

notice that we are anxiously awaiting this report so we may continue our quest to reform the program appropriately. In the meantime, the bill Senator DURBIN and I introduced includes measures to rein in the abuse. It goes a long ways to close some loopholes to protect American workers. It is our hope that these measures will bring the program back to its original mission; that is, to help U.S.-based companies find highly skilled workers to fill the shortage for a temporary period of time. That is what the H-1B visa program is all about.

Under current law, companies can bring in foreign workers on an H-1B visa without first attempting to hire an American. Our bill would require every employer to attest that it is not displacing a U.S. worker by hiring an H-1B visa holder and that the employer has taken good-faith steps to recruit U.S. workers for the jobs in which an H-1B visa holder is being sought. Why would anyone oppose this measure? Our bill also gives more oversight and investigative authority to the Department of Labor. Right now the Department may only review labor certification for "clear indication of fraud and misrepresentation." The Secretary of Labor is unable to review applications for anything but what the law calls incompleteness and cannot initiate an investigation unless requested. This means the Labor Department in effect is required to turn a blind eye to information that is suspicious.

To remedy this problem, our bill provides the Department of Labor the ability to initiate an investigation on its own and gives the Department of Labor more time to review applications. The Department could also do random audits of any company that uses the program. Aside from these measures, our bill would prohibit employers to only advertise available jobs to H-1B visa holders. It would encourage information sharing between the Department of Labor and the Department of Homeland Security. It would double the penalties for employer non-compliance with the H-1B program requirements.

I am happy to report that most of these commonsense solutions were included in the immigration bill. I challenge any of my colleagues to oppose these needed reforms before we talk about increasing the number of H-1B visas or at the very least in conjunction with that process.

Today I take the floor to tell my colleagues that I am willing to work on this issue before the end of the year. I know businesses want more visas. I know groups that represent workers and visa holders want reforms. I know the American people want a sensible system in place that gives their children a chance at these highly skilled jobs. Some of my colleagues think the solution is increasing the annual cap on H-1B visas and doing nothing else. Before we agree to import more foreign workers, let's restore integrity in this

H-1B program. The system needs a makeover. I am willing to consider an increase in the H-1B visa supply, but only if reforms are included. We must fix the loopholes before we just allow more foreign workers to come in and take jobs that Americans want to do. I would think my colleagues would want this program to work as it was intended by its original authors. My colleagues should want to protect the jobs of our various constituencies and help our businesses find the workers they truly need.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that there now be a period of morning business, with Senators permitted to speak therein for up to 15 minutes each.

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

The Senator from Rhode Island. (The remarks of Mr. WHITEHOUSE pertaining to the introduction of S. 2305 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

CHANGES TO S. CON. RES. 21

Mr. CONRAD. Mr. President, section 307 of S. Con. Res. 21, the 2008 budget resolution, permits the chairman of the Senate Budget Committee to revise the allocations, aggregates, and other appropriate levels for legislation, including one or more bills and amendments, that reauthorizes the 2002 farm bill or similar or related programs, provides for revenue changes, or any combination thereof. Section 307 authorizes the revisions provided that certain conditions are met, including that amounts provided in the legislation for the above purposes not exceed \$20 billion over the period of fiscal years 2007 through 2012 and that the legislation not worsen the deficit over the period of the total of fiscal years 2007 through 2012 or the period of the total of fiscal years 2007 through 2017.

The Senate is considering an amendment in the nature of a substitute to H.R. 2419 that consolidates the following: S. 2302, the Food and Energy Security Act of 2007, which was reported by the Senate Committee on Agriculture, Nutrition, and Forestry on November 2, 2007; S. 2242, the Heartland, Habitat, Harvest, and Horticulture Act of 2007, which was reported by the Senate Committee on Finance on October 25, 2007; and a number of technical and other corrections made

to both bills. I find that the consolidated legislation satisfies the conditions of the deficit-neutral reserve fund for the farm bill. I am pleased to report to the Senate that this legislation is fully paid for over both the 2007 through 2012 time period and the 2007 through 2017 time period. Therefore, pursuant to section 307, I am adjusting the aggregates in the 2008 budget resolution, as well as the allocation provided to the Senate Committee on Agriculture, Nutrition, and Forestry.

I ask unanimous consent to have the following revisions to S. Con. Res. 21 printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2008—S. CON. RES. 21; REVISIONS TO THE CONFERENCE AGREEMENT PURSUANT TO SECTION 307 DEFICIT-NEUTRAL RESERVE FUND FOR THE FARM BILL

(In billions of dollars)

| | |
|------------------------------------|-----------|
| Section 101 | |
| (1)(A) Federal Revenues: | |
| FY 2007 | 1,900.340 |
| FY 2008 | 2,024.835 |
| FY 2009 | 2,121.607 |
| FY 2010 | 2,176.229 |
| FY 2011 | 2,357.094 |
| FY 2012 | 2,498.971 |
| (1)(B) Change in Federal Revenues: | |
| FY 2007 | - 4.366 |
| FY 2008 | -25.961 |
| FY 2009 | 14.681 |
| FY 2010 | 12.508 |
| FY 2011 | -37.456 |
| FY 2012 | -98.125 |
| (2) New Budget Authority: | |
| FY 2007 | 2,371.470 |
| FY 2008 | 2,508.833 |
| FY 2009 | 2,526.124 |
| FY 2010 | 2,581.369 |
| FY 2011 | 2,696.797 |
| FY 2012 | 2,737.578 |
| (3) Budget Outlays: | |
| FY 2007 | 2,294.862 |
| FY 2008 | 2,471.548 |
| FY 2009 | 2,573.005 |
| FY 2010 | 2,609.873 |
| FY 2011 | 2,702.839 |
| FY 2012 | 2,716.392 |

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2008—S. CON. RES. 21; REVISIONS TO THE CONFERENCE AGREEMENT PURSUANT TO SECTION 307 DEFICIT-NEUTRAL RESERVE FUND FOR THE FARM BILL

(In millions of dollars)

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| Current Allocation to Senate Agriculture, Nutrition, and Forestry Committee: | |
| FY 2007 Budget Authority | 14,284 |
| FY 2007 Outlays | 14,056 |
| FY 2008 Budget Authority | 13,464 |
| FY 2008 Outlays | 12,939 |
| FY 2008-2012 Budget Authority | 67,878 |
| FY 2008-2012 Outlays | 65,557 |
| Adjustments: | |
| FY 2007 Budget Authority | 0 |
| FY 2007 Outlays | 0 |
| FY 2008 Budget Authority | 3,624 |
| FY 2008 Outlays | 1,690 |
| FY 2008-2012 Budget Authority | 9,003 |
| FY 2008-2012 Outlays | 5,492 |
| Revised Allocation to Senate Agriculture, Nutrition, and Forestry Committee: | |
| FY 2007 Budget Authority | 14,284 |
| FY 2007 Outlays | 14,056 |
| FY 2008 Budget Authority | 17,088 |
| FY 2008 Outlays | 14,629 |
| FY 2008-2012 Budget Authority | 76,881 |
| FY 2008-2012 Outlays | 71,049 |