Whereas the average salary of early care and education workers is $18,060 per year, and only ⅓ have health insurance and even fewer have a pension plan;

Whereas the quality of early care and education programs is directly linked to the quality of early childhood educators;

Whereas the turnover rate of early childhood program staff is roughly 30 percent per year, and low wages and lack of benefits, among other factors, make it difficult to retain high quality educators who have the consistent, caring relationships with young children that are important to children's development;

Whereas the compensation of early childhood program staff should be commensurate with the importance of the job of helping the young children of the Nation develop their social, emotional, physical, and intellectual skills, and be ready for school;

Whereas providing adequate compensation to early childhood program staff should be a priority, and resources may be allocated to improve the compensation of early childhood educators to ensure that quality care and education are accessible to all families;

Whereas additional training and education for the child care workforce is critical to ensuring high-quality early learning environments, and whereas child care workers should receive compensation commensurate with such training and experience; and

Whereas the Center for the Child Care Workforce, A Project of the American Federation of Teachers Educational Foundation and other early childhood organizations recognized May 1 as National Child Care Worthy Wage Day: Now, therefore, be it

Resolved, That the Senate—

(1) designates May 1, 2006, as National Child Care Worthy Wage Day, and

(2) calls on the people of the United States to observe National Child Care Worthy Wage Day by honoring early childhood care and education staff and programs in their communities.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3960. Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table.

SA 3961. Mr. CORNYN (for Mr. ISAKSON) proposed an amendment to the bill S. 2611, supra.

SA 3962. Mr. CORNYN (for Mr. KYL (for himself and Mr. CORNYN)) submitted an amendment intended to be proposed by Mr. CORNYN to the bill S. 2611, supra; which was ordered to lie on the table.

SA 3963. Mr. VITTER (for himself, Mr. CHAMBLISS, Mr. GRASSLEY, and Mr. SANTORUM) submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

SA 3964. Mr. VITTER (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

SA 3965. Mr. CORNYN (for himself and Mr. KYL) submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

SA 3966. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

SA 3967. Mr. ALEXANDER submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

SA 3968. Mr. ALLARD submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

SA 3969. Mr. KYL (for himself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

SA 3970. Mr. KYL (for himself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

SA 3971. Mr. OBAMA (for himself, Mrs. FEINSTEIN, and Mr. BINGAMAN) submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

SA 3972. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

SA 3973. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

SA 3974. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

SA 3975. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

SA 3976. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

SA 3977. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

SA 3978. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

SA 3979. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

SA 3980. Mr. BURNS submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

SA 3981. Mr. BINGAMAN (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

SA 3982. Mr. BINGAMAN (for himself and Mr. DOMENICI) submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

SA 3983. Mr. BINGAMAN (for himself and Mr. DOMENICI) submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

SA 3984. Mr. LEVIN (for himself and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

SA 3985. Mr. ENSIGN (for himself, Mr. SANTORUM, and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

SA 3986. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

SA 3987. Mr. GRASSLEY (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

SA 3988. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

SA 3989. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

SA 3990. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

SA 3991. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

SA 3992. Mr. GRASSLEY (for himself and Mr. ALEXANDER) submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

SA 3993. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 2611, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3960. Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE VIII—WARTIME TREATMENT STUDY ACT

SEC. 801. SHORT TITLE.

This title may be cited as the ''Wartime Treatment Study Act''.

SEC. 802. FINDINGS.

Congress makes the following findings:

(1) During World War II, the United States successfully fought the spread of Nazism and fascism by Germany, Italy, and Japan.

(2) Nazi Germany persecuted and engaged in genocide against Jews and certain other groups. By the end of the war, 6,000,000 Jews had perished at the hands of Nazi Germany. United States Government policies, however, restricted entry to the United States to Jewish and other refugees who sought safety from Nazi persecution.

(3) While we were at war, the United States treated the Japanese American, German American, and Italian American communities as suspect.

(4) The United States Government should conduct an independent review to assess fully and acknowledge these actions. Congress has previously reviewed the United States Government's wartime treatment of Japanese Americans through the Commission on Wartime Relocation and Internment of Civilians. An independent review of the treatment of German Americans and Italian Americans and of Jewish refugees fleeing persecution and genocide has not yet been undertaken.

(5) During World War II, the United States Government branded as ''enemy aliens'' more than 600,000 Italian-born and 300,000 German-born United States resident aliens and their families and required them to carry Certificates of Identification, limited their travel, and seized their personal property. At that time, these groups were the two largest foreign-born groups in the United States.

(6) During World War II, the United States Government arrested, interned or otherwise detained thousands of European Americans, some remaining in custody for years after cessation of World War II hostilities, and repatriated, exchanged, or deported European Americans, including American-born children, to hostile, war-torn European Axis nations, many to be exchanged for Americans held in those nations.

(7) Pursuant to a policy coordinated by the United States with Latin American countries, many European Latin Americans, including German and Austrian Jews, were captured, shipped to the United States and interned. Many were later expatriated, repatriated or deported to hostile, war-torn European Axis nations during World War II, most to be exchanged for Americans and Latin Americans held in those nations.

(8) Millions of European Americans served in the armed forces and thousands sacrificed their lives in defense of the United States.

(9) The wartime policies of the United States Government were devastating to the Italian Americans and German American communities, individuals and their families. The detrimental effects are still being experienced.

(10) Prior to and during World War II, the United States restricted the entry of Jewish refugees who were fleeing persecution and sought safety in the United States. During the 1930's and 1940's, the quota system, immigration regulations, visa requirements, and the time required to process visa applications affected the number of Jewish refugees, particularly those from Germany and Austria, who could gain admittance to the United States.

(11) Time is of the essence for the establishment of commissions, because of the increasing danger of destruction and loss of relevant documents, the advanced age of potential witnesses and, most importantly, the advanced age of those affected by the United States Government's policies. Many who suffered have already passed away and will never know of this effort.

SEC. 803. DEFINITIONS.

In this title:

(1) DURING WORLD WAR II.—The term ''during World War II'' refers to the period between September 1, 1939, through December 31, 1948.

(2) EUROPEAN AMERICANS.—

(A) IN GENERAL.—The term ''European Americans'' refers to United States citizens and permanent resident aliens of European ancestry, including Italian Americans, German Americans, Hungarian Americans, Romanian Americans, and Bulgarian Americans.

(B) ITALIAN AMERICANS.—The term ''Italian Americans'' refers to United States citizens and permanent resident aliens of Italian ancestry.

(C) GERMAN AMERICANS.—The term ''German Americans'' refers to United States citizens and permanent resident aliens of German ancestry.

(3) EUROPEAN LATIN AMERICANS.—The term ''European Latin Americans'' refers to persons of European ancestry, including Italian or German ancestry, residing in a Latin American nation during World War II.

CHAPTER 1—COMMISSION ON WARTIME TREATMENT OF EUROPEAN AMERICANS

SEC. 811. ESTABLISHMENT OF COMMISSION ON WARTIME TREATMENT OF EUROPEAN AMERICANS.

(a) IN GENERAL.—There is established the Commission on Wartime Treatment of European Americans (referred to in this chapter as the ''European American Commission'').

(b) MEMBERSHIP.—The European American Commission shall be composed of 7 members, who shall be appointed not later than 90 days after the date of enactment of this Act as follows:

(1) Three members shall be appointed by the President.

(2) Two members shall be appointed by the Speaker of the House of Representatives, in consultation with the minority leader.

(3) Two members shall be appointed by the majority leader of the Senate, in consultation with the minority leader.

