

Congress adopted the CVRA only after 8 years of legislative efforts and hearings on the Crime Victims Rights Amendment. This record leaves Congress well positioned to recognize the need for prompt and effective action to protect crime victims.

The letter also refers to the need for courts to develop case law construing the CVRA. The problem with this approach is that the anticipated case law may never develop. Most crime victims are not trained in the nuances of the law and lack the means to retain legal counsel. Victims are often indigent and are frequently emotionally and physically harmed by the defendant's crime. They are then involuntarily forced into the middle of complicated and unfamiliar legal proceedings. To expect that in these circumstances, crime victims will often be able to undertake the kind of sophisticated and pathbreaking litigation that would be necessary to establish crime victims seems unreasonable. One of the main reasons for the CVRA was to change a legal culture that has been hostile to crime victims. To expect that this legal culture will somehow, on a case-by-case basis, welcome crime victims is unlikely. Indeed, it is ironic that while waiting for case law to "develop," the Advisory Committee refused to add to the Federal rules a provision confirming the existing discretionary right of trial judges to appoint legal counsel for crime victims who need legal assistance on complicated issues.

The wait-for-caselaw approach is also troubling because it assumes that Federal court litigation will serve sufficiently to clarify the rights of victims in the Federal system. But the Federal Rules of Criminal Procedure form the template for rules of criminal procedure in states throughout the country. One of the main purposes of the CVRA was to create a model for protecting victims in the criminal justice system. Unless the text of the Federal rules themselves protects crime victims, the states will not have a model they can look to in drafting their own rules to guarantee victims fair treatment.

The final reason given for deferring action on rules changes is that the Advisory Committee thought that some of the changes might create new substantive rights better left to Congress. It's a bit of an Alphonse-and-Gaston situation: Congress says "after you" to the Advisory Committee, only to have the Advisory Committee say "after you." To avoid an impasse that leaves crime victims unprotected, obviously someone needs to take the lead. That is why I am today introducing The Crime Victims' Rights Rules Act.

One last provision in the bill is also worth highlighting. The bill includes a sense of the Congress provision that crime victims ought to be represented on the Advisory Committee on Criminal Rules.

This point was called to my attention by Professor Douglas Beloof, a distinguished law professor at the Lewis

and Clark College of Law and the Director of the well-regarded National Crime Victims Law Institute. Professor Beloof testified before the Advisory Committee in January.

He was surprised to discover at that time that, while the Justice Department, the defense bar, and judges are all represented on the Committee, there is no representative for crime victims. Not only does this leave crime victims organizations without a liaison for bringing information to the attention of the Committee, but, more important, it deprives the Committee of the valuable perspective that such a representative could bring on the rule change issues the Committee regularly considers.

With the passage of the CVRA, crime victims, no less than the Justice Department and the defense bar, became participants with recognized rights in the criminal justice process. They should, therefore, be represented directly on the Advisory Committee on Criminal Rules.

When Congress passed the CVRA, it made a commitment to crime victims that they would no longer be overlooked in the criminal justice process. Nowhere is that commitment better exemplified than in the CVRA's promise that victims will be given "the right to be treated with fairness and with respect for the victim's dignity and privacy." Until the rules governing criminal proceedings in our Federal courts fully protect crime victims, that important goal will not be achieved.

I urge my colleagues to carry forward the promises made in the Crime Victims Rights Act. Crime victims' rights must be respected throughout the Federal Rules of Criminal Procedure. The Crime Victims' Rights Rules Act would amend the rules to ensure that crime victims are no longer overlooked in the federal criminal process.

#### SUBMITTED RESOLUTIONS

##### SENATE RESOLUTION 262—DESIGNATING JULY 2007 AS "NATIONAL WATERMELON MONTH"

Mr. CHAMBLISS (for himself and Mr. ISAKSON) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 262

Whereas watermelon production constitutes an important sector of the agricultural industry of the United States;

Whereas, according to the January 2006 statistics compiled by the National Agricultural Statistics Service of the United States Department of Agriculture, the United States produces 4,200,000,000 pounds of watermelon annually;

Whereas watermelon is grown in 49 States, is purchased and consumed in all 50 States, and is exported to Canada;

Whereas evidence indicates that eating 2½ to 5 cups of fruits and vegetables daily as part of a healthy diet will improve health and protect against diseases such as cancer, high blood pressure, stroke, and heart disease;

Whereas proper diet and nutrition are important factors in preventing diseases such as childhood obesity and diabetes;

Whereas watermelon has no fat or cholesterol and is an excellent source of the vitamins A, B6, and C, fiber, and potassium, which are vital to good health and disease prevention;

Whereas watermelon is also an excellent source of lycopene;

Whereas lycopene, an antioxidant found only in a few red plant foods, has been shown to reduce the risk of certain cancers;

Whereas watermelon is a heart-healthy food that has qualified for the heart-check mark from the American Heart Association;

Whereas watermelon has been a nutritious summer favorite from generation to generation; and

Whereas it is important to educate citizens of the United States regarding the health benefits of watermelon and other fruits and vegetables: Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the goals and ideals of "National Watermelon Month";

(2) calls on the Federal Government, States, localities, schools, nonprofit organizations, businesses, other entities, and the people of the United States to observe the month with appropriate programs and activities; and

(3) designates July 2007 as "National Watermelon Month".

