

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S505–S559

Measures Introduced: Seven bills and two resolutions were introduced, as follows: S. 2582–2588, and S. Res. 439–440. **Page S543**

Measures Considered:

Recovery Rebates and Economic Stimulus for the American People Act: Senate began consideration of the motion to proceed to consideration of H.R. 5140, to provide economic stimulus through recovery rebates to individuals, incentives for business investment, and an increase in conforming and FHA loan limits. **Page S530**

A motion was entered to close further debate on the motion to proceed to consideration of the bill, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Thursday, January 31, 2008, a vote on cloture will occur at 5:30 p.m., on Monday, February 4, 2008. **Page S530**

Subsequently, the motion to proceed was withdrawn. **Page S530**

FISA Amendments Act: Senate resumed consideration of S. 2248, to amend the Foreign Intelligence Surveillance Act of 1978, to modernize and streamline the provisions of that Act. **Pages S535–37**

Adopted:

Feingold Modified Amendment No. 3909 (to Amendment No. 3911), to require that certain records be submitted to Congress. **Page S536**

Whitehouse Modified Amendment No. 3932 (to Amendment No. 3911), to provide for implementation of an order pending appeal. **Page S536**

Reid (for Kennedy) Modified Amendment No. 3960 (to Amendment No. 3911), to clarify that the authority under title VII of the Foreign Intelligence Surveillance Act of 1978 does not extend to purely domestic communications. **Pages S536–37**

Reid (for Bond) Amendment No. 3945 (to Amendment No. 3911), to strike the time limitation for certain appeals. **Page S537**

Withdrawn:

Bond Amendment No. 3916 (to Amendment No. 3909), of a perfecting nature. **Page S536**

Reid Amendment No. 3918 (to the language proposed to be stricken by Rockefeller/Bond Amendment No. 3911), relative to the extension of the Protect America Act of 2007. **Page S536**

Pending:

Rockefeller/Bond Amendment No. 3911, in the nature of a substitute. **Page S535**

A unanimous-consent agreement was reached providing that the following be the only first-degree amendments remaining in order to the bill, with no second-degree amendments in order prior to a vote, except as specified in this agreement, and that any time for debate with respect to the amendments be equally divided and controlled in the usual form; provided further, that these amendments be subject to a majority vote threshold, with a motion to table any of these amendments in order:

Bond Modified Amendment No. 3941 (20 minutes)

Bond Modified Amendment No. 3938 (20 minutes),

Dodd/Feingold Amendment No. 3907 (120 minutes),

Specter/Whitehouse Amendment No. 3927 (120 minutes),

Feingold Amendment No. 3913 (40 minutes),

Feingold Amendment No. 3912 (40 minutes),

Feingold Amendment No. 3915 (40 minutes),

Feingold/Webb Amendment regarding sequestration (90 minutes); providing further, that the following amendments be subject to a 60 affirmative vote threshold and that if it does not achieve that threshold the amendment be withdrawn:

Feinstein Amendment No. 3919 (120 minutes),

Cardin Amendment No. 3930 (60 minutes),

Whitehouse Amendment No. 3920 (60 minutes),

Feinstein Amendment No. 3910, with modifications if agreed upon (90 minutes); providing further, that upon disposition of all amendments, Rockefeller/Bond Amendment No. 3911 (listed above), as amended, be agreed to, the bill be read a third time,

and Senate then vote on the motion to invoke cloture thereon; that upon passage of the bill Senate then begin consideration of H.R. 3773, RESTORE Act, and all after the enacting clause be stricken and the text of S. 2248, as amended, be inserted in lieu thereof, the bill be advanced to third reading, passed, and the motion to reconsider be laid on upon the table; providing further, that passage of S. 2248 be vitiated and the bill then be returned to the Senate calendar. **Page S536**

A unanimous-consent agreement was reached providing that Senate resume consideration of the bill at approximately 2 p.m., on Monday, February 4, 2008. **Page S559**