(c) TERMS.—The term of office for members shall be for the life of the European American Commission. A vacancy in the European American Commission shall not affect its powers, and shall be filled in the same manner in which the original appointment was made.

(d) REPRESENTATION.—The European American Commission shall include 2 members representing the interests of Italian Americans and 2 members representing the interests of German Americans.

(e) MEETINGS.—The President shall call the first meeting of the European American Commission not later than 120 days after the date of enactment of this Act.

(f) QUORUM.—Four members of the European American Commission shall constitute a quorum, but a lesser number may hold hearings.

(g) CHAIRMAN.—The European American Commission shall elect a Chairman and Vice Chairman from among its members. The term of office of each shall be for the life of the European American Commission.

(h) COMPENSATION.—

(1) IN GENERAL.—Members of the European American Commission shall serve without pay.

(2) REIMBURSEMENT OF EXPENSES.—All members of the European American Commission shall be reimbursed for reasonable travel and subsistence, and other reasonable and necessary expenses incurred by them in the performance of their duties.

SEC. 812. DUTIES OF THE EUROPEAN AMERICAN COMMISSION.

(a) IN GENERAL.—It shall be the duty of the European American Commission to review the United States Government's wartime treatment of European Americans and European Latin Americans as provided in subsection (b).

(b) SCOPE OF REVIEW.—The European American Commission's review shall include the following:

(1) A comprehensive review of the facts and circumstances surrounding United States Government actions during World War II that violated the civil liberties of European Americans and European Latin Americans pursuant to the Alien Enemies Acts (50 U.S.C. 21–24), Presidential Proclamations 2526, 2527, 2655, 2662, Executive Orders 9066 and 9095, and any directive of the United States Government pursuant to such law, proclamations, or executive orders respecting the registration, arrest, exclusion, internment, exchange, or deportment of European Americans and European Latin Americans. This review shall include an assessment of the underlying rationale of the United States Government's decision to develop related programs and policies, the information the United States Government received or acquired suggesting the related programs and policies were necessary, the perceived benefit of enacting such programs and policies, and the immediate and long-term impact of such programs and policies on European Americans and European Latin Americans and their communities.

(2) A review of United States Government action with respect to European Americans pursuant to the Alien Enemies Acts (50 U.S.C. 21–24) and Executive Order 9066 during World War II, including registration requirements, travel and property restrictions, establishment of restricted areas, raids, arrests, internment, exclusion, policies relating to the families and property that excludees and internees were forced to abandon, internee employment by American companies (including a list of such companies and the terms and type of employment), exchange, repatriation, and deportment, and the immediate and long-term effect of such actions, particularly internment, on the lives of those affected. This review shall include a list of all temporary detention and long-term internment facilities.

(3) A brief review of the participation by European Americans in the United States Armed Forces including the participation of European Americans whose families were excluded, interned, repatriated, or exchanged.

(4) A recommendation of appropriate remedies, including how civil liberties can be better protected during war, or an actual, attempted, or threatened invasion or incursion, an assessment of the continued viability of the Alien Enemies Acts (50 U.S.C. 21–24), and public education programs related to the United States Government's wartime treatment of European Americans and European Latin Americans during World War II.

(c) FIELD HEARINGS.—The European American Commission shall hold public hearings in such cities of the United States as it deems appropriate.

(d) REPORT.—The European American Commission shall submit a written report of its findings and recommendations to Congress not later than 18 months after the date of the first meeting called pursuant to section 811(e).

SEC. 813. POWERS OF THE EUROPEAN AMERICAN COMMISSION.

(a) IN GENERAL.—The European American Commission or, on the authorization of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out the provisions of this chapter, hold such hearings and sit and act at such times and places, and request the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandum, papers, and documents as the Commission or such subcommittee or member may deem advisable. The European American Commission may request the Attorney General to invoke the aid of an appropriate United States district court to require, by subpoena or otherwise, such attendance, testimony, or production.

(b) GOVERNMENT INFORMATION AND COOPERATION.—The European American Commission may acquire directly from the head of any department, agency, independent instrumentality, or other authority of the executive branch of the Government, available information that the European American Commission considers useful in the discharge of its duties. All departments, agencies, and independent instrumentalities, or other authorities of the executive branch of the Government shall cooperate with the European American Commission and furnish all information requested by the European American Commission to the extent permitted by law, including information collected as a result of Public Law 96–317 and Public Law 106–451. For purposes of the Privacy Act (5 U.S.C. 552a(b)(9)), the European American Commission shall be deemed to be a committee of jurisdiction.

SEC. 814. ADMINISTRATIVE PROVISIONS.

The European American Commission is authorized to—

(1) appoint and fix the compensation of such personnel as may be necessary, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that the compensation of any employee of the Commission may not exceed a rate equivalent to the rate payable under GS–15 of the General Schedule under section 5332 of such title;

(2) obtain the services of experts and consultants in accordance with the provisions of section 3109 of such title;

(3) obtain the detail of any Federal Government employee, and such detail shall be without reimbursement or interruption or loss of civil service status or privilege;

(4) enter into agreements with the Administrator of General Services for procurement of necessary financial and administrative services, for which payment shall be made by reimbursement from funds of the Commission in such amounts as may be agreed upon by the Chairman of the Commission and the Administrator;

(5) procure supplies, services, and property by contract in accordance with applicable laws and regulations and to the extent or in such amounts as are provided in appropriation Acts; and

(6) enter into contracts with Federal or State agencies, private firms, institutions, and agencies for the conduct of research or surveys, the preparation of reports, and other activities necessary to the discharge of the duties of the Commission, to the extent or in such amounts as are provided in appropriation Acts.

SEC. 815. FUNDING.

Of the amounts authorized to be appropriated to the Department of Justice, $500,000 shall be available to carry out this chapter.

SEC. 816. SUNSET.

The European American Commission shall terminate 60 days after it submits its report to Congress.

CHAPTER 2—COMMISSION ON WARTIME TREATMENT OF JEWISH REFUGEES

SEC. 821. ESTABLISHMENT OF COMMISSION ON WARTIME TREATMENT OF JEWISH REFUGEES.

(a) IN GENERAL.—There is established the Commission on Wartime Treatment of Jewish Refugees (referred to in this chapter as the ''Jewish Refugee Commission'').

(b) MEMBERSHIP.—The Jewish Refugee Commission shall be composed of 7 members, who shall be appointed not later than 90 days after the date of enactment of this Act as follows:

(1) Three members shall be appointed by the President.

(2) Two members shall be appointed by the Speaker of the House of Representatives, in consultation with the minority leader.

(3) Two members shall be appointed by the majority leader of the Senate, in consultation with the minority leader.

(c) TERMS.—The term of office for members shall be for the life of the Jewish Refugee Commission. A vacancy in the Jewish Refugee Commission shall not affect its powers, and shall be filled in the same manner in which the original appointment was made.

(d) REPRESENTATION.—The Jewish Refugee Commission shall include 2 members representing the interests of Jewish refugees.

(e) MEETINGS.—The President shall call the first meeting of the Jewish Refugee Commission not later than 120 days after the date of enactment of this Act.

(f) QUORUM.—Four members of the Jewish Refugee Commission shall constitute a quorum, but a lesser number may hold hearings.

(g) CHAIRMAN.—The Jewish Refugee Commission shall elect a Chairman and Vice Chairman from among its members. The term of office of each shall be for the life of the Jewish Refugee Commission.

(h) COMPENSATION.—

(1) IN GENERAL.—Members of the Jewish Refugee Commission shall serve without pay.

(2) REIMBURSEMENT OF EXPENSES.—All members of the Jewish Refugee Commission shall be reimbursed for reasonable travel and subsistence, and other reasonable and necessary expenses incurred by them in the performance of their duties.

