

S. RES. 261

Whereas many citizens of the United States remember Donald Jeffry Herbert as “Mr. Wizard” and mourn his passing;

Whereas Don Herbert was born in Waconia, Minnesota and graduated from the La Crosse State Teacher’s College in Wisconsin in 1940 where he trained to be a science teacher;

Whereas Don Herbert volunteered for the United States Army Air Corps and served our country in the Atlantic theater and earned the Distinguished Flying Cross and the Air Medal with 3 oak leaf clusters;

Whereas Don Herbert developed the idea for science programming culminating in “Watch Mr. Wizard”, a live television show produced from 1951 to 1964 and honored by a Peabody Award in 1954;

Whereas the National Science Foundation and the American Chemical Society lauded Don Herbert and his show for promoting interest in science and his contributions to science education;

Whereas “Watch Mr. Wizard” has been recognized by numerous awards;

Whereas an additional educational program, “Mr. Wizard’s World”, inspired children from 1983 to 1990 on cable television;

Whereas “Mr. Wizard” continued to serve as an ambassador for science education by authoring multiple books and programs, and by traveling to schools and providing classroom demonstrations;

Whereas educational research indicates that young children make decisions about future careers at a very early age and are influenced greatly by positive contacts with science and technology;

Whereas a strong education in science and technology is one of the building blocks of a productive, competitive, and healthy society;

Whereas “Mr. Wizard” encouraged children to duplicate his experiments at home, driving independent inquiry into science with simple household equipment;

Whereas “Mr. Wizard’s” dynamic and energetic science experiments attracted unprecedented numbers of children to educational programming, even those who were disinterested or unmotivated in science;

Whereas Mr. Wizard Science Clubs were started across the United States and had more than 100,000 children enrolled in 5,000 clubs by the mid-1950s; and

Whereas Don Herbert will be remembered as a pioneer of commercial educational programming and instrumental in making science education exciting and approachable for millions of children across the United States; Now, therefore, be it

*Resolved*, That the Senate—

(1) expresses appreciation for the profound public service and educational contributions of Donald Jeffry Herbert;

(2) recognizes the profound impact of higher educational institutions that train teachers;

(3) encourages students to honor the heritage of Don Herbert by exploring our world through science, technology, engineering, and mathematics fields; and

(4) tenders condolences to the family of Don Herbert and thanks them for their strong familial support of him.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 1979. Mrs. CLINTON (for herself and Mr. MENENDEZ) submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table.

SA 1980. Mrs. FEINSTEIN submitted an amendment intended to be proposed to

amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, supra; which was ordered to lie on the table.

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SA 1983. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, supra; which was ordered to lie on the table.

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SA 1985. Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, supra; which was ordered to lie on the table.

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SA 1987. Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, supra; which was ordered to lie on the table.

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SA 1991. Mr. REID submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1992. Mr. REID submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1993. Mr. REID submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1994. Mr. REID submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1995. Mr. REID submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1996. Mr. REID submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1997. Mr. REID submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1998. Mr. REID submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1999. Mr. REID submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, supra; which was ordered to lie on the table.

SA 2000. Mr. NELSON of Florida submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

SA 1979. Mrs. CLINTON (for herself and Mr. MENENDEZ) submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

#### SEC. \_\_\_\_ . RECLASSIFYING THE SPOUSES AND MINOR CHILDREN OF LAWFUL PERMANENT RESIDENTS WHO FILED PETITIONS BEFORE JANUARY 1, 2007 AS IMMEDIATE RELATIVES.

Section 201(b)(2) of the Immigration and Nationality Act, as amended by section 503(b)(1) of this Act, is further amended by inserting “, or a child or spouse of a lawful permanent resident for whom a family-based visa petition was filed on or before January 1, 2007,” after “United States”.