House Messages:

Military Reservist and Veteran Small Business Reauthorization and Opportunity Act: Senate concurred in the amendment of the House to the Senate amendment to H.R. 4253, to improve and expand small business assistance programs for veterans of the armed forces and military reservists. **Pages S555–59**

Appointments:

U.S.-Japan Interparliamentary Group: The Chair, on behalf of the Vice President, pursuant to Section 5 of Title I of Divisions H of Public Law 110–161, appointed the following Senator as Chairman of the U.S.-Japan Interparliamentary Group conference for the 110th Congress: Senator Inouye. **Page S559**

Messages from the House: **Page S541**

Measures Referred: **Page S541**

Petitions and Memorials: **Pages S541–42**

Executive Reports of Committees: **Pages S542–43**

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Statements on Introduced Bills/Resolutions: **Pages S544–51**

Additional Statements: **Pages S540–41**

Amendments Submitted: **Pages S551–55**

Notices of Hearings/Meetings: **Page S555**

Authorities for Committees to Meet: **Page S555**

Privileges of the Floor: **Page S555**

Adjournment: Senate convened at 11 a.m. and adjourned at 8:20 p.m., until 2 p.m. on Monday, February 4, 2008. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S559.)

Committee Meetings

(Committees not listed did not meet)

MILITARY RECRUITING

Committee on Armed Services: Subcommittee on Personnel concluded an oversight hearing to examine military recruiting, after receiving testimony from Major General Thomas P. Bostick, USA, Commanding General, U.S. Army Recruiting Command, Rear Admiral Joseph F. Kilkenny, USN, Commander, Navy Recruiting Command, Brigadier General Suzanne M. Vautrinot, USAF, Commander, Air Force Recruiting Service, Major General Richard T. Tryon, USMC, Commanding General, Marine Corps Recruiting Command, and Sergeant First Class Ricky Lee Webb, USA, Master Chief Petty Officer Travis P. Brummer, USN, Master Sergeant David B. White, USAF, and Staff Sergeant James M. Britton, USMC, all Active Duty Recruiters, all of the Department of Defense.

FORECLOSURE PREVENTION AND NEIGHBORHOOD PRESERVATION

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine strengthening our economy, focusing on foreclosure prevention and neighborhood preservation, after receiving testimony from Sheila C. Bair, Chairman, Federal Deposit Insurance Corporation; Robert K. Steel, Under Secretary of the Treasury for Domestic Finance; Michael S. Barr, Center for American Progress, Ann Arbor, Michigan; Alex J. Pollock, American Enterprise Institute, and Wade Henderson, Leadership Conference on Civil Rights, both of Washington, D.C.; and Doris W. Koo, Enterprise Community Partners, Inc., Seattle, Washington.

HEALTH CARE SPENDING

Committee on the Budget: Committee concluded a hearing to examine the long-term federal budget outlook and sources of growth in health care spending, after receiving testimony from Peter R. Orszag, Director, Congressional Budget Office.

PIPELINES AND CARBON CAPTURE

Committee on Energy and Natural Resources: Committee concluded a hearing to examine S. 2323, to provide for the conduct of carbon capture and storage technology research, development, and demonstration projects, and S. 2144, to require the Secretary of Energy to conduct a study of feasibility relating to the construction and operation of pipelines and carbon dioxide sequestration facilities, after receiving testimony from Senators Kerry and Coleman; Joseph T. Kelliher, Chairman, Federal Energy Regulatory

Commission, Benjamin H. Grumbles, Assistant Administrator for Water, Environmental Protection Agency; James Slutz, Acting Principal Deputy Assistant Secretary of Energy for Fossil Energy; Krista L. Edwards, Deputy Administrator, Pipeline and Hazardous Materials Safety Administration, Department of Transportation; C. Stephen Allred, Assistant Secretary of the Interior for Land and Minerals Management; Lawrence E. Bengal, Arkansas Oil and Gas Commission, Little Rock, on behalf of the Interstate Oil and Gas Compact Commission Task Force on Carbon Capture and Geologic Storage; Ronald T. Evans, Denbury Resources, Inc., Plano, Texas; and Scott Anderson, Environmental Defense, Austin, Texas.