SEC. 822. DUTIES OF THE JEWISH REFUGEE COMMISSION.

(a) IN GENERAL.—It shall be the duty of the Jewish Refugee Commission to review the United States Government's refusal to allow Jewish and other refugees fleeing persecution in Europe entry to the United States as provided in subsection (b).

(b) SCOPE OF REVIEW.—The Jewish Refugee Commission's review shall cover the period between January 1, 1933, through December 31, 1945, and shall include, to the greatest extent practicable, the following:

(1) A review of the United States Government's refusal to allow Jewish and other refugees fleeing persecution and genocide entry to the United States, including a review of the underlying rationale of the United States Government's decision to refuse the Jewish and other refugees entry, the information the United States Government received or acquired suggesting such refusal was necessary, the perceived benefit of such refusal, and the impact of such refusal on the refugees.

(2) A review of Federal refugee policy relating to those fleeing persecution or genocide, including recommendations for making it easier for future victims of persecution or genocide to obtain refuge in the United States.

(c) FIELD HEARINGS.—The Jewish Refugee Commission shall hold public hearings in such cities of the United States as it deems appropriate.

(d) REPORT.—The Jewish Refugee Commission shall submit a written report of its findings and recommendations to Congress not later than 18 months after the date of the first meeting called pursuant to section 821(e).

SEC. 823. POWERS OF THE JEWISH REFUGEE COMMISSION.

(a) IN GENERAL.—The Jewish Refugee Commission or, on the authorization of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out the provisions of this chapter, hold such hearings and sit and act at such times and places, and request the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandum, papers, and documents as the Commission or such subcommittee or member may deem advisable. The Jewish Refugee Commission may request the Attorney General to invoke the aid of an appropriate United States district court to require, by subpoena or otherwise, such attendance, testimony, or production.

(b) GOVERNMENT INFORMATION AND COOPERATION.—The Jewish Refugee Commission may acquire directly from the head of any department, agency, independent instrumentality, or other authority of the executive branch of the Government, available information that the Jewish Refugee Commission considers useful in the discharge of its duties. All departments, agencies, and independent instrumentalities, or other authorities of the executive branch of the Government shall cooperate with the Jewish Refugee Commission and furnish all information requested by the Jewish Refugee Commission to the extent permitted by law, including information collected as a result of Public Law 96–317 and Public Law 106–451. For purposes of the Privacy Act (5 U.S.C. 552a(b)(9)), the Jewish Refugee Commission shall be deemed to be a committee of jurisdiction.

SEC. 824. ADMINISTRATIVE PROVISIONS.

The Jewish Refugee Commission is authorized to—

(1) appoint and fix the compensation of such personnel as may be necessary, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that the compensation of any employee of the Commission may not exceed a rate equivalent to the rate payable under GS–15 of the General Schedule under section 5332 of such title;

(2) obtain the services of experts and consultants in accordance with the provisions of section 3109 of such title;

(3) obtain the detail of any Federal Government employee, and such detail shall be without reimbursement or interruption or loss of civil service status or privilege;

(4) enter into agreements with the Administrator of General Services for procurement of necessary financial and administrative services, for which payment shall be made by reimbursement from funds of the Commission in such amounts as may be agreed upon by the Chairman of the Commission and the Administrator;

(5) procure supplies, services, and property by contract in accordance with applicable laws and regulations and to the extent or in such amounts as are provided in appropriation Acts; and

(6) enter into contracts with Federal or State agencies, private firms, institutions, and agencies for the conduct of research or surveys, the preparation of reports, and other activities necessary to the discharge of the duties of the Commission, to the extent or in such amounts as are provided in appropriation Acts.

SEC. 825. FUNDING.

Of the amounts authorized to be appropriated to the Department of Justice, $500,000 shall be available to carry out this chapter.

SEC. 826. SUNSET.

The Jewish Refugee Commission shall terminate 60 days after it submits its report to Congress.

SA 3961. Mr. CORNYN (for Mr. ISAKSON) proposed an amendment to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; as follows:

On page 53, between lines 14 and 15, insert the following:

SEC. 133. BORDER SECURITY CERTIFICATION.

The Secretary may not implement any program authorized by this Act, or by amendments made under this Act, which grants legal status to any individual, or adjusts the current status of any individual, who enters or entered the United States in violation of Federal law unless the Secretary has submitted a written certification to the President and Congress that the border security measures authorized under Title I and the increases in Federal detention space authorized under section 233 have been fully completed and are fully operational.

SA 3962. Mr. CORNYN (for Mr. KYL (for himself and Mr. CORNYN)) submitted an amendment intended to be proposed by Mr. CORNYN to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 358, line 3, insert ''(other than subparagraph (C)(i)(II))'' after ''(9)''.

On page 359, strike lines 9 through 12, and insert the following:

''(6) INELIGIBILITY.—

''(A) IN GENERAL.—An alien is ineligible for adjustment to lawful permanent resident status under this section if—

''(i) the alien has been ordered removed from the United States—

''(I) for overstaying the period of authorized admission under section 217;

''(II) under section 235 or 238; or

''(III) pursuant to a final order of removal under section 240;

''(ii) the alien failed to depart the United States during the period of a voluntary departure order issued under section 240B;

''(iii) the Secretary of Homeland Security determines that—

''(I) the alien, having been convicted by a final judgment of a serious crime, constitutes a danger to the community of the United States;

''(II) there are reasonable grounds for believing that the alien has committed a serious crime outside the United States prior to the arrival of the alien in the United States; or

''(III) there are reasonable grounds for regarding the alien as a danger to the security of the United States; or

''(iv) the alien has been convicted of a felony or 3 or more misdemeanors.

''(B) EXCEPTION.—Notwithstanding subparagraph (A), an alien who has not been ordered removed from the United States shall remain eligible for adjustment to lawful permanent resident status under this section if the alien's ineligibility under subparagraph (A) is solely related to the alien's—

''(i) entry into the United States without inspection;

''(ii) remaining in the United States beyond the period of authorized admission; or

''(iii) failure to maintain legal status while in the United States.

''(C) WAIVER.—The Secretary may, in the Secretary's sole and unreviewable discretion, waive the application of subparagraph (A) if the alien—

''(i) demonstrates that the alien did not receive notice of removal proceedings in accordance with paragraph (1) or (2) of section 239(a); or

''(ii) establishes that the alien's failure to appear was due to exceptional circumstances beyond the control of the alien, such as serious illness of the alien or serious illness or death of the spouse, child, or parent of the alien.

On page 376, strike lines 13 through 20 and insert the following:

''(4) INELIGIBILITY.—

''(A) IN GENERAL.—The alien is ineligible for Deferred Mandatory Departure status if the alien—

''(i) has been ordered removed from the United States—

''(I) for overstaying the period of authorized admission under section 217;

''(II) under section 235 or 238; or

''(III) pursuant to a final order of removal under section 240;

''(ii) the alien failed to depart the United States during the period of a voluntary departure order issued under section 240B;

''(iii) the Secretary of Homeland Security determines that—

''(I) the alien, having been convicted by a final judgment of a serious crime, constitutes a danger to the community of the United States;

''(II) there are reasonable grounds for believing that the alien has committed a serious crime outside the United States prior to the arrival of the alien in the United States; or

''(III) there are reasonable grounds for regarding the alien as a danger to the security of the United States; or

''(iv) the alien has been convicted of a felony or 3 or more misdemeanors.