Mr. CHAMBLISS. Mr. President, I rise today to introduce a resolution that will recognize July 2007 as "National Watermelon Month." Watermelon production is a vital part of our Nation's agricultural sector and this resolution recognizes that fact.

According to statistics released by the National Agricultural Statistics Service of the U.S. Department of Agriculture in January 2006, the United States produces 4,200,000,000 pounds of watermelon annually. This amount of annual production is remarkable when you consider the number of actual watermelons it represents. Watermelon varieties range in size from 5 pounds to over 40 pounds, so the number produced, consumed, and exported each year is truly amazing.

Research has shown that the inclusion of fruits and vegetables in our diets is vitally important for a healthy lifestyle. Evidence indicates that eating between 2½ and 5 cups of fruits and vegetables everyday will improve health and protect against many of the diseases, especially those influenced by diet, that afflict our Nation. Watermelon provides many of the vitamins, fiber and nutrients which help prevent many of these diseases. Watermelon is also a good source of lycopene, an antioxidant that has been shown to reduce the risk of certain cancers. The health benefits associated with watermelon are so outstanding that the American Heart Association has certified watermelon as a heart-healthy food, thereby qualifying it for the heart-check certification mark.

I cannot address this body without mentioning the importance of the watermelon to my home State of Georgia. The University of Georgia College of Agricultural and Environmental Sciences Center for Agribusiness and

Economic Development recently released its 2006 Georgia Farm Gate Value Report. Watermelon ranked 16th among all Georgia commodities with a farm gate value of a little over \$111 million from almost 24,000 acres of watermelon. I am also proud to represent Cordele, Georgia, which is known as the, "Watermelon Capital of the World."

Recognizing July as "National Watermelon Month" will provide the watermelon industry with many avenues to not only market their product but also educate the public about the health benefits associated with consuming watermelon through different watermelon related programs and activities. Watermelon enjoys a long history as one of our Nation's favorite foods. As Mark Twain once said, "When one has tasted watermelon he knows what the angels eat." I encourage my colleagues to join me in acknowledging the wisdom of Mark Twain by supporting this resolution.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 2001. Mr. WEBB (for himself, Mr. DURBIN, Mrs. MCCASKILL, Mr. TESTER, Mr. KENNEDY, and Mr. BYRD) 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.

SA 2002. Mr. REID (for Mr. DODD (for himself and Mr. SHELBY)) proposed an amendment to the bill S. 1610, to ensure national security while promoting foreign investment and the creation and maintenance of jobs, to reform the process by which such investments are examined for any effect they may have on national security, to establish the Committee on Foreign Investment in the United States, and for other purposes.

#### TEXT OF AMENDMENTS

SA 2001. Mr. WEBB (for himself, Mr. DURBIN, Mrs. MCCASKILL, Mr. TESTER, Mr. KENNEDY, and Mr. BYRD) 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 C of title X, add the following:

#### SEC. 1031. MINIMUM PERIODS BETWEEN DEPLOYMENT FOR UNITS AND MEMBERS OF THE ARMED FORCES FOR OPERATION IRAQI FREEDOM AND OPERATION ENDURING FREEDOM.

(a) MINIMUM PERIOD FOR UNITS AND MEMBERS OF THE REGULAR COMPONENTS.—

(1) IN GENERAL.—No unit or member of the Armed Forces specified in paragraph (2) may be deployed for Operation Iraqi Freedom or

Operation Enduring Freedom unless the period between the deployment of the unit or member is equal to or longer than the period of such previous deployment.

(2) COVERED UNITS AND MEMBERS.—The units and members of the Armed Forces specified in this paragraph are as follows:

(A) Units and members of the regular Army.

(B) Units and members of the regular Marine Corps.

(C) Units and members of the regular Navy.

(D) Units and members of the regular Air Force.

(E) Units and members of the regular Coast Guard.