NATIONAL SURFACE TRANSPORTATION POLICY AND REVENUE STUDY COMMISSION

Committee on Environment and Public Works: Committee concluded a hearing to examine a report of the National Surface Transportation Policy and Revenue Study Commission, after receiving testimony from Frank Busalacchi, Wisconsin Department of Transportation, Madison; Jack L. Schenendorf, Covington and Burling LLP, Washington, D.C.; Matthew K. Rose, BNSF Railway Company, Fort Worth, Texas; and Tom Skancke, Skancke Company, Las Vegas, Nevada.

AFGHANISTAN

Committee on Foreign Relations: Committee concluded a hearing to examine the counternarcotics strategy and police training for Afghanistan, after receiving testimony from Richard A. Boucher, Assistant Secretary for South and Central Asian Affairs, David T. Johnson, Assistant Secretary for International Narcotics and Law Enforcement Affairs, Thomas R. Pickering, former Under Secretary for Political Affairs, and Richard Holbrooke, former U.S. Permanent Representative to the United Nations, all of the Department of State; and General James L. Jones, Jr., USMC (Ret.), former Commander, European Command and Supreme Allied Commander Europe, Department of Defense.

ELIMINATING AGENCY PAYMENT ERRORS

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Manage-

ment, Government Information, Federal Services, and International Security concluded a hearing to examine eliminating agency payment errors, after receiving testimony from McCoy Williams, Managing Director, Financial Management and Assurance, Government Accountability Office; Daniel I. Werfel, Acting Controller, Office of Management and Budget; Charles R. Christopherson, Jr., Chief Financial Officer, Department of Agriculture; Anthony J. Dale, Managing Director, Federal Communications Commission; Charles E. Johnson, Assistant Secretary of Health and Human Services for Resources and Technology and Chief Financial Officer; and David A. Rust, Acting Deputy Commissioner for Disability and Income Security Programs, Social Security Administration.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following:

S. 1638, to adjust the salaries of Federal justices and judges, with amendments;

S. 2450, to amend the Federal Rules of Evidence to address the waiver of the attorney-client privilege and the work product doctrine; and

The nominations of Mark R. Filip, of Illinois, to be Deputy Attorney General, Ondray T. Harris, of Virginia, to be Director, Community Relations Service, and David W. Hagy, of Texas, to be Director of the National Institute of Justice, all of the Department of Justice.

ELDERLY VOTERS

Special Committee on Aging: Committee concluded a hearing to examine elderly voters, focusing on opportunities and challenges for the 2008 election, after receiving testimony from Barbara D. Bovbjerg, Director, Education, Workforce, and Income Security, Government Accountability Office; Deb Markowitz, Vermont Secretary of State, Montpelier; Michael E. Waterstone, Loyola Law School, Los Angeles, California; Jason Karlawish, University of Pennsylvania Department of Medicine, Philadelphia; and Wendy R. Weiser, New York University School of Law Brennan Center for Justice, New York.

House of Representatives

Chamber Action

The House was not in session today. The House is scheduled to meet at 2 p.m. on Wednesday, February 6, 2008, pursuant to the provisions of H. Con. Res. 279.

Committee Meetings

No committee meetings were held.

COMMITTEE MEETINGS FOR FRIDAY, FEBRUARY 1, 2008

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

No committee meetings were scheduled.

Joint Meetings

Joint Economic Committee: to hold hearings to examine the current economic outlook, 9:30 a.m., SD-106.

CONGRESSIONAL PROGRAM AHEAD

Week of February 4 through February 9, 2008

Senate Chamber

On *Monday*, at 2 p.m., Senate will resume consideration of S. 2248, FISA Amendments Act.

