

law, the report of a rule entitled "Amendment of Section 73.622(i), Final DTV Table of Allotments, Television Broadcast Stations; Casper, Wyoming" (MB Docket No. 08-108) received in the Office of the President of the Senate on January 7, 2009; to the Committee on Commerce, Science, and Transportation.

EC-431. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.622(i), Final DTV Table of Allotments, Television Broadcast Stations; Hayes Center, Nebraska" (MB Docket No. 08-193) received in the Office of the President of the Senate on January 7, 2009; to the Committee on Commerce, Science, and Transportation.

EC-432. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.622(i), Final DTV Table of Allotments, Television Broadcast Stations; Huntsville, Alabama" (MB Docket No. 08-105) received in the Office of the President of the Senate on January 7, 2009; to the Committee on Commerce, Science, and Transportation.

EC-433. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.622(i), Final DTV Table of Allotments, Television Broadcast Stations; Kansas City, Missouri" (MB Docket No. 08-111) received in the Office of the President of the Senate on January 7, 2009; to the Committee on Commerce, Science, and Transportation.

EC-434. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.622(i), Final DTV Table of Allotments, Television Broadcast Stations; Sioux City, Iowa" (MB Docket No. 08-109) received in the Office of the President of the Senate on January 7, 2009; to the Committee on Commerce, Science, and Transportation.

### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-1. A resolution adopted by the Senate of the State of New Jersey memorializing Congress to protect the automobile industry and expand national infrastructure projects and related industries; to the Committee on Banking, Housing, and Urban Affairs.

#### SENATE RESOLUTION NO. 37

Whereas, a number of specialists have warned that the collapse of the national economy could occur if certain stop-gap and long-term actions are not implemented to overcome the problems facing the automotive and machine tool sectors of our economy; and

Whereas, the loss of the physical capabilities of the automotive industry, especially its tool sector, could mean the end of America's status as a leading world economic power; and

Whereas, while it is in the best interests of our national security to have a strong, vibrant manufacturing and industrial sector, capable of producing the necessary machinery and technology to defend the citizens of the United States and protect our interests abroad, our manufacturing and industrial sector has experienced a dramatic reduction in capacity and production over the last several decades; and

Whereas, government has an obligation to promote economic activity through the creation of new capital investment, which will result in the expansion of employment opportunities and help jump-start long-term capital investment by private investors; and

Whereas, as government leaders, we must ensure the continued viability of our automotive and machine tool industries, which is a vital element of the State and federal economy; and

Whereas, diversification of the productive potential of the automotive and machine tool industries into a broader sector of production, coupled with a shift into the domain of essential capital goods and economic infrastructure, such as the repair, expansion, and improvement of our national railway systems, and the development of other urgently needed infrastructure projects, will save existing manufacturing jobs and create large new areas of employment in infrastructure and manufacturing for our citizenry in a manner comparable to the best of the New Deal programs that rescued the nation and the world from the ravages of the Great Depression; and

Whereas, the impact of this intervention will be to provide thousands of productive jobs in the state of New Jersey, repair our infrastructure, and create at least ten million jobs nationally, thus restoring our tax base and increasing the standard of living: Now, therefore, be it

*Resolved by the Senate of the State of New Jersey:*

1. The Senate of the State of New Jersey respectfully memorializes the Congress of the United States to intervene on behalf of national economic interests to ensure that the productive potential of the automobile industry, with its featured technology and machine tool capability, be protected.

2. The Senate of the State of New Jersey respectfully memorializes the Congress of the United States to intervene to vastly expand the construction and maintenance of infrastructure projects and related industries.

3. Duly authenticated copies of this resolution, signed by the President of the Senate and attested by the Secretary thereof, shall be transmitted to each member of New Jersey's congressional delegation and to the Speaker and Clerk of the United States House of Representatives, Washington, D.C., and the President and Secretary of the United States Senate, Washington, D.C.

POM-2. A resolution adopted by the Commission of Wayne County of the State of Michigan relative to supporting the United States Congress rescue plan to offer low-interest loans to Ford Motor Co., General Motors Corp., and Chrysler LLC to insure the viability of the U.S. auto industry; to the Committee on Banking, Housing, and Urban Affairs.

POM-3. A report from a sportsmen club of Washington State relative to a Department of Agriculture, Forest Service report; to the Committee on Energy and Natural Resources.

POM-4. A report from the Florida Department of State, Commission of Office, relative to the Minority Appointment Reporting Form for 2007; to the Committee on Rules and Administration.

