

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

READINESS AND MANAGEMENT SUPPORT  
SUBCOMMITTEE

Mr. CONRAD. Mr. President, I ask unanimous consent that the Readiness and Management Support Subcommittee of the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, March 12, 2008, at 2:30 p.m., in open session to receive testimony on military installation, environmental, and base closure programs in review of the Defense authorization request for fiscal year 2009 and the Future Years Defense Program.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. CONRAD. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on March 12, 2008, at 2:30 p.m. to hold a closed business meeting.

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

SPECIAL COMMITTEE ON AGING

Mr. CONRAD. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet on Wednesday, March 12, 2008 from 10:30 a.m.–12:30 p.m. in Dirksen 562 for the purpose of conducting a hearing.

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

SUBCOMMITTEE ON CRIME AND DRUGS

Mr. CONRAD. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary, Subcommittee on Crime and Drugs, be authorized to meet during the session of the Senate, to conduct a hearing entitled "Generation Rx: The Abuse of Prescription and Over-the-Counter Drugs" on Wednesday, March 12, 2008, at 2 p.m., in room SD-226 of the Dirksen Senate Office Building.

Witness list

Len Paulozzi, M.D., Medical Epidemiologist, National Center for Injury Prevention and Control, Centers for Disease Control and Prevention, U.S. Department of Health & Human Services, Atlanta, GA; Nora Volkow, M.D., Director, National Institute on Drug Abuse, U.S. Department of Health & Human Services, Washington, DC; Steve Pasierb, President and CEO, The Partnership for a Drug-Free America, New York, NY; Derek Clark, Director, Clinton Substance Abuse Council, Clinton, IA; and Misty Fetko, RN, Parent of Carl Hennon, New Albany, OH.

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

SUBCOMMITTEE ON EMERGING THREATS AND  
CAPABILITIES

Mr. CONRAD. Mr. President, I ask unanimous consent that the Subcommittee on Emerging Threats and Capabilities of the Committee on Armed Services be authorized to meet during the session of the Senate on

Wednesday, March 12, 2008, at 2 p.m. in open session to receive testimony on technologies to combat weapons of mass destruction.

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

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, FEDERAL SERVICES, AND INTERNATIONAL SECURITY

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security be authorized to meet during the session of the Senate on Wednesday, March 12, 2008, at 2:30 p.m. to conduct a hearing entitled, "Agencies in Peril: Are We Doing Enough to Protect Federal IT and Secure Sensitive Information?"

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

SUBCOMMITTEE ON SEAPOWERS

Mr. CONRAD. Mr. President, I ask unanimous consent that the Subcommittee on Seapower of the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, March 12, 2008, at 2 p.m., in open session to receive testimony on strategic lift programs in review of the defense authorization request for fiscal year 2009 and the future years defense program.

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

SUBCOMMITTEE ON STRATEGIC FORCES

Mr. CONRAD. Mr. President, I ask unanimous consent that the subcommittee on Strategic Forces of the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, March 12, 2008, at 10 a.m., in open session to receive testimony on strategic forces programs in review of the Defense authorization request for fiscal year 2009 and the Future Years Defense Program.

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

PRIVILEGES OF THE FLOOR

Mr. ALEXANDER. Mr. President, I ask unanimous consent that Jack Wells, a fellow on my staff, be granted floor privileges for the duration of the debate on the budget resolution.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDERS FOR THURSDAY, MARCH  
13, 2008

Mr. CASEY. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10:15 a.m. tomorrow, Thursday, March 13; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired,

the leader time be reserved for their use later in the day, and that there be a moment of silence to honor the 5 years of service and sacrifice of our troops and their families for the war in Iraq and also to remember those who are serving our Nation in Afghanistan and throughout the world; that following the moment of silence, the Senate resume consideration of S. Con. Res. 70, the concurrent resolution on the budget, under the previous order.

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

PROGRAM

Mr. CASEY. Mr. President, tomorrow, following the moment of silence, the Senate will resume consideration of the budget resolution. Senators should be prepared to begin the so-called vote-arama as early as 11 a.m. tomorrow. Rollcall votes are expected to occur throughout the day.