SA 1980. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of division XI, add the following:

#### SEC. \_\_\_\_ . FAMILY-SPONSORED IMMIGRANTS.

Section 203(a)(2) of the Immigration and Nationality Act, as amended by section 503(c)(2) of this Act, is further amended by striking “87,000” and inserting the following: “137,000 (for each of the fiscal years 2008 through 2013) and 112,000 (for fiscal year 2014 and each subsequent fiscal year)”.

**SA 1981.** Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of division XII, add the following:

**SEC. \_\_\_\_.** **FAMILY-SPONSORED IMMIGRANTS.**

Section 203(a)(2) of the Immigration and Nationality Act, as amended by section 503(c)(2) of this Act, is further amended by striking “87,000” and inserting the following: “137,000 (for each of the fiscal years 2008 through 2013) and 112,000 (for fiscal year 2014 and each subsequent fiscal year)”.

**SA 1982.** Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of division XIII, add the following:

**SEC. \_\_\_\_.** **FAMILY-SPONSORED IMMIGRANTS.**

Section 203(a)(2) of the Immigration and Nationality Act, as amended by section 503(c)(2) of this Act, is further amended by striking “87,000” and inserting the following: “137,000 (for each of the fiscal years 2008 through 2013) and 112,000 (for fiscal year 2014 and each subsequent fiscal year)”.

**SA 1983.** Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of division XXII, add the following:

**SEC. \_\_\_\_.** **FAMILY-SPONSORED IMMIGRANTS.**

Section 203(a)(2) of the Immigration and Nationality Act, as amended by section 503(c)(2) of this Act, is further amended by striking “87,000” and inserting the following: “137,000 (for each of the fiscal years 2008 through 2013) and 112,000 (for fiscal year 2014 and each subsequent fiscal year)”.

**SA 1984.** Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of division XXVII, add the following:

**SEC. \_\_\_\_.** **FAMILY-SPONSORED IMMIGRANTS.**

Section 203(a)(2) of the Immigration and Nationality Act, as amended by section 503(c)(2) of this Act, is further amended by striking “87,000” and inserting the following: “137,000 (for each of the fiscal years 2008 through 2013) and 112,000 (for fiscal year 2014 and each subsequent fiscal year)”.

**SA 1985.** Mr. KENNEDY submitted an amendment intended to be proposed to

amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes, which was ordered to lie on the table; as follows:

**SEC. \_\_\_\_.** **RECLASSIFYING THE SPOUSES AND MINOR CHILDREN OF LAWFUL PERMANENT RESIDENTS WHO FILED PETITIONS BEFORE JANUARY 1, 2007 AS IMMEDIATE RELATIVES.**

Section 201(b)(2) of the Immigration and Nationality Act, as amended by section 503(b)(1) of this Act, is further amended by inserting “, or a child or spouse of a lawful permanent resident for whom a family-based visa petition was filed on or before January 1, 2007,” after “United States”.

**SEC. \_\_\_\_.** **PRECLUSION OF SOCIAL SECURITY CREDITS PRIOR TO ENUMERATION OR FOR ANY PERIOD WITHOUT WORK AUTHORIZATION.**

(a) **REPEAL.**—Section 607 of this Act is repealed and the amendments made by such section are null and void.

(b) **INSURED STATUS.**—Section 214 of the Social Security Act (42 U.S.C. 414) is amended by adding at the end the following:

“(d)(1) Except as provided in paragraph (2)—

“(A) no quarter of coverage shall be credited for purposes of this section if, with respect to any individual who is assigned a social security account number on or after the date of enactment of the Secure Borders, Economic Opportunity and Immigration Reform Act of 2007, such quarter of coverage is earned prior to the year in which such social security account number is assigned; and

“(B) no quarter of coverage shall be credited for purposes of this section for any calendar year, with respect to an individual who is not a natural-born United States citizen, unless the Commissioner of Social Security determines, on the basis of information provided to the Commissioner in accordance with an agreement entered into under subsection (e) or otherwise, that the individual was authorized to be employed in the United States during such quarter.