POM-5. A report from the Florida Department of State, Commission of Office, relative to the Minority Appointment Reporting Form for 2007; to the Committee on Rules and Administration.

POM-6. A report from a textile corporation relative to Senate material; to the Committee on Rules and Administration.

### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BARRASSO:

S. 201. A bill to amend the Internal Revenue Code of 1986 to extend the additional standard deduction for real property taxes for nonitemizers for 2010; to the Committee on Finance.

By Mr. ENSIGN (for himself, Mr. NELSON of Florida, Mr. FEINGOLD, Mr. DORGAN, and Mr. CORKER):

S. 202. A bill to improve consumer access to passenger vehicle loss data held by insurers; to the Committee on Commerce, Science, and Transportation.

By Mrs. FEINSTEIN (for herself and Mr. KYL):

S. 203. A bill to amend the Immigration and Nationality Act to modify the requirements for participation in the visa waiver program and for other purposes; to the Committee on the Judiciary.

By Mr. KOHL (for himself, Mr. BROWN, Mr. SPECTER, Mr. LEAHY, Mr. GRASSLEY, Mr. FEINGOLD, Ms. SNOWE, Mr. SCHUMER, Mr. DURBIN, Mr. LEVIN, and Mr. LAUTENBERG):

S. 204. A bill to amend the Sherman Act to make oil-producing and exporting cartels illegal; to the Committee on the Judiciary.

By Mr. BINGAMAN (for himself, Mrs. HUTCHISON, Mrs. FEINSTEIN, Mr. DURBIN, Mr. MCCAIN, and Mr. KYL):

S. 205. A bill to authorize additional resources to identify and eliminate illicit sources of firearms smuggled into Mexico for use by violent drug trafficking organizations, and for other purposes; to the Committee on the Judiciary.

By Mrs. BOXER:

S. 206. A bill to amend the Elementary and Secondary Education Act of 1965 to establish a program to help States expand the education system to include at least 1 year of early education preceding the year a child enters kindergarten; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. BOXER:

S. 207. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for health insurance premiums; to the Committee on Finance.

By Mrs. BOXER:

S. 208. A bill to provide Federal coordination and assistance in preventing gang violence; to the Committee on the Judiciary.

By Mrs. BOXER:

S. 209. A bill to amend the Internal Revenue Code of 1986 to modify and extend the credit for alternative motor vehicles, and for other purposes; to the Committee on Finance.

By Mrs. BOXER:

S. 210. A bill to amend the Internal Revenue Code of 1986 to increase the credit for employers establishing workplace child care facilities, to increase the child care credit to encourage greater use of quality child care services, to provide incentives for students to earn child care-related degrees and to work in child care facilities, and to increase the exclusion for employer-provided dependent care assistance; to the Committee on Finance.

By Mrs. CLINTON (for herself, Mr. BURR, Mr. AKAKA, Mr. BROWN, Ms. CANTWELL, Mr. CASEY, Ms. COLLINS, Mr. DURBIN, Mrs. FEINSTEIN, Mr. INOUE, Mr. KERRY, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEVIN, Mr. LUGAR, Mr. MENENDEZ, Ms. MIKULSKI, Mrs. MURRAY, Mr. ROBERTS, Mr.

SCHUMER, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, and Mr. WHITEHOUSE):

S. 211. A bill to facilitate nationwide availability of 2-1-1 telephone service for information and referral on human services and volunteer services, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. 212. A bill to expand the boundaries of the Gulf of the Farallones National Marine Sanctuary and the Cordell Bank National Marine Sanctuary, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. BOXER (for herself and Ms. SNOWE):

S. 213. A bill to amend title 49, United States Code, to ensure air passengers have access to necessary services while on a grounded air carrier, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BINGAMAN (for himself, Mr. LEAHY, Mr. LIEBERMAN, and Mr. CARDIN):

S. 214. A bill to amend title XXI of the Social Security Act to permit qualifying States to use their allotments under the State Children's Health Insurance Program for any fiscal year for certain Medicaid expenditures; to the Committee on Finance.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SPECTER (for himself, Mr. COBURN, and Mr. ALEXANDER):

S. Res. 12. A resolution to amend the Standing Rules of the Senate to prohibit filling the tree; to the Committee on Rules and Administration.

#### ADDITIONAL COSPONSORS

S. 34

At the request of Mr. DEMINT, the names of the Senator from North Carolina (Mr. BURR) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 34, a bill to prevent the Federal Communications Commission from repromulgating the fairness doctrine.