ORDER OF PROCEDURE

Mr. CASEY. I now ask unanimous consent that morning business be closed, the Senate resume consideration of S. Con. Res. 70, and that it stand adjourned under the previous order, following the remarks of Senators GRASSLEY and BARRASSO.

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

The Senator from Iowa.

CONGRESSIONAL BUDGET FOR  
THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 2009—  
Continued

Mr. GRASSLEY. Mr. President, I rise for two purposes: one, to speak about an amendment that will come up tomorrow dealing with the alternative minimum tax and, on a second point, to speak against an amendment that will be offered tomorrow on the H-1B program. First, I will discuss the amendments I intend to pursue on the budget resolution.

The first is similar to the amendment I offered in committee markup. Unfortunately, the committee did not adopt the amendment. The amendment is very straightforward. The amendment would exempt from the pay-go requirements an extension of relief from the alternative minimum tax. I want to explain the term pay-go. It means if you are going to offer something that has less income coming in from taxes, you have to offset it someplace else. Pay-go is a rule that applies to both taxes as well as expenditures. It is pay as you go.

I want to make sure this doesn't apply to the AMT because, quite frankly, it is silly to talk about offsetting revenue from middle-class Americans from whom it was never intended to be collected in the first place. And the alternative minimum tax, if we don't do something about it, has that negative impact. As everyone knows, if we do

not act this year, about 25 million families, most of them middle-income families, will be faced with an alternative minimum tax increase of over \$2,000 per family. The alternative minimum tax, which was meant to hit high-income people, filthy rich people, it now could happen that middle-income people would pay an increase in taxes of more than \$2,000 per family. We cannot let that happen. It is a result no one in Congress can defend.

The alternative minimum tax was meant to apply, as I have said so many times, to a small group of high-income taxpayers who use tax preferences, legal ways of not paying taxes. There is nothing illegal about it.

The chairman of the Budget Committee has wisely recognized the reality and the importance of shielding these 25 million families from the unintended reach of the alternative minimum tax. To that end, then, his budget resolution has revenue room, about \$62 billion worth, for an AMT hold harmless for the current year. Unfortunately, though the budget revenue baseline is adjusted for the AMT for this year, action on an AMT patch faces pay-go points of order unless offset. So my amendment would clear away the hurdle for this year as well as for future years.

My amendment would ensure that delivering relief from the AMT would trump an obsession with a tax increase notion of pay as you go. It is as simple as that.

My second amendment deals with fundamental tax reform. Everyone knows our tax system could be improved. The alternative minimum tax monster I just referred to is only one of the major reasons we need to undertake tax reform. Senator WYDEN, a Democrat from Oregon, has been very articulate on that point. So this is a bipartisan statement as well as a partisan statement. If we undertake fundamental tax reform on a revenue-neutral basis under the current revenue baseline, we could be backing into a major tax increase on virtually every taxpayer.

In 2011, the bipartisan tax relief bills of 2001 and 2003 expire or to use the terminology in Congress, they sunset. If we allow current law to continue—in other words, current law so that you have tax increases automatically without a vote of Congress—the tax burden on the American people as a group could be up to 10 percent higher than it is today. That would be well into the future after 2010, until Congress would reduce taxes. We should not have a tax increase without a vote of Congress, No. 1. But also we should keep taxes where they are now because it has been so good to the economy. You should not have a tax increase on the American people. That is what is going to happen if we don't make changes between now and the end of 2010.

Tax reform should not be a stealthy method, then, to raise taxes on the American people. When I say “raise

taxes on the American people,” let me repeat, the biggest tax increase in the history of the country is going to happen without even a vote of Congress. The amendment from my friend from Montana, the chairman of the Finance Committee, with whom I have the privilege of working closely, makes the point that current law levels of taxation set to spring into effect in 2011 are intolerable on both sides of the aisle. My amendment seeks the same assurances, though in a complete manner, if we hopefully enter into a real legislative effort on fundamental tax reform.