“(2) Paragraph (1) shall not apply with respect to any quarter of coverage earned by an individual who, at such time such quarter of coverage is earned, satisfies the criterion specified in subsection (c)(2).

“(e) Not later than 180 days after the date of the enactment of the Secure Borders, Economic Opportunity and Immigration Reform Act of 2007, the Secretary of Homeland Security shall enter into an agreement with the Commissioner of Social Security to provide such information as the Commissioner determines necessary to carry out the limitations on crediting quarters of coverage under subsection (d). Nothing in this subsection may be construed as establishing an effective date for purposes of this section.”

(c) **BENEFIT COMPUTATION.**—Section 215(e) of such Act (42 U.S.C. 415(e)) is amended—

(1) by striking “and” at the end of paragraph (1);

(2) by striking the period at the end of paragraph (2) and inserting “; and”; and

(3) by adding at the end the following:

“(3) in computing the average indexed monthly earnings of an individual who is assigned a social security account number on or after the date of enactment of the Secure Borders, Economic Opportunity and Immigration Reform Act of 2007, there shall not be counted any wages or self-employment income for which no quarter of coverage may be credited to such individual as a result of the application of section 214(d).”

(d) **EFFECTIVE DATE.**—The amendments made by this section shall be effective as of the date of the enactment of this Act.

**SA 1986.** Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of division \_\_, add the following:

**SEC. \_\_\_\_.** **FAMILY-SPONSORED IMMIGRANTS.**

Section 203(a)(2) of the Immigration and Nationality Act, as amended by section 503(c)(2) of this Act, is further amended by striking “87,000” and inserting the following: “137,000 (for each of the fiscal years 2008 through 2013) and 112,000 (for fiscal year 2014 and each subsequent fiscal year)”.

**SEC. \_\_\_\_.** **NUMERICAL LIMITATIONS.**

Section 214(g) of the Immigration and Nationality Act, as amended by section 409 of this Act, is further amended—

(1) in paragraph (1)(D)—

(A) in the matter preceding clause (i), by striking “(II)”; and

(B) in clause (iii), by striking “200,000” and inserting “300,000”; and

(2) in paragraph (10), as redesignated by section 409(2) of this Act, by amending subparagraph (A) to read as follows:

“(A) Subject to subparagraphs (B) and (C), an alien who has already been counted toward the numerical limitation under paragraph (1)(D) during any 1 of the 3 fiscal years immediately preceding the fiscal year of the approved start date of a petition for a non-immigrant worker described in section 101(a)(15)(H)(ii)(b) shall not be counted toward the limitations under clauses (i) and (ii) of paragraph (1)(D) for the fiscal year in which the petition is approved. Such alien shall be considered a returning worker.”; and

(3) in paragraph (11), as redesignated by section 409(2) of this Act—

(A) by inserting “(A)” after “(11)”; and

(B) by adding at the end the following:

“(B) The numerical limitations under paragraph (1)(D) shall be allocated for each fiscal year to ensure that the total number of aliens subject to such numerical limits who enter the United States pursuant to a visa or are accorded nonimmigrant status under section 101(a)(15)(Y)(ii) during the first 6 months of such fiscal year is not greater than 50 percent of the total number of such visas available for that fiscal year.”

**SEC. \_\_\_\_.** **PRECLUSION OF SOCIAL SECURITY CREDITS PRIOR TO ENUMERATION OR FOR ANY PERIOD WITHOUT WORK AUTHORIZATION.**

(a) **REPEAL.**—Section 607 of this Act is repealed and the amendments made by such section are null and void.

(b) **INSURED STATUS.**—Section 214 of the Social Security Act (42 U.S.C. 414) is amended by adding at the end the following:

“(d)(1) Except as provided in paragraph (2)—

“(A) no quarter of coverage shall be credited for purposes of this section if, with respect to any individual who is assigned a social security account number on or after the date of enactment of the Secure Borders, Economic Opportunity and Immigration Reform Act of 2007, such quarter of coverage is earned prior to the year in which such social security account number is assigned; and

“(B) no quarter of coverage shall be credited for purposes of this section for any calendar year, with respect to an individual who is not a natural-born United States citizen, unless the Commissioner of Social Security determines, on the basis of information provided to the Commissioner in accordance with an agreement entered into under subsection (e) or otherwise, that the individual was authorized to be employed in the United States during such quarter.