''(B) EXCEPTION.—Notwithstanding subparagraph (A), an alien who has not been ordered removed from the United States shall remain eligible for adjustment to lawful permanent resident status under this section if the alien's ineligibility under subparagraph (A) is solely related to the alien's—

''(i) entry into the United States without inspection;

''(ii) remaining in the United States beyond the period of authorized admission; or

''(iii) failure to maintain legal status while in the United States.

''(C) WAIVER.—The Secretary may, in the Secretary's sole and unreviewable discretion, waive the application of subparagraph (A) if the alien—

''(i) demonstrates that the alien did not receive notice of removal proceedings in accordance with paragraph (1) or (2) of section 239(a); or

''(ii) establishes that the alien's failure to appear was due to exceptional circumstances beyond the control of the alien, such as serious illness of the alien or serious illness or death of the spouse, child, or parent of the alien.

SA 3963. Mr. VITTER (for himself, Mr. CHAMBLISS, Mr. GRASSLEY, and Mr. SANTORUM) submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Strike sections 601 through 614.

SA 3964. Mr. VITTER (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 350, strike line 1 and all that follows through ''inference.'' on page 351, line 1, and insert the following:

''(II) OTHER DOCUMENTS.—An alien who is unable to submit a document described in subclause (I) may satisfy the requirement in clause (i) by submitting to the Secretary at least 2 other types of reliable documents that provide evidence of employment for each required period of employment, including—

''(aa) bank records;

''(bb) business records;

''(cc) sworn affidavits from non-relatives who have direct knowledge of the alien's work, including the name, address, and phone number of the affiant, the nature and duration of the relationship between the affiant and the alien, and other verification information; or

''(dd) remittance records.

''(v) BURDEN OF PROOF.—An alien applying for adjustment of status under this subsection has the burden of proving by a preponderance of the evidence that the alien has satisfied the employment requirements in clause (i).

On page 374, line 22, insert after ''work'' the following: '', including the name, address, and phone number of the affiant, the nature and duration of the relationship between the affiant and the alien, and other verification information''

SA 3965. Mr. CORNYN (for himself and Mr. KYL) submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 295, strike lines 14 through 16 and insert the following:

''(B) by the alien, if—

''(i) the alien has maintained such nonimmigrant status in the United States for a continuous period of not less than 4 years;

''(ii) an employer attests that the employer will employ the alien in the offered job position; and

''(iii) the Secretary of Labor determines and certifies that there are not sufficient United States workers who are able, willing, qualified, and available to fill the job position.

SA 3966. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. NULLIFICATION OF EXECUTIVE ORDER AND PROHIBITION OF FUNDS.

(a) NULLIFICATION OF EFFECT OF EXECUTIVE ORDER.—Executive Order 13166, issued August 16, 2000 (65 Fed. Reg. 50121) (relating to improving access to services for persons with limited English proficiency), is null and void and shall have no force or effect.

(b) PROHIBITION AGAINST USE OF FUNDS FOR CERTAIN PURPOSES.—No funds appropriated pursuant to any provision of law may be used to promulgate or enforce any executive order that creates an entitlement to services provided in any language other than English.

SA 3967. Mr. ALEXANDER submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Strike sections 642 and 643.

SA 3968. Mr. ALLARD submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. COMPREHENSIVE METHAMPHETAMINE PLAN.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the President, in coordination with the Secretary of State, the Attorney General, and the Secretary of Homeland Security, shall submit to the Chairman of Committee on the Judiciary of the Senate and the Chairman of the Committee on the Judiciary of the House of Representatives a formal plan that outlines the diplomatic, law enforcement, and other procedures that the Federal Government should implement to reduce the amount of Methamphetamine being trafficked into the United States.

(b) CONTENTS OF PLAN.—The plan under subsection (a) shall, at a minimum, include—

(1) a specific timeline for engaging elected and diplomatic officials in a bilateral process focused on developing a framework to reduce the inflow of Methamphetamine into the United States;

(2) a specific plan to engage the 5 countries who export the most psuedoephedrine, ephedrine, phenylpropanolamine, and other such Methamphetamine precursor chemicals during calendar year preceding the year in which the plan is prepared; and

(3) a specific plan to outline what, if any, additional funding is needed to secure the border, ports of entry, or any other Methamphetamine trafficking windows that are

currently being exploited by Methamphetamine traffickers.

(c) GAO REPORT.—Not later than 100 days after the date of enactment of this Act, the Government Accountability Office shall prepare and submit to the committees of Congress referred to in subsection (a), a report to determine whether the President is in compliance with this section.

SA 3969. Mr. KYL (for himself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 295, strike line 8 and all that follows through page 297, line 2, and insert the following:

''(n) Notwithstanding any other provision of this Act, an alien having nonimmigrant status described in section 101(a)(15)(H)(ii)(c) is ineligible for and may not apply for adjustment of status under this section on the basis of such status.''.

SA 3970. Mr. KYL (for himself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 358, line 3, insert ''(other than subparagraph (C)(i)(II))'' after ''(9)''.

On page 359, strike lines 9 through 12, and insert the following:

''(6) INELIGIBILITY.—

''(A) IN GENERAL.—An alien is ineligible for adjustment to lawful permanent resident status under this section if—

''(i) the alien has been ordered removed from the United States—

''(I) for overstaying the period of authorized admission under section 217;

''(II) under section 235 or 238; or

''(III) pursuant to a final order of removal under section 240;

''(ii) the alien failed to depart the United States during the period of a voluntary departure order issued under section 240B;

''(iii) the Secretary of Homeland Security determines that—

''(I) the alien, having been convicted by a final judgment of a serious crime, constitutes a danger to the community of the United States;

''(II) there are reasonable grounds for believing that the alien has committed a serious crime outside the United States prior to the arrival of the alien in the United States; or

''(III) there are reasonable grounds for regarding the alien as a danger to the security of the United States; or

''(iv) the alien has been convicted of a felony or 3 or more misdemeanors.

''(B) EXCEPTION.—Notwithstanding subparagraph (A), an alien who has not been ordered removed from the United States shall remain eligible for adjustment to lawful permanent resident status under this section if the alien's ineligibility under subparagraph (A) is solely related to the alien's—

''(i) entry into the United States without inspection;

''(ii) remaining in the United States beyond the period of authorized admission; or

''(iii) failure to maintain legal status while in the United States.

''(C) WAIVER.—The Secretary may, in the Secretary's sole and unreviewable discretion, waive the application of subparagraph (A) if the alien—

''(i) demonstrates that the alien did not receive notice of removal proceedings in accordance with paragraph (1) or (2) of section 239(a); or

''(ii) establishes that the alien's failure to appear was due to exceptional circumstances beyond the control of the alien, such as serious illness of the alien or serious illness or death of the spouse, child, or parent of the alien.

On page 376, strike lines 13 through 20 and insert the following:

''(4) INELIGIBILITY.—

''(A) IN GENERAL.—The alien is ineligible for Deferred Mandatory Departure status if the alien—

''(i) has been ordered removed from the United States—

''(I) for overstaying the period of authorized admission under section 217;

''(II) under section 235 or 238; or

''(III) pursuant to a final order of removal under section 240;

''(ii) the alien failed to depart the United States during the period of a voluntary departure order issued under section 240B;

''(iii) the Secretary of Homeland Security determines that—

''(I) the alien, having been convicted by a final judgment of a serious crime, constitutes a danger to the community of the United States;

''(II) there are reasonable grounds for believing that the alien has committed a serious crime outside the United States prior to the arrival of the alien in the United States; or

''(III) there are reasonable grounds for regarding the alien as a danger to the security of the United States; or

''(iv) the alien has been convicted of a felony or 3 or more misdemeanors.