Those are my remarks in regard to two amendments that are going to be voted upon tomorrow.

Tomorrow my friend, the ranking Republican on the Senate Budget Committee, Senator GREGG, is going to offer an amendment or maybe has offered the amendment already to expand the H-1B visa program. I have nothing against the H-1B visa program. In fact, I value it as a legal channel for U.S. companies to bring in workers they need. That is under the assumption that we don't have workers in the United States to fill those slots. But I have to say, increasing the H-1B visa cap, which is the proposal, if we do that without reform, will only hurt U.S. taxpayers and American workers. The solution to increasing our global position in science and technology is, obviously, from the ground up, investing in American workers. We must strengthen educational opportunities for our American students, particularly in the areas of math and science. Such an investment will help reduce the trend in which 60 percent of the students in our U.S. STEM doctoral programs are foreign born.

According to recent statistics released by the Department of Homeland Security, foreign outsourcers top the list of companies bringing foreign workers to the United States under the H-1B program. In fact, it is this overwhelming—6 of the top 10 visa recipients in 2007 are based in the country of India. Senator DURBIN and I made the same point about the visa approvals during debate in the year 2006. We found that the top 9 foreign-based companies in 2006 used nearly 20,000 of the total availability of H-1B visas, and there is a cap on the number of H-1B visas. It seems to me that that 20,000 is close to a third of all. They are used by nine foreign-based companies. You would think, of the thousands and thousands of companies we have in America, that you would not have H-1Bs clustered to such a great extent around nine companies and nine foreign-based companies.

We heard today that Microsoft, in testimony before the House of Representatives, wants an unlimited supply of H-1B visas. However, that company's visa approvals declined in 2007 from 2006. In 2006, Microsoft was approved for 3,117 H-1B visas. In 2007, it dropped from third to fifth place and

only approved 959 visas compared to over 3,000 visas the year before.

This very day, as I have indicated, Bill Gates said that Microsoft was “unable to obtain H-1B visas for one-third of the highly qualified foreign-born job candidates that it wanted to hire.”

It makes me question, then, why visa approvals decreased very dramatically for Microsoft, from 3,000 in 2006, down to 900 plus in 2007. I think the statistics are very clear. Thousands of visas are going to foreign-based companies, leaving U.S. companies such as Microsoft scrambling for qualified workers. How can one explain the fact that most H-1B visas are going to companies based outside the United States? Do you think that increasing the cap, then, increasing the cap we have in current law, would actually benefit Microsoft and other companies? Answering these questions should lead one to the conclusion that the H-1B visa program is not working as originally intended. We need reform, even in conjunction with increasing the numbers.

I am not opposed to increasing the numbers if they need to be increased. But it won't do any good if we don't have reform, and not just the so-called reform, then, of increasing the visa supply, as proposed by the high-tech industry. Reforms are needed so that U.S. businesses, both large and small, can find, recruit, and hire the workers they need.

One of the major reforms needed to protect American workers is to require employers to make good-faith efforts to recruit U.S. citizens before hiring an H-1B visa holder. Only a small group of employers have to make this good-faith effort. We need to require all users of the visa program to first recruit Americans for these highly skilled, high-paying jobs, or at least attempt to find if American workers are available, because Americans should come first.

Another reform needed is to increase the investigative power of the Department of Labor over this program. The program is full of bad actors. Companies are using ruthless tactics to undermine the system and to pay lower salaries and benefits to foreign workers. Current law is handicapping Federal officials from rooting out more fraud. We need to give them the power to audit and the power to investigate abuse.

In addition to those two major reforms, we need to increase transparency for U.S. taxpayers to view job openings that are filled by H-1B visa workers. We should require employers to better advertise job openings so American workers have a chance at the jobs before they are taken by foreign workers.

If we do not make changes in the H-1B program, foreign outsourcers will continue to import thousands of foreign workers to the detriment of U.S. businesses and opportunities for American workers to be hired first.