“(2) Paragraph (1) shall not apply with respect to any quarter of coverage earned by an individual who, at such time such quarter of coverage is earned, satisfies the criterion specified in subsection (c)(2).”

“(e) Not later than 180 days after the date of the enactment of the Secure Borders, Economic Opportunity and Immigration Reform Act of 2007, the Secretary of Homeland Security shall enter into an agreement with the Commissioner of Social Security to provide such information as the Commissioner determines necessary to carry out the limitations on crediting quarters of coverage under subsection (d). Nothing in this subsection may be construed as establishing an effective date for purposes of this section.”

(c) **BENEFIT COMPUTATION.**—Section 215(e) of such Act (42 U.S.C. 415(e)) is amended—

(1) by striking “and” at the end of paragraph (1);

(2) by striking the period at the end of paragraph (2) and inserting “; and”; and

(3) by adding at the end the following:

“(3) in computing the average indexed monthly earnings of an individual who is assigned a social security account number on or after the date of enactment of the Secure Borders, Economic Opportunity and Immigration Reform Act of 2007, there shall not be counted any wages or self-employment income for which no quarter of coverage may be credited to such individual as a result of the application of section 214(d).”

(d) **EFFECTIVE DATE.**—The amendments made by this section shall be effective as of the date of the enactment of this Act.

**SA 1987.** Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of division 11, add the following:

**SEC. \_\_\_\_.** **FAMILY-SPONSORED IMMIGRANTS.**

Section 203(a)(2) of the Immigration and Nationality Act, as amended by section 503(c)(2) of this Act, is further amended by striking “87,000” and inserting the following: “137,000 (for each of the fiscal years 2008 through 2013) and 112,000 (for fiscal year 2014 and each subsequent fiscal year)”.

**SEC. \_\_\_\_.** **NUMERICAL LIMITATIONS.**

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(1) in paragraph (1)(D)—

(A) in the matter preceding clause (i), by striking “(II)” and

(B) in clause (iii), by striking “200,000” and inserting “300,000”;

(2) in paragraph (10), as redesignated by section 409(2) of this Act, by amending subparagraph (A) to read as follows:

“(A) Subject to subparagraphs (B) and (C), an alien who has already been counted toward the numerical limitation under paragraph (1)(D) during any 1 of the 3 fiscal years immediately preceding the fiscal year of the approved start date of a petition for a non-immigrant worker described in section 101(a)(15)(H)(ii)(b) shall not be counted toward the limitations under clauses (i) and (ii) of paragraph (1)(D) for the fiscal year in which the petition is approved. Such alien shall be considered a returning worker.”; and

(3) in paragraph (11), as redesignated by section 409(2) of this Act—

(A) by inserting “(A)” after “(11)”;

(B) by adding at the end the following:

“(B) The numerical limitations under paragraph (1)(D) shall be allocated for each fiscal

year to ensure that the total number of aliens subject to such numerical limits who enter the United States pursuant to a visa or are accorded nonimmigrant status under section 101(a)(15)(Y)(i) during the first 6 months of such fiscal year is not greater than 50 percent of the total number of such visas available for that fiscal year.”

**SEC. \_\_\_\_.** **PRECLUSION OF SOCIAL SECURITY CREDITS PRIOR TO ENUMERATION OR FOR ANY PERIOD WITHOUT WORK AUTHORIZATION.**

(a) **REPEAL.**—Section 607 of this Act is repealed and the amendments made by such section are null and void.