At 5:30 p.m., Senate will vote on the motion to invoke cloture on the motion to proceed to consideration of H.R. 5140, Recovery Rebates and Economic Stimulus for the American People Act.

During the balance of the week, Senate may consider any cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Armed Services: February 6, to hold hearings to examine the defense authorization request for fiscal year 2009, the future years defense program, and for operations in Iraq and Afghanistan, 9:30 a.m., SD-106.

February 7, Full Committee, to hold hearings to examine the final report of the Commission on the National Guard and Reserves, 9:30 a.m., SD-106.

February 7, Subcommittee on Readiness and Management Support, to hold hearings to examine business transformation and financial management at the Department of Defense, 2:30 p.m., SR-222.

Committee on Banking, Housing, and Urban Affairs: February 7, to hold hearings to examine ways to reform the

regulation of government sponsored enterprises, 10 a.m., SD-538.

Committee on the Budget: February 5, to hold hearings to examine the President's proposed budget for fiscal year 2009, 10 a.m., SD-608.

February 6, Full Committee, to hold hearings to examine the President's Fiscal Year 2009 budget and revenue proposals, 10 a.m., SD-608.

Committee on Commerce, Science, and Transportation: February 7, to hold hearings to examine the nominations of Robert A. Sturgell, of Maryland, to be Administrator of the Federal Aviation Administration, and Simon Charles Gros, of New Jersey, to be an Assistant Secretary, both of the Department of Transportation, 10 a.m., SR-253.

Committee on Energy and Natural Resources: February 6, to hold hearings to examine the President's proposed budget estimates for fiscal year 2009 for the Department of Energy, 10 a.m., SD-366.

February 7, Full Committee, to hold an oversight hearing to examine the energy market effects of the recently-passed renewable fuel standard, 9:30 a.m., SD-366.

Committee on Environment and Public Works: February 6, to hold hearings to examine perspectives on the Surface Transportation Commission report, 10 a.m., SD-406.

Committee on Finance: February 5, to hold hearings to examine the President's proposed budget for fiscal year 2009, 10 a.m., SD-215.

February 6, Full Committee, to hold hearings to examine the President's proposed budget for fiscal year 2009, 10 a.m., SD-215.

February 7, Full Committee, to hold hearings to examine selling to seniors, focusing on the need for accountability and oversight of marketing and sales by Medicare private plans, 10 a.m., SD-215.

Committee on Foreign Relations: February 6, to hold hearings to examine the Six Party Talks for the denuclearization of the Korean Peninsula, 9:30 a.m., SD-419.

February 6, Full Committee, to hold hearings to examine the nominations of Margaret Scobey, of Tennessee, to be Ambassador to the Arab Republic of Egypt, James Francis Moriarty, of Massachusetts, to be Ambassador to the People's Republic of Bangladesh, and Deborah K. Jones, of New Mexico, to be Ambassador to the State of Kuwait, all of the Department of State, 1 p.m., SD-419.

February 6, Full Committee, to receive a closed briefing on Sudan, 3 p.m., S-116, Capitol.

February 7, Subcommittee on African Affairs, to hold hearings to examine the immediate and underlying causes and consequences of Kenya's flawed election, 9:30 a.m., SD-419.

Committee on Health, Education, Labor, and Pensions: February 7, to hold hearings to examine weathering the economic storm, focusing on helping working families in troubling times, 10 a.m., SD-430.

Committee on Indian Affairs: February 7, to hold hearings to examine the nomination of Robert G. McSwain, of Maryland, to be Director of the Indian Health Service,

Department of Health and Human Services, 9:30 a.m., SD-628.

Committee on the Judiciary: February 7, to hold hearings to examine the Founding Fathers papers, focusing on ensuring public access to our national treasures, 10 a.m., SD-226.

Committee on Veterans' Affairs: February 5, to continue oversight hearings to examine veterans disability compensation, 9:30 a.m., SR-418.