''(B) EXCEPTION.—Notwithstanding subparagraph (A), an alien who has not been ordered removed from the United States shall remain eligible for adjustment to lawful permanent resident status under this section if the alien's ineligibility under subparagraph (A) is solely related to the alien's—

''(i) entry into the United States without inspection;

''(ii) remaining in the United States beyond the period of authorized admission; or

''(iii) failure to maintain legal status while in the United States.

''(C) WAIVER.—The Secretary may, in the Secretary's sole and unreviewable discretion, waive the application of subparagraph (A) if the alien—

''(i) demonstrates that the alien did not receive notice of removal proceedings in accordance with paragraph (1) or (2) of section 239(a); or

''(ii) establishes that the alien's failure to appear was due to exceptional circumstances beyond the control of the alien, such as serious illness of the alien or serious illness or death of the spouse, child, or parent of the alien.

SA 3971. Mr. OBAMA (for himself, Mrs. FEINSTEIN, and Mr. BINGAMAN) submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 266, strike line 13 and all that follows through 267, line 3, and insert the following:

''(C) PREVAILING WAGE LEVEL.—For purposes of subparagraph (A)(ii), the prevailing wage level shall be determined in accordance as follows:

''(i) If the job opportunity is covered by a collective bargaining agreement between a union and the employer, the prevailing wage shall be the wage rate set forth in the collective bargaining agreement.

''(ii) If the job opportunity is not covered by such an agreement and it is in an occupation that is covered by a wage determination under a provision of subchapter IV of chapter 31 of title 40, United States Code, or the Service Contract Act of 1965 (41 U.S.C. 351 et seq.), the prevailing wage level shall be the appropriate statutory wage.

''(iii)(I) If the job opportunity is not covered by such an agreement and it is in an occupation that is not covered by a wage determination under a provision of subchapter IV of chapter 31 of title 40, United States Code, or the Service Contract Act of 1965 (41 U.S.C. 351 et seq.), the prevailing wage level shall be based on published wage data for the occupation from the Bureau of Labor Statistics, including the Occupational Employment Statistics survey, Current Employment Statistics data, National Compensation Survey, and Occupational Employment Projections program. If the Bureau of Labor Statistics does not have wage data applicable to such occupation, the employer may base the prevailing wage level on another wage survey approved by the Secretary of Labor.

''(II) The Secretary shall promulgate regulations applicable to approval of such other wage surveys that require, among other things, that the Bureau of Labor Statistics determine such surveys are statistically viable.

On page 273, line 7, strike ''unskilled and low-skilled workers'' and insert ''workers who have not completed any education beyond a high school diploma''.

On page 273, line 9, strike ''11.0'' and insert ''9.0''.

SA 3972. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 307, strike line 1 and all that follows through page 313, line 22.

SA 3973. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 336, line 4, insert ''and'' after the semicolon at the end.

On page 336, strike line 5 and all that follows through ''(4)'' on line 7, and insert ''(3)''.

On page 336, line 13, strike ''degree.'.'' and insert ''degree; and''.

On page 336, between lines 13 and 14, insert the following:

''(v) an alien who maintains actual residence and place of abode in the alien's country of nationality, who is described in clause (i), except that the alien's actual course of study may involve a distance learning program, for which the alien is temporarily visiting the United States for a period not to exceed 30 days.''.

SA 3974. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. INADMISSIBILITY EXCEPTION FOR ALIENS WHO INVOLUNTARILY PROVIDE MATERIAL SUPPORT TO TERRORIST ORGANIZATIONS.

Section 212(a)(3)(B) (8 U.S.C. 1182(a)(3)(B)) is amended—

(1) in clause (vi)(III), by striking ''not, which'' and inserting ''not, that the Secretary of the State, in consultation with or upon the request of the Attorney General or the Secretary of Homeland Security, has certified''; and

(2) by adding at the end the following:

''(vii) EXCEPTION FOR INVOLUNTARY MATERIAL SUPPORT.—An individual shall not be considered to have provided material support for a terrorist organization or activity under clause (iv)(VI) if the individual establishes, to the satisfaction of the Secretary of State, the Attorney General, or the Secretary of Homeland Security, that such support was involuntary or provided to protect the alien or another person from the use of, or the threat of, unlawful force that a reasonable person in the alien's situation would not have resisted.''.

SA 3975. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 8, between lines 20 and 21, insert the following:

(3) RECRUITMENT OF FORMER MILITARY PERSONNEL.—

(A) IN GENERAL.—The Commissioner of United States Customs and Border Protection, in conjunction with the Secretary of Defense or a designee of the Secretary of Defense, shall establish a program to actively recruit members of the Army, Navy, Air Force, Marine Corps, and Coast Guard who have elected to separate from active duty.

(B) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Commissioner shall submit a report on the implementation of the recruitment program established pursuant to subparagraph (A) to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives.

SA 3976. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 31, between lines 6 and 7, insert the following:

SEC. 115. STUDY AND REPORT ON THE USE OF TECHNOLOGY TO PREVENT UNLAWFUL IMMIGRATION.

(a) STUDY.—The Secretary of Homeland Security shall conduct a study of available technology, including radar animal detection systems, that could be utilized to—

(1) increase the security of the international borders of the United States; and

(2) permit law enforcement officials to detect and prevent illegal immigration.

(b) REPORT.—Not later than 6 months after the date of enactment of this Act, the Secretary of Homeland Security shall submit to Congress a report, which shall include—

(1) the results of the study carried out under subsection (a); and

(2) the recommendations of the Secretary related to the efficacy of the technologies studied.

SA 3977. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. CRIMINAL PENALTIES FOR FORGERY OF FEDERAL DOCUMENTS.

(a) IN GENERAL.—Chapter 25 of title 18, United States Code, is amended by adding at the end the following:

''§ 515. Federal records, documents, and writings, generally

''Any person who—

''(1) falsely makes, alters, forges, or counterfeits any Federal record, Federal document, Federal writing, or record, document, or writing characterizing, or purporting to characterize, official Federal activity, service, contract, obligation, duty, property, or chose;

''(2) utters or publishes as true, or possesses with intent to utter or publish as true, any record, document, or writing described in paragraph (1), knowing, or negligently failing to know, that such record, document, or writing has not been verified, has been inconclusively verified, is unable to be verified, or is false, altered, forged, or counterfeited;

''(3) transmits to, or presents at any office, or to any officer, of the United States, any record, document, or writing described in paragraph (1), knowing, or negligently failing to know, that such record, document, or writing has not been verified, has been inconclusively verified, is unable to be verified, or is false, altered, forged, or counterfeited;

''(4) attempts, or conspires to commit, any of the acts described in paragraphs (1) through (3); or

''(5) while outside of the United States, engages in any of the acts described in paragraphs (1) through (3),

shall be fined under this title, imprisoned not more than 10 years, or both.''.

(b) CLERICAL AMENDMENT.—The table of contents for chapter 25 of title 18, United States Code, is amended by inserting after the item relating to section 514 the following:

''515. Federal records, documents, and writings, generally.''.

SA 3978. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, insert the following:

Subtitle F—National Border Neighborhood Watch Program

SEC. 161. NATIONAL BORDER NEIGHBORHOOD WATCH PROGRAM.

The Commissioner of the Bureau of United States Customs and Border Protection (in this subtitle referred to as the ''Commission'') shall establish a National Border Neighborhood Watch Program (in this subtitle referred to as the ''NBNW Program'') to permit retired law enforcement officers and civilian volunteers to combat illegal immigration into the United States.

SEC. 162. BRAVE FORCE.

