We need to start disposing of them in an expedited fashion if we are to move on to passage of the bill next week. I look forward to working with the majority leader toward that end.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

FAIR MINIMUM WAGE ACT OF 2007

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 2, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2) to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage.

Pending:

Reid (for Baucus) amendment No. 100, in the nature of a substitute.

McConnell (for Gregg) amendment No. 101 (to amendment No. 100), to provide Congress a second look at wasteful spending by establishing enhanced rescission authority under fast-track procedures.

Kyl amendment No. 115 (to amendment No. 100), to extend through December 31, 2008, the depreciation treatment of leasehold, restaurant, and retail space improvements.

Bunning amendment No. 119 (to amendment No. 100), to amend the Internal Revenue Code of 1986 to repeal the 1993 income tax increase on Social Security benefits.

Enzi (for Ensign/Inhofe) amendment No. 152 (to amendment No. 100), to reduce document fraud, prevent identity theft, and preserve the integrity of the Social Security system.

Enzi (for Ensign) amendment No. 153 (to amendment No. 100), to preserve and protect Social Security benefits of American workers, including those making minimum wage, and to help ensure greater Congressional oversight of the Social Security system by requiring that both Houses of Congress approve a totalization agreement before the agreement, giving foreign workers Social Security benefits, can go into effect.

Enzi (for Ensign) amendment No. 154 (to amendment No. 100), to improve access to affordable health care.

Smith amendment No. 113 (to amendment No. 100), to make permanent certain education-related tax incentives.

Vitter/Voinovich amendment No. 110 (to amendment No. 100), to amend title 44 of the United States Code, to provide for the suspension of fines under certain circumstances for first-time paperwork violations by small business concerns.

DeMint amendment No. 155 (to amendment No. 100), to amend the Public Health Service Act to provide for cooperative governing of individual health insurance coverage offered in interstate commerce, and to amend the Internal Revenue Code of 1986 regarding the disposition of unused health benefits in cafeteria plans and flexible spending arrangements and the use of health savings accounts for the payment of health insurance premiums for high deductible health plans purchased in the individual market.

DeMint amendment No. 156 (to amendment No. 100), to amend the Internal Revenue Code of 1986 regarding the disposition of unused health benefits in cafeteria plans and flexible spending arrangements.

DeMint amendment No. 157 (to amendment No. 100), to increase the Federal minimum wage by an amount that is based on applicable State minimum wages.

DeMint amendment No. 158 (to the language proposed to be stricken by amendment No. 100), to increase the Federal minimum wage by an amount that is based on applicable State minimum wages.

DeMint amendment No. 159 (to amendment No. 100), to protect individuals from having their money involuntarily collected and used for lobbying by a labor organization.

DeMint amendment No. 160 (to amendment No. 100), to amend the Internal Revenue Code of 1986 to allow certain small businesses to defer payment of tax.

DeMint amendment No. 161 (to amendment No. 100), to prohibit the use of flexible schedules by Federal employees unless such flexible schedule benefits are made available to private sector employees not later than 1 year after the date of enactment of the Fair Minimum Wage Act of 2007.

DeMint amendment No. 162 (to amendment No. 100), to amend the Fair Labor Standards Act of 1938 regarding the minimum wage.

Kennedy (for Kerry) amendment No. 128 (to amendment No. 100), to direct the Administrator of the Small Business Administration to establish a pilot program to provide regulatory compliance assistance to small business concerns.

AMENDMENT NO. 158

The ACTING PRESIDENT pro tempore. Under the previous order, there will be a 1-hour time limit for debate prior to a vote in relation to amendment No. 158, with the time equally divided between the Senator from Massachusetts, Mr. KENNEDY, and the Senator from South Carolina, Mr. DEMINT.

Who yields time?

Mr. KENNEDY. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time be charged equally to both sides.

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

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. ENZI. Mr. President, I yield to the Senator from South Carolina such time as he might consume.

The ACTING PRESIDENT pro tempore. The Senator from South Carolina controls the time.

Mr. DEMINT. I thank the Chair.

Well, here we are again. A couple of weeks ago, we were here in the Senate Chamber talking about the need to have full disclosure of earmarks—pet projects that are added into bills, only to find that the underlying bill only disclosed about 5 percent of all the earmarks. After a lot of procedural maneuvering and give-and-take, fortunately, Republicans and Democrats came together and realized that if we are going to do this—tell the American people we are going to disclose earmarks—then we should do it, and we should do it for all earmarks, and we should be open and honest about what we do. Fortunately, we fixed that problem. But here we are again today.

Now we are talking about raising the minimum wage for American workers. We have had passionate pleas, which are warranted. There are too many people in this country who don't make a livable wage. We, as Senators, Congressmen, and as Americans, should do everything we can to help people earn a livable wage and better.

There have been a lot of passionate speeches on the floor about, What do we do with a single mom with two kids working at the minimum wage? How can they possibly get by? It is true. It is very true. But as we look at this minimum wage bill and as we look out on America and promise to give every minimum wage worker a raise, we find that, if you really look at the bill, less than half of the workers who are working at the minimum wage will receive a $2.10 increase. Many will receive nothing at all. So the amendment I have introduced is one that would give 100 percent of Americans working at the minimum wage a raise because that is, in effect, what we are promising as we debate on the floor. This amendment is called minimum fairness for workers. That is what it is all about. The idea is that every American working at minimum wage will receive a $2.10 increase as we have promised.

It is important to realize that America is very diverse and different. States have very different costs of living. As we look across the country, there are many States that have a much higher than average cost of living, and some have a much lower cost of living. Actually, more than half of the States in this country—29—have passed a minimum wage that is higher than the $5.15 national Federal minimum wage.

We see, if you look at Massachusetts, for instance—the State of Senator KENNEDY, who has been a great defender of the minimum wage and the average worker, which I commend him on—it is one of the higher cost of living States in this country. They have raised their minimum wage to $7.50. I think we would all agree that a single mom with two children living in Boston, MA, making $7.50 an hour is not making a livable wage. The fact is, that same family living in South Carolina and making $5.15 an hour is doing better than those who are making $7.50 in Massachusetts because of the cost of living. Many of the Southern States have a lower average cost of living—cost of an apartment, cost of food, and cost of transportation and taxes; it is much lower. So many States across the country have looked at their cost of living and have raised their minimum wage higher than the national average because of that cost of living.

As we look at raising the national minimum wage again—and we know it has been years since we have done that—we need to realize that the cost of living across this country is different. I commend States such as Massachusetts that have recognized that and passed a minimum wage that is higher than the national average. But