Select Committee on Intelligence: February 5, to hold hearings to examine the world threat, 10 a.m., SH-216.

February 5, Full Committee, to hold closed hearings to examine the world threat, 2:30 p.m., SH-219.

February 6, Full Committee, closed business meeting to consider pending calendar business, 2:30 p.m., SH-219.

February 7, Full Committee, to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH-219.

House Chamber

To be announced.

House Committees

Committee on Agriculture, February 7, Subcommittee on Livestock, Dairy, and Poultry, hearing to review the National Veterinary Medical Service Act, 10:30 a.m., 1300 Longworth.

Committee on Appropriations, February 6, Subcommittee on Defense, executive, on F-15 Aircraft, 10 a.m., and executive, briefing on World-Wide Threat, 1:30 p.m., H-140 Capitol.

February 7, Subcommittee on Defense, executive, on DOD Force Health Protection, 1:30 p.m., and, executive, on Surgeon Generals of the Services, 2:30 p.m., H-140 Capitol.

February 7, Subcommittee on Interior, Environment, and Related Agencies, on Department of Interior, Overview with the Secretary, 10 a.m., B-308 Rayburn.

February 7, Subcommittee on Legislative Branch, on Capitol Visitor Center, 10 a.m., 2362-A Rayburn.

February 7, Subcommittee on Military Construction, Veterans Affairs, and Related Agencies, on Quality of Life, 2 p.m., H-143 Capitol.

February 7, Subcommittee on Transportation, and Housing and Urban Development, and Related Agencies, on Department of Transportation Fiscal Year Budget Request, 1 p.m., 2359 Rayburn.

Committee on Armed Services, February 6, hearing on Fiscal Year 2009 National Defense Budget Request from the Department of Defense, 1 p.m., 2118 Rayburn.

February 7, Subcommittee on Military Personnel, hearing on beneficiary advocacy overview, 3 p.m., 2212 Rayburn.

Committee on the Budget, February 7, hearing on the President's Fiscal Year 2009 Budget, 11 a.m., 210 Cannon.

Committee on Energy and Commerce, February 7, hearing entitled "Department of Energy's Fiscal Year 2009 Budget Proposal," 10 a.m., 2123 Rayburn.

Committee on Financial Services, February 7, hearing entitled "The Holocaust Insurance Accountability Act of

2007 (H.R. 1746): Holocaust Era Insurance Restitution After ICHEIC, the International Commission on Holocaust Era Insurance Claims," 9:30 a.m., 2128 Rayburn.

February 7, Subcommittee on Oversight and Investigations, hearing entitled "Diversity in the Financial Services Sector," 2:30 p.m., 2128 Rayburn.

February 8, full Committee, hearing entitled "Negative Implications of the President's Signing Statement on the Sudan Accountability and Divestment Act," 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, February 6, Subcommittee on Africa and Global Health, hearing on the Political Crisis in Kenya: A Call for Justice and Peaceful Resolution, 10 a.m., 2200 Rayburn.

February 7, full Committee, to mark up the following: The Global HIV/AIDS, Tuberculosis and Malaria Reauthorization Act of 2008; a measure authorizing assistance for the export of independent documentaries regarding the United States; H. Res. 185, Expressing the sense of the House of Representatives regarding the creation of refugee populations in the Middle East, North Africa, and the Persian Gulf region as a result of human rights violations; H. Res. 854, Expressing gratitude to all of the member states of the International Commission of the International Tracing Service (ITS) on ratifying the May 2006 Agreement to amend the 1955 Bonn Accords granting open access to vast Holocaust and other World War II related archives located in Bad Arolsen, Germany; H. Res. 865, Expressing the sense of the House of Representatives that the March 2007 report of the United Nations Office on Drugs and Crime and the International Bank for Reconstruction and Development makes an important contribution to the understanding of the high levels of crime and violence in the Caribbean, and that the United States should work with Caribbean countries to address crime and violence in the region; H. Res. 909, Commemorating the courage of the Haitian soldiers that fought for American independence in the "Siege of Savannah" and for Haiti's independence and renunciation of slavery; H. Con. Res. 154, Expressing the sense of Congress that the fatal radiation poisoning of Russian dissident and writer Alexander Litvinenko raises significant concerns about the potential involvement of elements of the Russian Government in Mr. Litvinenko's death about the security and proliferation of radioactive materials; H. Con. Res. 255, Expressing the sense of Congress regarding the United States commitment to preservation of religious and cultural sites and condemning instances where sites are desecrated; and H. Con. Res. 278, Supporting Taiwan's fourth direct and democratic presidential elections in March 2008, 1 p.m., 1100 Longworth.