(b) **INSURED STATUS.**—Section 214 of the Social Security Act (42 U.S.C. 414) is amended by adding at the end the following:

“(d)(1) Except as provided in paragraph (2)—

“(A) no quarter of coverage shall be credited for purposes of this section if, with respect to any individual who is assigned a social security account number on or after the date of enactment of the Secure Borders, Economic Opportunity and Immigration Reform Act of 2007, such quarter of coverage is earned prior to the year in which such social security account number is assigned; and

“(B) no quarter of coverage shall be credited for purposes of this section for any calendar year, with respect to an individual who is not a natural-born United States citizen, unless the Commissioner of Social Security determines, on the basis of information provided to the Commissioner in accordance with an agreement entered into under subsection (e) or otherwise, that the individual was authorized to be employed in the United States during such quarter.

“(2) Paragraph (1) shall not apply with respect to any quarter of coverage earned by an individual who, at such time such quarter of coverage is earned, satisfies the criterion specified in subsection (c)(2).

“(e) Not later than 180 days after the date of the enactment of the Secure Borders, Economic Opportunity and Immigration Reform Act of 2007, the Secretary of Homeland Security shall enter into an agreement with the Commissioner of Social Security to provide such information as the Commissioner determines necessary to carry out the limitations on crediting quarters of coverage under subsection (d). Nothing in this subsection may be construed as establishing an effective date for purposes of this section.”

(c) **BENEFIT COMPUTATION.**—Section 215(e) of such Act (42 U.S.C. 415(e)) is amended—

(1) by striking “and” at the end of paragraph (1);

(2) by striking the period at the end of paragraph (2) and inserting “; and”; and

(3) by adding at the end the following:

“(3) in computing the average indexed monthly earnings of an individual who is assigned a social security account number on or after the date of enactment of the Secure Borders, Economic Opportunity and Immigration Reform Act of 2007, there shall not be counted any wages or self-employment income for which no quarter of coverage may be credited to such individual as a result of the application of section 214(d).”

(d) **EFFECTIVE DATE.**—The amendments made by this section shall be effective as of the date of the enactment of this Act.

**SA 1988.** Mr. REID submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment, add the following:

**SEC. \_\_\_\_.** **PRECLUSION OF SOCIAL SECURITY CREDITS PRIOR TO ENUMERATION OR FOR ANY PERIOD WITHOUT WORK AUTHORIZATION.**

(a) **REPEAL.**—Section 607 of this Act is repealed and the amendments made by such section are null and void.

(b) **INSURED STATUS.**—Section 214 of the Social Security Act (42 U.S.C. 414) is amended by adding at the end the following:

“(d)(1) Except as provided in paragraph (2)—

“(A) no quarter of coverage shall be credited for purposes of this section if, with respect to any individual who is assigned a social security account number on or after the date of enactment of the Secure Borders, Economic Opportunity and Immigration Reform Act of 2007, such quarter of coverage is earned prior to the year in which such social security account number is assigned; and

“(B) no quarter of coverage shall be credited for purposes of this section for any calendar year, with respect to an individual who is not a natural-born United States citizen, if the Commissioner of Social Security determines, on the basis of information provided to the Commissioner in accordance with an agreement entered into under subsection (e) or otherwise, that the individual was not authorized to be employed in the United States during such quarter.

“(2) Paragraph (1) shall not apply with respect to any quarter of coverage earned by an individual who, at such time such quarter of coverage is earned, satisfies the criterion specified in subsection (c)(2).

“(e) Not later than 180 days after the date of the enactment of the Secure Borders, Economic Opportunity and Immigration Reform Act of 2007, the Secretary of Homeland Security shall enter into an agreement with the Commissioner of Social Security to provide such information as the Commissioner determines necessary to carry out the limitations on crediting quarters of coverage under subsection (d). Nothing in this subsection may be construed as establishing an effective date for purposes of this section.”