So I want my colleagues to know I cannot support an increase in the visa

supply without reform—and I mean real reform or drastic reform—to the program. I have suggested some of those reforms. Like I said, raising the H-1B cap without reforms will only hurt American companies and American workers. American workers should come first.

I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

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

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

Mr. BARRASSO. Mr. President, I rise today to discuss my concerns with the fiscal year 2009 budget resolution. This is a budget that says tax revenue will go up by \$1.2 trillion. Most of this is going to come by eliminating tax relief, commonly known as the Bush tax cuts.

Let me be clear: The people of Wyoming do not believe eliminating the President's tax cuts and dramatically increasing Federal spending is the right prescription for our economy. I would go so far as to say this budget does exactly the opposite of what is needed. This budget will send the wrong signal to small investors. The budget will send the wrong signal to ranchers. This budget will send the wrong signal to farmers. This budget will send the wrong signal to small business owners all across Wyoming.

This budget sends a message the Federal Government is going to take more from them. It will take more from them at a time when they believe—rightly so—that they have already been hit too hard. In fact, 43 million American families with children will pay an additional \$2,300 out of their pockets each year if these tax cuts are eliminated. Twenty-three hundred dollars is not a small amount of money—not a small amount at all to the working families of Casper or Cheyenne or Rock Springs or Cody or Sundance. Twenty-three hundred dollars goes a long way in Wyoming, a long way toward paying a year's tuition at the University of Wyoming. Eliminating the tax cuts would cost 27 million small business owners \$4,100 a year. Now, that is money that could be used for Christmas bonuses or well-deserved raises.

In Wyoming, we believe the best way to achieve economic progress is to have the Government get out of the way. That is the spirit that powers Wyoming.

In Wyoming, there is a monument to President Abraham Lincoln. It is on Route I-80, between Cheyenne and Laramie, and there is a plaque on the monument. The plaque says: "It is time to think anew and act anew."

That is what I believe is needed to reform the way Washington works.

In Wyoming, where I served as a State senator, we had a budget session every 2 years. It is another area where Wyoming gets it right and Washington gets it wrong. In Wyoming, it works so well that the budget session lasts only 20 days. The Wyoming way is a much better way to deal with government spending.

In Wyoming, we actually balance our budget every year. The Wyoming way would free up Congress to work on things such as making Washington work better for our country. The Wyoming way would make Washington work on finding solutions to problems, rather than always reaching into people's wallets and pocketbooks.

It is time for Washington to get its house in order. This means extending the President's tax cuts. This is the way to actually bring in more revenue to the Treasury. To get Washington's fiscal house in order also means addressing spending on entitlements. This budget not only fails to do that, it actually makes matters worse. This budget allows entitlement spending to grow by \$488 billion over 5 years. This is leveraging our children's future, young men and women of America, such as the pages who work in this very room. We are leveraging this on their future. Now, I do not wish to stifle the progress of future generations, such as these fine individuals, because of the mistakes of this Congress. Let us get Government out of the way so we can unlock the American entrepreneurial spirit. It is that spirit that made this country an economic leader in the first place.

I would also like to take a few moments to discuss three amendments that have been filed. Two amendments have been filed by me, and the third is an amendment filed by Senator MIKE ENZI, my colleague from Wyoming, and it is an amendment which I have co-sponsored.

My first amendment relates to the issue of Federal mandates. This amendment would provide \$50 million to help States comply with regulations of the Endangered Species Act. It is my hope these funds could be distributed to the cities, the counties, to ranchers, to small business owners, all who have to comply with the ever-increasing, unfunded Federal mandates of the Endangered Species Act. The offset is provided through an across-the-board budget cut through function 920.

A vast array of species can be found in my home State of Wyoming. Among these are the sage-grouse, the grizzly bear, the pygmy rabbit, the Preble's meadow jumping mouse, the white and black tail prairie dogs, the black-footed ferret, and the Canadian grey wolf. Many of these species are in the process of either being listed or delisted under the Endangered Species Act. But we have found there is one resource Wyoming doesn't have enough of, and that is Federal funds to protect, to

manage, and to recover these species as is required by Federal law.