S. 61

At the request of Mr. DURBIN, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 61, a bill to amend title 11 of the United States Code with respect to modification of certain mortgages on principal residences, and for other purposes.

S. 64

At the request of Mr. INHOFE, the names of the Senator from Texas (Mrs. HUTCHISON), the Senator from Kansas (Mr. ROBERTS), the Senator from Louisiana (Mr. VITTER), the Senator from Wisconsin (Mr. FEINGOLD) and the Senator from Alabama (Mr. SESSIONS) were added as cosponsors of S. 64, a bill to amend the Emergency Economic Stabilization Act to require approval by the Congress for certain expenditures for the Troubled Asset Relief Program.

S. 85

At the request of Mr. VITTER, the name of the Senator from South Caro-

lina (Mr. DEMINT) was added as a cosponsor of S. 85, a bill to amend title X of the Public Health Service Act to prohibit family planning grants from being awarded to any entity that performs abortions.

S. 133

At the request of Mrs. FEINSTEIN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 133, a bill to prohibit any recipient of emergency Federal economic assistance from using such funds for lobbying expenditures or political contributions, to improve transparency, enhance accountability, encourage responsible corporate governance, and for other purposes.

S. 160

At the request of Mr. LIEBERMAN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 160, a bill to provide the District of Columbia a voting seat and the State of Utah an additional seat in the House of Representatives.

S. 166

At the request of Mrs. HUTCHISON, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 166, a bill to amend title VII of the Civil Rights Act of 1964 to clarify the filing period applicable to charges of discrimination, and for other purposes.

S. RES. 4

At the request of Mr. VITTER, the name of the Senator from South Carolina (Mr. DEMINT) was added as a cosponsor of S. Res. 4, a resolution expressing the sense of the Senate that the Supreme Court of the United States erroneously decided *Kennedy v. Louisiana*, No. 07-343 (2008), and that the eighth amendment to the Constitution of the United States allows the imposition of the death penalty for the rape of a child.

AMENDMENT NO. 7

At the request of Mr. COBURN, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of amendment No. 7 intended to be proposed to S. 22, a bill to designate certain land components of the National Wilderness Preservation System, to authorize certain programs and activities in the Department of the Interior and the Department of Agriculture, and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself and Mr. KYL):

S. 203. A bill to amend the Immigration and Nationality Act to modify the requirements for participation in the visa waiver program and for other purposes; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce a bill on behalf of myself and Senator KYL to mitigate the immigration and security risks associated with the Visa Waiver Program and its expansion.

The Visa Waiver Program leaves open both a major gap in our domestic security and a way to exploit our immigration laws. The Strengthening the Visa Waiver Program to Secure America Act would give the Department of Homeland Security, DHS, new tools to secure the Visa Waiver Program, consistent with the recommendations made by the 9/11 Commission.

The bill would set a maximum low visa overstay rate for all visa waiver program countries; require a reevaluation of visa waiver program countries within 1 year; mandate that the administration will lose its authority to continue to expand the program if it does not track 97 percent of those exiting and departing at our airports—based on arrival data, not just departure data; require an audit of the electronic travel authorization system, ESTA; and require current visa waiver countries to report on lost or stolen visas in order to remain in the visa waiver program.

Senator KYL and I have held multiple hearings over the years and time and time again we have expressed concern and requested improvements, but no changes have been forthcoming in how the Department of Homeland Security intends to implement this program.

The hearings and the recent Government Accountability Office report found that the administration is not doing what it should to secure the program. Instead, the Visa Waiver Program has continued to expand without meeting the security needs of our country.

In fact, just today the administration has announced that it has met the deadline for the electronic travel authorization system, ESTA, to be fully operational. However, the GAO report found that ESTA—the one security check for visa waiver travelers prior to arrival at our Nation's airports—has not been implemented effectively by the administration to make it a workable system for the airlines and embassies.

The GAO report also found that the administration is still unable to track who comes in and out of this country. This is especially significant given that the program was recently expanded to countries with high visa overstay rates, bringing the number of participating countries to 35.

This means that for the citizens of 35 countries—including Australia, Singapore, Slovenia, and the United Kingdom—entering the United States is as simple as purchasing an airline ticket and arriving at the airport with a valid passport in hand.

The result is that these travelers not only bypass the interview and individualized security screening process, but they are also lost once they arrive in the U.S. because DHS is only checking when individuals depart at our airports, not if they overstay their visit.

It is estimated that 40 percent of the current undocumented population are people who have overstayed their visas. That means that if there are 12 million