(a) ESTABLISHMENT.—There is established in the United States Bureau of Customs and Border Protection (in this subtitle referred to as ''CBP'') a Border Regiment Assisting in Valuable Enforcement Force (referred to in this subtitle as ''BRAVE Force''), which shall consist of retired law enforcement officers, to carry out the NBNW Program.

(b) RETIRED LAW ENFORCEMENT OFFICERS.—In this section, the term ''retired law enforcement officer'' means an individual who—

(1) has retired from employment as a Federal, State, or local law enforcement officer; and

(2) has not reached the Social Security retirement age (as defined in section 216(*l*) of the Social Security Act (42 U.S.C. 416(*l*)).

(c) EFFECT ON PERSONNEL CAPS.—Employees of BRAVE Force hired to carry out the NBNW Program shall be considered as additional agents and shall not count against the CBP personnel limits.

(d) RETIRED ANNUITANTS.—An employee of BRAVE Force who has worked for the Federal Government shall be considered a rehired annuitant and shall have no reduction in annuity as a result of salary payment for such employees' service in the NBNW Program.

SEC. 163. CIVILIAN VOLUNTEERS.

(a) IN GENERAL.—The CBP shall provide the opportunity for civilian volunteers to assist in carrying out the purposes of the NBNW Program.

(b) ORGANIZATION.—Not less than 3 civilian volunteers in the NBNW Program may report to each employee of BRAVE Force.

(c) REPORTING.—A civilian volunteer shall report a violation of Federal immigration law to the appropriate employee of BRAVE Force as soon as possible after observing such violation.

(d) REIMBURSEMENT.—A civilian volunteer participating in the NBNW Program shall be eligible for reimbursement by the CBP for expenses related to carrying out the duties of the NBNW Program.

SEC. 164. LIABILITY OF BRAVE FORCE EMPLOYEES AND CIVILIAN VOLUNTEERS.

(a) CIVILIANS.—A civilian volunteer participating in the NBNW Program shall not be entitled to any immunity from personal liability by virtue of the volunteer's participation in the NBNW Program.

(b) EMPLOYEES.—An employee of the BRAVE Force shall not be liable for the actions of a civilian volunteer participating in the NBNW Program.

SEC. 165. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out this subtitle.

SA 3979. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Strike section 106, and insert the following:

SEC. 106. CONSTRUCTION OF STRATEGIC BORDER FENCING AND VEHICLE BARRIERS.

(a) TUCSON SECTOR.—The Secretary shall—

(1) replace all aged, deteriorating, or damaged primary fencing in the Tucson Sector located proximate to population centers in Douglas, Nogales, Naco, and Lukeville, Arizona with double- or triple-layered fencing running parallel to the international border between the United States and Mexico;

(2) extend the double- or triple-layered fencing for a distance of not less than 2 miles beyond urban areas, except that the double- or triple-layered fence shall extend west of Naco, Arizona, for a distance of 10 miles; and

(3) construct not less than 150 miles of vehicle barriers and all-weather roads in the Tucson Sector running parallel to the international border between the United States and Mexico in areas that are known transit points for illegal cross-border traffic.

(b) YUMA SECTOR.—The Secretary shall—

(1) replace all aged, deteriorating, or damaged primary fencing in the Yuma Sector located proximate to population centers in Yuma, Somerton, and San Luis, Arizona with double- or triple-layered fencing running parallel to the international border between the United States and Mexico;

(2) extend the double- or triple-layered fencing for a distance of not less than 2 miles beyond urban areas in the Yuma Sector; and

(3) construct not less than 50 miles of vehicle barriers and all-weather roads in the Yuma Sector running parallel to the international border between the United States and Mexico in areas that are known transit points for illegal cross-border traffic.

(c) OTHER HIGH TRAFFICKED AREAS.—The Secretary shall construct not less than 370 miles of triple-layered fencing which may include portions already constructed in San Diego, Tucson and Yuma Sectors and 500 miles of vehicle barriers in other areas along the southwest border that the Secretary determines are areas that are most often used by smugglers and illegal aliens attempting to gain illegal entry into the United States.

(d) CONSTRUCTION DEADLINE.—The Secretary shall immediately commence construction of the fencing, barriers, and roads described in subsections (a), (b), and (c) and shall complete such construction not later than 2 years after the date of the enactment of this Act.

(e) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives that describes the progress that has been made in constructing the fencing, barriers, and roads described in subsections (a), (b), and (c).

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

SA 3980. Mr. BURNS submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was other purposes; which was ordered to lie on the table; as follows:

On page 614, after line 5, add the following:

SEC. 766. PREVENTION OF CONGRESSIONAL REAPPORTIONMENT DISTORTIONS.

(a) SHORT TITLE.—This section may be cited as the ''Fair and Accurate Representation Act of 2006''.

(b) FINDINGS.—Congress finds that—

(1) during the years immediately preceding the date of the enactment of this Act, millions of aliens have entered the United States in violation of Federal immigration law and are unlawfully present in the United States and subject to deportation;

(2) the established policy of the Bureau of the Census is to make a concerted effort to count the foreign born population within the United States without making a separate computation for illegal aliens; and

(3) including the millions of illegal aliens in the reapportionment base for the House of Representatives will result in the loss of congressional representation by many States, in violation of the constitutional principle of ''one man, one vote''.

(c) ADJUSTMENTS TO PREVENT DISTORTIONS.—Section 141 of title 13, United States Code, is amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following:

''(g) The Secretary shall make such adjustments in total population figures as may be necessary, using such methods and procedures as the Secretary determines feasible and appropriate, to ensure that aliens who are in the United States in violation of the immigration laws of the United States are not counted in tabulating population under subsection (b) for the purposes of apportionment of Representatives in Congress among the several States. Nothing in this subsection shall be construed to supersede section 195 of this title.''.

(d) CONFORMING AMENDMENT.—Section 22(a) of the Act entitled ''An Act To provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives in Congress'', of June 18, 1929 (2 U.S.C. 2a(a)), is amended by striking ''as ascertained under the seventeenth and each subsequent decennial census of the population'' and inserting ''as ascertained and reported under section 141 of title 13, United States Code, for each decennial census of population''.

SA 3981. Mr. BINGAMAN (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 292, strike line 18 and all that follows through page 295, line 4, and insert the following:

(g) NUMERICAL LIMITATIONS.—Section 214(g)(1) (8 U.S.C. 1184(g)(1)) is amended—

(1) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(2) by adding at the end the following:

''(C) under section 101(a)(15)(H)(ii)(c) may not exceed 200,000.''.

SA 3982. Mr. BINGAMAN (for himself and Mr. DOMENICI) submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 53, between lines 14 and 15, insert the following:

SEC. 133. TEMPORARY ADMITTANCE OF MEXICAN NATIONALS WITH BORDER CROSSING CARDS.

The Secretary shall permit a national of Mexico, who enters the United States with a valid Border Crossing Card (as described in section 212.1(c)(1)(i) of title 8, Code of Federal Regulations, as in effect on the date of the enactment of this Act), and who is admitted to the United States at the Columbus, Santa Teresa, or Antelope Wells port of entry in New Mexico, to remain in New Mexico (within 75 miles of the international border between the United States and Mexico) for a period not to exceed 30 days.

SA 3983. Mr. BINGAMAN (for himself and Mr. DOMENICI) submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 15, between lines 5 and 6, insert the following:

SEC. 107. SOUTHWEST BORDER SECURITY TASK FORCE.

(a) SHORT TITLE.—This section may be cited as the ''Southwest Border Security Task Force Act of 2006''.

(b) SOUTHWEST BORDER SECURITY TASK FORCE PROGRAM.—

(1) ESTABLISHMENT.—The Secretary shall establish a Southwest Border Security Task Force Program to—

(A) facilitate local participation in providing recommendations regarding steps to enhance border security; and

(B) provide financial and other assistance in implementing such recommendations.