Committee on Homeland Security, February 7, Subcommittee on Emerging Threats, Cybersecurity, and Science and Technology, hearing entitled "Other Transaction Authority: Flexibility at the Expense of Accountability?" 2 p.m., 311 Cannon.

Committee on the Judiciary, February 7, oversight hearing on the Department of Justice, 10 a.m., 2141 Rayburn.

February 8, Subcommittee on the Constitution, Civil Rights, and Civil Liberties, oversight hearing on Voter Suppression, 9:30 a.m., 2141 Rayburn.

Committee on Natural Resources, February 6, hearing on the following bills: H.R. 2176, To provide for and approve the settlement of certain land claims of the Bay Mills Indian Community; and H.R. 4115, To provide for and approve the settlement of certain land claims of the Sault Ste. Marie Tribe of Chippewa Indians, 2 p.m., 1324 Longworth.

Committee on Oversight and Government Reform, February 8, Subcommittee on Government Management, Organization, and Procurement, hearing on Military Base Realignment: Contracting Opportunities for Impacted Communities," 10 a.m., 2154 Rayburn.

Committee on Science and Technology, February 7, Subcommittee on Research and Science Education, hearing on Visas for Foreign Scholars and Students, 2 p.m., 2318 Rayburn.

February 7, Subcommittee on Technology and Innovation, to mark up the following bills: H.R. 3916, To provide for the next generation of border and maritime security technologies; H.R. 4847, United States Fire Administration Reauthorization Act of 2007; and H.R. 5161, Green Transportation Infrastructure Research and Technology Transfer Act, 10 a.m., 2318 Rayburn.

Committee on Small Business, February 7, hearing entitled "The Small Business Administration's Budget for Fiscal Year 2009, 10 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, February 7, Subcommittee on Aviation, hearing on the President's Fiscal Year 2009 Federal Aviation Administration Budget, 10 a.m., 2167 Rayburn.

February 7, Subcommittee on Water Resources and Environment, hearing on Agency Budgets and Priorities for Fiscal Year 2009, 2 p.m., 2167 Rayburn.

Committee on Veterans' Affairs, February 7, hearing on the Department of Veterans Affairs Budget Request for Fiscal Year 2009, 1 p.m., 334 Cannon.

Committee on Ways and Means, February 7, hearing on President Bush's budget proposals for fiscal year 2009, 9:30 a.m., 1100 Longworth.

Joint Meetings

Commission on Security and Cooperation in Europe: February 7, to continue hearings to examine anti-Semitism in the Organization for Security and Co-operation in Europe (OSCE) region, 2:30 p.m., SD-406.

Next Meeting of the SENATE

2:00 p.m., Monday, February 4

Next Meeting of the HOUSE OF REPRESENTATIVES

2 p.m., Wednesday, February 6

Senate Chamber

Program for Monday: Senate will resume consideration of S. 2248, FISA Amendments Act; at 5:30 p.m., Senate will vote on the motion to invoke cloture on the motion to proceed to consideration of H.R. 5140, Recovery Rebates and Economic Stimulus for the American People Act.

House Chamber

Program for Wednesday: To be announced.



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