(c) **BENEFIT COMPUTATION.**—Section 215(e) of such Act (42 U.S.C. 415(e)) is amended—

(1) by striking “and” at the end of paragraph (1);

(2) by striking the period at the end of paragraph (2) and inserting “; and”; and

(3) by adding at the end the following:

“(3) in computing the average indexed monthly earnings of an individual who is assigned a social security account number on or after the date of enactment of the Secure Borders, Economic Opportunity and Immigration Reform Act of 2007, there shall not be counted any wages or self-employment income for which no quarter of coverage may be credited to such individual as a result of the application of section 214(d).”

(d) **EFFECTIVE DATE.**—The amendments made by this section shall be effective as of the date of the enactment of this Act.

**SA 1989.** Mr. REID submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment, add the following:

**SEC. \_\_\_\_ RECLASSIFYING THE SPOUSES AND MINOR CHILDREN OF LAWFUL PERMANENT RESIDENTS WHO FILED PETITIONS BEFORE JANUARY 1, 2007 AS IMMEDIATE RELATIVES.**

Section 201(b)(2) of the Immigration and Nationality Act, as amended by section 503(b)(1) of this Act, is further amended by inserting “, or a child or spouse of a lawful permanent resident for whom a family-based visa petition was filed on or before January 1, 2007,” after “United States”.

**SEC. \_\_\_\_ PRECLUSION OF SOCIAL SECURITY CREDITS PRIOR TO ENUMERATION OR FOR ANY PERIOD WITHOUT WORK AUTHORIZATION.**

(a) **REPEAL.**—Section 607 of this Act is repealed and the amendments made by such section are null and void.

(b) **INSURED STATUS.**—Section 214 of the Social Security Act (42 U.S.C. 414) is amended by adding at the end the following:

“(d)(1) Except as provided in paragraph (2)—

“(A) no quarter of coverage shall be credited for purposes of this section if, with respect to any individual who is assigned a social security account number on or after the date of enactment of the Secure Borders, Economic Opportunity and Immigration Reform Act of 2007, such quarter of coverage is earned prior to the year in which such social security account number is assigned; and

“(B) no quarter of coverage shall be credited for purposes of this section for any calendar year, with respect to an individual who is not a natural-born United States citizen, if the Commissioner of Social Security determines, on the basis of information provided to the Commissioner in accordance with an agreement entered into under subsection (e) or otherwise, that the individual was not authorized to be employed in the United States during such quarter.

“(2) Paragraph (1) shall not apply with respect to any quarter of coverage earned by an individual who, at such time such quarter of coverage is earned, satisfies the criterion specified in subsection (c)(2).

“(e) Not later than 180 days after the date of the enactment of the Secure Borders, Economic Opportunity and Immigration Reform Act of 2007, the Secretary of Homeland Security shall enter into an agreement with the Commissioner of Social Security to provide such information as the Commissioner determines necessary to carry out the limitations on crediting quarters of coverage under subsection (d). Nothing in this subsection may be construed as establishing an effective date for purposes of this section.”.

(c) **BENEFIT COMPUTATION.**—Section 215(e) of such Act (42 U.S.C. 415(e)) is amended—

(1) by striking “and” at the end of paragraph (1);

(2) by striking the period at the end of paragraph (2) and inserting “; and”; and

(3) by adding at the end the following:

“(3) in computing the average indexed monthly earnings of an individual who is assigned a social security account number on or after the date of enactment of the Secure Borders, Economic Opportunity and Immigration Reform Act of 2007, there shall not be counted any wages or self-employment income for which no quarter of coverage may be credited to such individual as a result of the application of section 214(d).”.

(d) **EFFECTIVE DATE.**—The amendments made by this section shall be effective as of the date of the enactment of this Act.

**SA 1990.** Mr. REID submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, to provide for comprehensive immigration

reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment add the following:

This section shall take effect one day after the date of enactment.

**SA 1991.** Mr. REID submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment add the following:

This section shall take effect one day after the date of enactment.

**SA 1992.** Mr. REID submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment add the following:

This section shall take effect one day after the date of enactment.

**SA 1993.** Mr. REID submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment add the following:

This section shall take effect one day after the date of enactment.