(b) MINIMUM PERIOD FOR UNITS AND MEMBERS OF THE RESERVE COMPONENTS.—

(1) IN GENERAL.—No unit or member of the Armed Forces specified in paragraph (2) may be deployed for Operation Iraqi Freedom or Operation Enduring Freedom if the unit or member has been deployed at any time within the three years preceding the date of the deployment covered by this subsection.

(2) COVERED UNITS AND MEMBERS.—The units and members of the Armed Forces specified in this paragraph are as follows:

(A) Units and members of the Army Reserve.

(B) Units and members of the Army National Guard.

(C) Units and members of the Marine Corps Reserve.

(D) Units and members of the Navy Reserve.

(E) Units and members of the Air Force Reserve.

(F) Units and members of the Air National Guard.

(G) Units and members of the Coast Guard Reserve.

(c) WAIVER BY THE PRESIDENT.—The President may waive the limitation in subsection (a) or (b) with respect to the deployment of a unit or member of the Armed Forces specified in such subsection if the President certifies to Congress that the deployment of the unit or member is necessary to meet an operational emergency posing a threat to vital national security interests of the United States.

(d) WAIVER BY THE MILITARY CHIEF OF STAFF.—The chief of staff of the Armed Force concerned may waive the limitation in subsection (a) or (b) with respect to the deployment of a member of the Armed Forces specified in the applicable subparagraph under such subsection upon the voluntary request of the member.

SA 2002. Mr. REID (for Mr. DODD (for himself and Mr. SHELBY)) proposed an amendment to the bill S. 1610, to ensure national security while promoting foreign investment and the creation and maintenance of jobs, to reform the process by which such investments are examined for any effect they may have on national security, to establish the Committee on Foreign Investment in the United States, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Foreign Investment and National Security Act of 2007".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. United States security improvement amendments; clarification of review and investigation process.

Sec. 3. Statutory establishment of the Committee on Foreign Investment in the United States.

Sec. 4. Additional factors for consideration.

Sec. 5. Mitigation, tracking, and postconsumption monitoring and enforcement.

Sec. 6. Action by the President.

Sec. 7. Increased oversight by Congress.

Sec. 8. Certification of notices and assurances.

Sec. 9. Regulations.

Sec. 10. Effect on other law.

Sec. 11. Clerical amendments

Sec. 12. Effective date.

#### SEC. 2. UNITED STATES SECURITY IMPROVEMENT AMENDMENTS; CLARIFICATION OF REVIEW AND INVESTIGATION PROCESS.

Section 721 of the Defense Production Act of 1950 (50 U.S.C. App. 2170) is amended by striking subsections (a) and (b) and inserting the following:

"(a) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

"(1) COMMITTEE; CHAIRPERSON.—The terms 'Committee' and 'chairperson' mean the Committee on Foreign Investment in the United States and the chairperson thereof, respectively.

"(2) CONTROL.—The term 'control' has the meaning given to such term in regulations which the Committee shall prescribe.

"(3) COVERED TRANSACTION.—The term 'covered transaction' means any merger, acquisition, or takeover that is proposed or pending after August 23, 1988, by or with any foreign person which could result in foreign control of any person engaged in interstate commerce in the United States.

"(4) FOREIGN GOVERNMENT-CONTROLLED TRANSACTION.—The term 'foreign government-controlled transaction' means any covered transaction that could result in the control of any person engaged in interstate commerce in the United States by a foreign government or an entity controlled by or acting on behalf of a foreign government.

"(5) CLARIFICATION.—The term 'national security' shall be construed so as to include those issues relating to 'homeland security', including its application to critical infrastructure.

"(6) CRITICAL INFRASTRUCTURE.—The term 'critical infrastructure' means, subject to rules issued under this section, systems and assets, whether physical or virtual, so vital to the United States that the incapacity or destruction of such systems or assets would have a debilitating impact on national security.

"(7) CRITICAL TECHNOLOGIES.—The term 'critical technologies' means critical technology, critical components, or critical technology items essential to national defense, identified pursuant to this section, subject to regulations issued at the direction of the President, in accordance with subsection (h).

"(8) LEAD AGENCY.—The term 'lead agency' means the agency, or agencies, designated as the lead agency or agencies pursuant to subsection (k)(5) for the review of a transaction.

"(b) NATIONAL SECURITY REVIEWS AND INVESTIGATIONS.—

"(1) NATIONAL SECURITY REVIEWS.—

"(A) IN GENERAL.—Upon receiving written notification under subparagraph (C) of any covered transaction, or pursuant to a unilateral notification initiated under subparagraph (D) with respect to any covered transaction, the President, acting through the Committee—

"(i) shall review the covered transaction to determine the effects of the transaction on the national security of the United States; and

"(ii) shall consider the factors specified in subsection (f) for such purpose, as appropriate.