Trust me when I say the people of Wyoming love our State's natural heritage. We believe we are in the best position to manage and protect our resources without the redtape and the regulations of the Federal Government. But that is not the reality we and other States face today. The Federal Government often, as a result of Federal lawsuits, is placing even additional new mandates on the States. As long as they are, the Federal Government has an obligation to provide funds with those mandates.

I am pleased my good friend, Senator ENZI, is cosponsoring this amendment with me, and I urge its adoption.

My second amendment would provide funding for salt cedar and Russian olive removal along America's rivers, streams, and tributaries. These two plants are nonnative, invasive species that are destroying riparian ecosystems across vast areas of the West. As the arid West continues to struggle with ongoing drought, salt cedar and Russian olive are invading the land and they are replacing native species all along the West's watershed. Entire ecosystems are being dramatically altered. Salt cedar and Russian olive drain valuable water flow from rivers and from streams. It is estimated that one Russian olive tree can use 500 gallons of water a day, while some estimates place water use by a mature salt cedar plant at more than 200 gallons a day.

The Presiding Officer knows that one of the West's most important natural resources—water—is under attack. Removal of these species to protect our water is a monumental undertaking but one we can no longer afford to avoid. Private landowners, local and State officials, as well as Federal agencies have an interest in addressing the problem. Recent pilot projects to eliminate these species on watersheds in eastern Wyoming and western Nebraska have been underway for a few years. Improvements in waterflow and the overall ecosystem and the quality of those areas have been dramatic. Success, however, can only be achieved if all interests in the watershed participate in eliminating these species.

My amendment is simple. Congress has already authorized a program to fight this battle. My amendment would direct money within that program to improve the ecosystem and waterflow along the Platte River. Wyoming is under a Federal decree to provide more acre feet of water from the Platte River to help wildlife in Nebraska. By removing these invasive species that capture so much water from the river, we can help alleviate this Federal obligation on Wyoming's residents.

Water is a precious resource. It is time we begin reclaiming our watersheds from the invasion of nonnatural species. I would encourage all Members of this body to support the amendment.

Finally, I wish to discuss a Federal budget issue about which I am deeply

passionate, as are all the people across the State of Wyoming. The Federal Government should not be picking the pockets of States to balance the Federal budget. I am not talking about Federal commitments to spending programs; I am talking about a Federal commitment to share revenue; specifically, revenue generated from mineral resource development.

The Presiding Officer is very familiar with this. He knows, as do I, that States with Federal mineral extraction benefit from economic development. He also knows these benefits are not generated without significant impacts to local infrastructure and to public services. These revenues pay for vital State and local government services. Revenue sharing has traditionally been a clear 50-50 division. It is a division between the States and the Federal Government. In fact, current Federal law

prohibits Federal administrative deductions.

Apparently, that prohibition is not enough. In the fiscal year 2008 omnibus bill, Congress included a 1-year formula change, reducing the amount paid to the States and increasing the amount flowing to the Federal Treasury. The lost revenue for the States came at the expense of funding for local schools, roads, water systems, and other basic services provided by the States.

I am pleased to join my colleague from Wyoming, Senator MIKE ENZI, in cosponsoring his budget amendment that addresses this Federal grab. I urge my colleagues from both sides of the aisle to join me in this as a matter of principle. I have listened to speeches on this floor all week advocating for increases for one program or for another. Senator ENZI's amendment simply recognizes that States—not Wash-

ington—are capable and are well suited to make spending decisions.

State legislatures can provide, if they want to, more for education, highways, and law enforcement. But they cannot make these decisions if the Federal Government continues to withhold the State's share of these revenues.

Mr. President, I urge my colleagues to support Senator ENZI's amendment. I yield the floor.

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ADJOURNMENT UNTIL 10:15 A.M.  
TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate now stands adjourned until 10:15 a.m. tomorrow.

Thereupon, the Senate, at 9 p.m., adjourned until Thursday, March 13, 2008, at 10:15 a.m.