**SA 1994.** Mr. REID submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment add the following:

This section shall take effect one day after the date of enactment.

**SA 1995.** Mr. REID submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment add the following:

This section shall take effect one day after the date of enactment.

**SA 1996.** Mr. REID submitted an amendment intended to be proposed to

amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment add the following:

This section shall take effect one day after the date of enactment.

**SA 1997.** Mr. REID submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment add the following:

This section shall take effect one day after the date of enactment.

**SA 1998.** Mr. REID submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment add the following:

This section shall take effect one day after the date of enactment.

**SA 1999.** Mr. REID submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment add the following:

This section shall take effect one day after the date of enactment.

**SA 2000.** Mr. NELSON of Florida submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title VI, add the following:

**SEC. 656. REPEAL OF REQUIREMENT OF REDUCTION OF SURVIVOR BENEFIT PLAN SURVIVOR ANNUITIES BY DEPENDENCY AND INDEMNITY COMPENSATION.**

(a) **REPEAL.**—

(1) **IN GENERAL.**—Subchapter II of chapter 73 of title 10, United States Code, is amended as follows:

(A) In section 1450, by striking subsection (c).

(B) In section 1451(c)—

(i) by striking paragraph (2); and

(ii) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively.

(2) CONFORMING AMENDMENTS.—Such subchapter is further amended as follows:

(A) In section 1450—

(i) by striking subsection (e); and

(ii) by striking subsection (k).

(B) In section 1451(g)(1), by striking subparagraph (C).

(C) In section 1452—

(i) in subsection (f)(2), by striking “does not apply—” and all that follows and inserting “does not apply in the case of a deduction made through administrative error.”; and

(ii) by striking subsection (g).

(D) In section 1455(c), by striking “, 1450(k)(2).”.

(b) PROHIBITION ON RETROACTIVE BENEFITS.—No benefits may be paid to any person for any period before the effective date provided under subsection (f) by reason of the amendments made by subsection (a).

(c) PROHIBITION ON RECOUPMENT OF CERTAIN AMOUNTS PREVIOUSLY REFUNDED TO SBP RECIPIENTS.—A surviving spouse who is or has been in receipt of an annuity under the Survivor Benefit Plan under subchapter II of chapter 73 of title 10, United States Code, that is in effect before the effective date provided under subsection (f) and that is adjusted by reason of the amendments made by subsection (a) and who has received a refund of retired pay under section 1450(e) of title 10, United States Code, shall not be required to repay such refund to the United States.

(d) REPEAL OF AUTHORITY FOR OPTIONAL ANNUITY FOR DEPENDENT CHILDREN.—Section 1448(d)(2) of such title is amended—

(1) by striking “DEPENDENT CHILDREN.” and all that follows through “In the case of a member described in paragraph (1).” and inserting “DEPENDENT CHILDREN.—In the case of a member described in paragraph (1).”; and

(2) by striking subparagraph (B).

(e) RESTORATION OF ELIGIBILITY FOR PREVIOUSLY ELIGIBLE SPOUSES.—The Secretary of the military department concerned shall restore annuity eligibility to any eligible surviving spouse who, in consultation with the Secretary, previously elected to transfer payment of such annuity to a surviving child or children under the provisions of section 1448(d)(2)(B) of title 10, United States Code, as in effect on the day before the effective date provided under subsection (f). Such eligibility shall be restored whether or not payment to such child or children subsequently was terminated due to loss of dependent status or death. For the purposes of this subsection, an eligible spouse includes a spouse who was previously eligible for payment of such annuity and is not remarried, or remarried after having attained age 55, or whose second or subsequent marriage has been terminated by death, divorce or annulment.

(f) EFFECTIVE DATE.—The sections and the amendments made by this section shall take effect on the later of—

(1) the first day of the first month that begins after the date of the enactment of this Act; or

(2) the first day of the fiscal year that begins in the calendar year in which this Act is enacted.

