENS.

ADDITIONAL STATEMENTS

HONORING NORM GRAYSON

• Mr. ISAKSON. Mr. President, today I honor in the RECORD of the Senate Norm Grayson, an outstanding realtor and a great friend, and to acknowledge a very special occasion.

On June 15, 2007, Norm will celebrate his 40th year in the real estate business and host a barbeque for hundreds of friends in Oconee County. Although I cannot be there in person, it is a privilege to stand in this Senate and honor this tremendous milestone.

Norm and my father Ed were the best of friends. Both men are legends in Georgia real estate. Norm has earned CRS, CCIM, and CRB designations, as well as the Home Builders CBI designation. Among his many achievements, Norm has served as president of the Athens Board of Realtors and the Athens Home Builders Association.