(2) NUMBER.—In carrying out the program established under paragraph (1), the Secretary shall establish at least 1 Border Security Task Force (referred to in this section as a ''Task Force'') in each State that is adjacent to the international border between the United States and Mexico.

(3) MEMBERSHIP.—Each Task Force shall include representatives from—

(A) relevant Federal agencies;

(B) State and local law enforcement agencies;

(C) State and local government;

(D) community organizations;

(E) Indian tribes; and

(F) other interested parties.

(4) CHAIRMAN.—Each Task Force shall select a Chairman from among its members.

(5) RECOMMENDATIONS.—Not later than 9 months after the date of the enactment of this Act, and annually thereafter, each Task Force shall submit a report to the Secretary containing—

(A) specific recommendations to enhance border security along the international border between the State in which such Task Force is located and Mexico; and

(B) a request for financial and other resources necessary to implement the recommendations during the subsequent fiscal year.

(c) BORDER SECURITY GRANTS.—

(1) GRANTS AUTHORIZED.—The Secretary shall award a grant to each Task Force submitting a request under subsection (b)(5)(B) to the extent that—

(A) sufficient funds are available; and

(B) the request is consistent with the Nation's comprehensive border security strategy.

(2) MINIMUM AMOUNT.—Not less than 1 Task Force in each of the States adjacent to Mexico shall be eligible to receive a grant under this subsection in an amount not less than $500,000.

(3) REPORT.—Not later than 90 days after the end of each fiscal year for which Federal financial assistance or other resources are received by a Task Force, the Task Force shall submit a report to the Secretary describing the use of such financial assistance or other resources by the Task Force and by the organizations represented by the members of the Task Force.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $10,000,000 for each of fiscal years 2007 through 2011 to carry out this section.

SA 3984. Mr. LEVIN (for himself and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 34, strike lines 3 through 17 and insert the following:

SEC. 122. SECURE COMMUNICATION.

(a) IN GENERAL.—The Secretary shall, as expeditiously as practicable, develop and implement a plan to improve the use of satellite communications and other technologies to ensure clear and secure 2-way communication capabilities—

(1) among all Border Patrol agents conducting operations between ports of entry;

(2) between Border Patrol agents and their respective Border Patrol stations;

(3) between Border Patrol agents and residents in remote areas along the international land borders of the United States; and

(4) between all appropriate border security agencies of the Department and State, local, and tribal law enforcement agencies.

(b) COMMUNICATION SYSTEM GRANTS.—

(1) DEFINITIONS.—In this subsection—

(A) the term ''demonstration project'' means the demonstration project established under paragraph (2)(A); and

(B) the term ''emergency response provider'' has the meaning given that term in section 2(6) the Homeland Security Act of 2002 (6 U.S.C. 101(6)).

(2) IN GENERAL.—

(A) ESTABLISHMENT.—There is established in the Department an International Border Community Interoperable Communications Demonstration Project.

(B) MINIMUM NUMBER OF COMMUNITIES.—The Secretary shall select not fewer than 6 communities to participate in the demonstration project.

(C) LOCATION OF COMMUNITIES.—Not fewer than 3 of the communities selected under subparagraph (B) shall be located on the northern border of the United States and not fewer than 3 of the communities selected under subparagraph (B) shall be located on the southern border of the United States.

(3) PROJECT REQUIREMENTS.—The demonstration project shall—

(A) address the interoperable communications needs of border patrol agents and other Federal officials involved in border security activities, police officers, National Guard personnel, and emergency response providers;

(B) foster interoperable communications—

(i) among Federal, State, local, and tribal government agencies in the United States involved in security and response activities along the international land borders of the United States; and

(ii) with similar agencies in Canada and Mexico;

(C) identify common international cross-border frequencies for communications equipment, including radio or computer messaging equipment;

(D) foster the standardization of interoperable communications equipment;

(E) identify solutions that will facilitate communications interoperability across national borders expeditiously;

(F) ensure that border patrol agents and other Federal officials involved in border security activities, police officers, National Guard personnel, and emergency response providers can communicate with each another and the public at disaster sites or in the event of a terrorist attack or other catastrophic event;

(G) provide training and equipment to enable border patrol agents and other Federal officials involved in border security activities, police officers, National Guard personnel, and emergency response providers to deal with threats and contingencies in a variety of environments; and

(H) identify and secure appropriate joint-use equipment to ensure communications access.

(4) DISTRIBUTION OF FUNDS.—

(A) IN GENERAL.—The Secretary shall distribute funds under this subsection to each community participating in the demonstration project through the State, or States, in which each community is located.

(B) OTHER PARTICIPANTS.—Not later than 60 days after receiving funds under subparagraph (A), a State receiving funds under this subsection shall make the funds available to the local governments and emergency response providers participating in the demonstration project, as selected by the Secretary.

(5) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary in each of fiscal years 2006, 2007, and 2008, to carry out this subsection.

(6) REPORTING.—Not later than December 31, 2006, and each year thereafter in which funds are appropriated for the demonstration project, the Secretary shall provide to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a report on the demonstration project.

SA 3985. Mr. ENSIGN (for himself, Mr. SANTORUM, and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Insert in the appropriate place:

SEC. . PRECLUSION OF SOCIAL SECURITY CREDITS PRIOR TO ENUMERATION.

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

''(d)(1) Except as provided in paragraph (2), 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 Comprehensive Immigration Reform Act of 2006, such quarter of coverage is earned prior to the year in which such social security account number is assigned.

''(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).''.

(b) 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 a new paragraph as follows:

''(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 Comprehensive Immigration Reform Act of 2006, 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).''.

SA 3986. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. OFFICE OF INTERNAL CORRUPTION INVESTIGATION.

(a) INTERNAL CORRUPTION; BENEFITS FRAUD.—Section 453 of the Homeland Security Act of 2002 (6 U.S.C. 273) is amended—

(1) by striking ''the Bureau of'' each place it appears and inserting ''United States'';

(2) in subsection (a)—

(A) by striking paragraph (1) and inserting the following:

''(1) establishing the Office of Internal Corruption Investigation, which shall—

''(A) receive, process, administer, and investigate criminal and noncriminal allegations of misconduct, corruption, and fraud involving any employee or contract worker of United States Citizenship and Immigration Services that are not subject to investigation by the Inspector General for the Department;

''(B) ensure that all complaints alleging any violation described in subparagraph (A) are handled and stored in a manner appropriate to their sensitivity;

''(C) have access to all records, reports, audits, reviews, documents, papers, recommendations, or other material available to United States Citizenship and Immigration Services, which relate to programs and operations for which the Director is responsible under this Act;

''(D) request such information or assistance from any Federal, State, or local government agency as may be necessary for carrying out the duties and responsibilities under this section;

''(E) require the production of all information, documents, reports, answers, records, accounts, papers, and other data and documentary evidence necessary to carry out the functions under this section—

''(i) by subpoena, which shall be enforceable, in the case of contumacy or refusal to obey, by order of any appropriate United States district court; or

''(ii) through procedures other than subpoenas if obtaining documents or information from Federal agencies;

''(F) administer to, or take from, any person an oath, affirmation, or affidavit, as necessary to carry out the functions under this section, which oath, affirmation, or affidavit, if administered or taken by or before an agent of the Office of Internal Corruption Investigation shall have the same force and effect as if administered or taken by or before an officer having a seal;

''(G) investigate criminal allegations and noncriminal misconduct;

''(H) acquire adequate office space, equipment, and supplies as necessary to carry out the functions and responsibilities under this section; and

''(I) be under the direct supervision of the Director.'';

(B) in paragraph (2), by striking ''and'' at the end;

(C) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(4) establishing the Office of Immigration Benefits Fraud Investigation, which shall—

''(A) conduct administrative investigations, including site visits, to address immigration benefit fraud;

''(B) assist United States Citizenship and Immigration Services provide the right benefit to the right person at the right time;

''(C) track, measure, assess, conduct pattern analysis, and report fraud-related data to the Director; and

''(D) work with counterparts in other Federal agencies on matters of mutual interest or information-sharing relating to immigration benefit fraud.''; and

(3) by adding at the end the following:

''(c) ANNUAL REPORT.—The Director, in consultation with the Office of Internal Corruption Investigations, shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives that describes—

''(1) the activities of the Office, including the number of investigations began, completed, pending, turned over to the Inspector General for criminal investigations, and turned over to a United States Attorney for prosecution; and

''(2) the types of allegations investigated by the Office during the 12-month period immediately preceding the submission of the report that relate to the misconduct, corruption, and fraud described in subsection (a)(1).''.