#### SEC. 657. EFFECTIVE DATE OF PAID-UP COVERAGE UNDER SURVIVOR BENEFIT PLAN.

(a) SURVIVOR BENEFIT PLAN.—Section 1452(j) of title 10, United States Code, is amended by striking “October 1, 2008” and inserting “October 1, 2007”.

(b) RETIRED SERVICEMAN'S FAMILY PROTECTION PLAN.—Section 1436a of such title is amended by striking “October 1, 2008” and inserting “October 1, 2007”.

## NOTICE OF HEARINGS

### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Thursday, July 12, 2007, at 9:30 a.m. in room SD-366 of the Dirksen Senate Office Building.

The purpose of this hearing is to consider the nominations of Clarence H. Albright, of South Carolina, to be Under Secretary of Energy; Lisa E. Epifani, of Texas, to be an Assistant Secretary of Energy for Congressional and Intergovernmental Affairs; and, James L. Caswell, of Idaho, to be Director of the Bureau of Land Management.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by e-mail to amanda\_kelly@energy.senate.gov.

For further information, please contact Sam Fowler at (202) 224-7571 or Amanda Kelly at (202) 224-6836.

### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before Committee on Energy and Natural Resources Subcommittee on National Parks.

The hearing will be held on July 12, 2007, at 2:30 p.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the following bills: S. 488 and H.R. 1100, to revise the boundary of the Carl Sandburg Home National Historic Site in the State of North Carolina; S. 617, to make the National Parks and Federal Recreational Lands Pass available at a discount to certain veterans; S. 824 and H.R. 995, to amend Public Law 106-348 to extend the authorization for establishing a memorial in the District of Columbia or its environs to honor veterans who became disabled while serving in the Armed Forces of the United States; S. 955, to establish the Abraham Lincoln National Heritage Area; S. 1148, to establish the Champlain Quadricentennial Commemoration Commission and the Hudson-Fulton 400th Commemoration Commission; S. 1182, to amend the Quinebaug and Shetucket Rivers Valley National Heritage Corridor Act of 1994 to increase the authorization of appropriations and modify the date on which the authority of the Secretary of the Interior terminates under the act; S. 1380, to designate as wilderness certain land within the Rocky Mountain National Park and to adjust the boundaries of the Indian Peaks Wilderness

and the Arapaho National Recreation Area of the Arapaho National Forest in the State of Colorado; and S. 1728, to amend the National Parks and Recreation Act of 1978 to reauthorize the Na Hoa Pili O Kaloko-Honokohau Advisory Commission Reauthorization Act of 2007.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by e-mail to rachel\_pasternack@energy.senate.gov.

For further information, please contact David Brooks at (202) 224-9863 or Rachel Pasternack at (202) 224-0883.

## AUTHORITY FOR COMMITTEES TO MEET

### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mrs. MCCASKILL. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to hold a hearing during the session of the Senate on Thursday, June 28, 2007, at 10 a.m. in room 253 of the Russell Senate Office Building.

The hearing will examine the National Oceanic and Atmospheric Administration's existing programs, proposed initiatives, and review the agency's fiscal year 2008 budget request.

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

### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mrs. MCCASKILL. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on Thursday, June 28, 2007, at 10 a.m. in room 406 of the Dirksen Senate Office Building in order to conduct a hearing entitled, “Examining Global Warming Issues in the Power Plant Sector.”

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

### COMMITTEE ON INDIAN AFFAIRS

Mrs. MCCASKILL. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Thursday, June 28, 2007, at 9:30 a.m. in room 485 of the Russell Senate Office Building to conduct a hearing on discussion draft legislation regarding the regulation of Class III gaming.

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

### COMMITTEE ON THE JUDICIARY

Mrs. MCCASKILL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet in order to conduct a markup on Thursday, June 28, 2007, at 10 a.m. in Dirksen room 226.

## Agenda

I. Bills: S. 1145, Patent Reform Act of 2007 (Leahy, Hatch, Schumer, Cornyn,