(b) USE OF IMMIGRATION FEES TO COMBAT FRAUD.—Section 286(v)(2)(B) (8 U.S.C. 1356(v)(2)(B)) is amended by adding at the end the following: ''Not less than 20 percent of the funds made available under this subparagraph shall be used for activities and functions described in paragraphs (1) and (4) of section 453(a) of the Homeland Security Act of 2002 (6 U.S.C. 273(a)).''.

SA 3987. Mr. GRASSLEY (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 10, line 11, insert ''autonomous unmanned ground vehicles, '' after ''vehicles,''.

On page 10, line 23, insert ''autonomous unmanned ground vehicles, '' after ''vehicles,''.

SA 3988. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 363, lines 7 and 8, strike '', when such information is requested in writing by such entity''.

SA 3989. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 362, strike line 4 and all that follows through ''(f)'' on page 363, line 13, and insert ''(e)''.

SA 3990. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 353, lines 14 through 17, strike ''The relevant Federal agencies shall work to ensure that such clearances are completed within 90 days of the submission of fingerprints.''.

SA 3991. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 351, strike lines 7 through 22 and insert the following:

''(E) PAYMENT OF INCOME TAXES.—

''(i) IN GENERAL.—Not later than the date on which status is adjusted under this section, the alien establishes the payment of all applicable Federal income tax liability by establishing that—

''(I) no such tax liability exists;

''(II) all outstanding liabilities have been paid; or

''(III) the alien has entered into an agreement for payment of all outstanding liabilities with the Internal Revenue Service.

''(ii) APPLICABLE FEDERAL INCOME TAX LIABILITY.—For purposes of clause (i), the term 'applicable Federal income tax liability' means liability for Federal income taxes owed for any year during the period of employment required by subparagraph (D)(i) for which the statutory period for assessment of any deficiency for such taxes has not expired.

''(iii) IRS COOPERATION.—The Secretary of the Treasury shall establish rules and procedures under which the Commissioner of Internal Revenue shall provide documentation to an alien upon request to establish the payment of all income taxes required by this subparagraph.

On page 411, strike lines 6 through 25 and insert the following:

(D) PAYMENT OF INCOME TAXES.—

(i) IN GENERAL.—Not later than the date on which an alien's status is adjusted under this subsection, the alien shall establish the payment of all applicable Federal income tax liability by establishing that—

(I) no such tax liability exists;

(II) all outstanding liabilities have been paid; or

(III) the alien has entered into an agreement for payment of all outstanding liabilities with the Internal Revenue Service.

(ii) APPLICABLE FEDERAL INCOME TAX LIABILITY.—For purposes of clause (i), the term ''applicable Federal income tax liability'' means liability for Federal income taxes owed for any year during the period of employment required under paragraph (1)(A) for which the statutory period for assessment of any deficiency for such taxes has not expired.

(iii) IRS COOPERATION.—The Secretary of the Treasury shall establish rules and procedures under which the Commissioner of Internal Revenue shall provide documentation to an alien upon request to establish the payment of all income taxes required by this subparagraph.

SA 3992. Mr. GRASSLEY (for himself and Mr. ALEXANDER) submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 295, line 22, strike ''alien—'' and all that follows through page 296, line 5, and insert ''alien meets the requirements under section 312.''.

On page 352, line 3, strike ''alien either—'' and all that follows through line 15, and insert ''alien meets the requirements under section 312.''.

SA 3993. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 2611, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 271 of the amendment, between lines 14 and 15, insert the following:

''(13) AGREEMENT TO COLLECT PERCENTAGE OF WAGES TO OFFSET COST OF EMERGENCY HEALTH SERVICES FURNISHED TO UNINSURED H-2C NONIMMIGRANTS.—The employer shall collect an amount equal to 1.45 percent of the wages paid by the employer to any H-2C nonimmigrant and shall transmit such amount to the Secretary of the Treasury for deposit into the H-2C Nonimmigrant Health Services Trust Fund established under section 404(c) of the Comprehensive Immigration Reform Act of 2006 at such time and in such manner as the Secretary of the Treasury shall determine.

On page 286, before line 10, insert the following:

(c) H-2C NONIMMIGRANT HEALTH SERVICES TRUST FUND.—

(1) CREATION OF TRUST FUND.—There is established in the Treasury of the United States a trust fund to be known as the ''H-2C Nonimmigrant Health Services Trust Fund'', consisting of such amounts as may be appropriated or credited to such Trust Fund as provided in this subsection or under rules similar to the rules of section 9602 of the Internal Revenue Code of 1986.

(2) TRANSFERS TO TRUST FUND.—There are hereby appropriated to the H-2C Nonimmigrant Health Services Trust Fund amounts equivalent to the amounts received by the Secretary of the Treasury as a result of the provisions of section 218B(b)(13) of the Immigration and Nationality Act.

(3) EXPENDITURES FROM TRUST FUND.—Amounts in the H-2C Nonimmigrant Health Services Trust Fund shall be available only for making payments by the Secretary of Health and Human Services out of the State allotments established in accordance with paragraph (4) directly to eligible providers for the provision of eligible services to H-2C nonimmigrants to the extent that the eligible provider was not otherwise reimbursed (through insurance or otherwise) for such services, as determined by such Secretary. Such payments shall be made under rules similar to the rules for making payments to eligible providers under section 1011 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (42 U.S.C. 1395dd).

(4) STATE ALLOTMENTS.—Not later than January 1 of each year, the Secretary of Health and Human Services shall establish an allotment for each State equal to the product of—

(A) the total amount the Secretary of the Treasury notifies the Secretary of Health and Human Services was appropriated or credited to the H-2C Nonimmigrant Health Services Trust Fund during the preceding year; and

(B) the number of H-2C nonimmigrants employed in the State during such preceding year (as determined by the Secretary of Labor).

(5) DEFINITIONS.—In this subsection:

(A) ELIGIBLE PROVIDER; ELIGIBLE SERVICES.—The terms ''eligible provider'' and ''eligible services'' have the meanings given those terms in section 1011(e) of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (42 U.S.C. 1395dd).

(B) H-2C NONIMMIGRANT.—The term ''H-2C nonimmigrant'' has the meaning given that term in section 218A(n)(7) of the Immigration and Nationality Act.

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

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

The hearing will be held on May 22, 2006 at 2:30 p.m. in room SD–366 of the Dirksen Building.

The purpose of the hearing is to receive testimony regarding nuclear power provisions contained in the Energy Policy Act of 2005.

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.

For further information, please contact Clint Williamson or Steve Waskiewicz.