

Daily Digest

HIGHLIGHTS

Senate passed the H.R. 3773, RESTORE Act (FISA Amendments Act).

Senate

Chamber Action

Routine Proceedings, pages S879–S924

Measures Introduced: Five bills and three resolutions were introduced, as follows: S. 2622–2626, and S. Res. 447–449. **Page S919**

Measures Passed:

RESTORE Act: Senate passed H.R. 3773, to amend the Foreign Intelligence Surveillance Act of 1978 to establish a procedure for authorizing certain acquisitions of foreign intelligence, after striking all after the enacting clause and inserting in lieu thereof, the text of S. 2248, Senate companion measure.

FISA Amendments Act: By 68 yeas to 29 nays (Vote No. 20), Senate passed S. 2248, to amend the Foreign Intelligence Surveillance Act of 1978, to modernize and streamline the provisions of that Act, after taking action on the following amendments proposed thereto: **Pages S880–S913**

Adopted:

Whitehouse Modified Amendment No. 3920 (to Amendment No. 3911), to clarify that the Foreign Intelligence Surveillance Court has the authority to determine and enforce compliance with any order or rule of, or procedure approved by, such Court. **Pages S880–81**

Bond/Rockefeller Modified Amendment No. 3938 (to Amendment No. 3911), to include prohibitions on the international proliferation of weapons of mass destruction in the Foreign Intelligence Surveillance Act of 1978. **Pages S880, S886–87**

Rockefeller/Bond Amendment No. 3911, in the nature of a substitute. **Page S890**

Rockefeller/Bond Amendment No. 4018 (to Amendment No. 3911), of a technical nature.

A unanimous-consent agreement was reached providing that, notwithstanding the adoption of Rockefeller/Bond Amendment No. 3911 (listed above), that Rockefeller/Bond Amendment No. 4018 (listed above), be agreed to. **Pages S900–901**

Rejected:

By 35 yeas to 63 nays (Vote No. 14), Feingold Amendment No. 3979 (to Amendment No. 3911), to provide safeguards for communications involving persons inside the United States. **Pages S880, S883–84**

By 31 yeas to 67 nays (Vote No. 15), Dodd Amendment No. 3907 (to Amendment No. 3911), to strike the provisions providing immunity from civil liability to electronic communication service providers for certain assistance provided to the Government. **Pages S880, S884–85**

By 37 yeas to 60 nays (Vote No. 16), Feingold/Dodd Amendment No. 3912 (to Amendment No. 3911), to modify the requirements for certifications made prior to the initiation of certain acquisitions. **Pages S880, S885–86**

By 30 yeas to 68 nays (Vote No. 17), Specter/Whitehouse Amendment No. 3927 (to Amendment No. 3911), to provide for the substitution of the United States in certain civil actions. **Pages S880, S887–89**

Withdrawn:

By 57 yeas to 41 nays (Vote No. 13), Feinstein Amendment No. 3910 (to Amendment No. 3911), to provide a statement of the exclusive means by which electronic surveillance and interception of certain communications may be conducted. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, be withdrawn). **Pages S880, S881–83**

By 41 yeas to 57 nays (Vote No. 18), Feinstein Amendment No. 3919 (to Amendment No. 3911), to provide for the review of certifications by the Foreign Intelligence Surveillance Court. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, be withdrawn). **Pages S880, S889–90**

During consideration of this measure today, Senate also took the following action:

By 69 yeas to 29 nays (Vote No. 19), three-fifths of those Senators duly chosen and sworn, having

voted in the affirmative, Senate agreed to the motion to close further debate on the bill. **Pages S890–91**

Subsequently, the passage of S. 2248, was vitiated and the bill was returned to the Senate Calendar.

Page S904

Making Minority Party Appointments: Senate agreed to S. Res. 448, making minority party appointments for the 110th Congress. **Page S923**

Nominations Received: Senate received the following nominations:

Jeffrey Robert Brown, of Illinois, to be a Member of the Board of Trustees of the Federal Hospital Insurance Trust Fund for a term of four years.

Jeffrey Robert Brown, of Illinois, to be a Member of the Board of Trustees of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund for a term of four years.

Hyepin Christine Im, of California, to be a Member of the Board of Directors of the Corporation for National and Community Service for the remainder of the term expiring October 6, 2008.

Hyepin Christine Im, of California, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2013.

Layshae Ward, of Minnesota, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring December 27, 2012.

Perri Klass, of New York, to be a Member of the National Institute for Literacy Advisory Board for a term expiring November 25, 2009.

Katherine Mitchell, of Alabama, to be a Member of the National Institute for Literacy Advisory Board for a term expiring November 25, 2010.

Eduardo J. Padron, of Florida, to be a Member of the National Institute for Literacy Advisory Board for a term expiring November 25, 2009.

Alexa E. Posny, of Kansas, to be a Member of the National Institute for Literacy Advisory Board for a term expiring November 25, 2008.

Timothy Shanahan, of Illinois, to be a Member of the National Institute for Literacy Advisory Board for a term expiring November 25, 2010.

Richard Kenneth Wagner, of Florida, to be a Member of the National Institute for Literacy Advisory Board for a term expiring November 25, 2009.

Pages S923–24

Nominations Withdrawn: Senate received notification of withdrawal of the following nominations:

Warren Bell, of California, to be a Member of the Board of Directors of the Corporation for Public Broadcasting for a term expiring January 31, 2012

(Recess Appointment), which was sent to the Senate on January 9, 2007.

John L. Palmer, of New York, to be a Member of the Board of Trustees of the Federal Supplementary Medical Insurance Trust Fund for a term of four years, which was sent to the Senate on January 9, 2007.

John L. Palmer, of New York, to be a Member of the Board of Trustees of the Federal Hospital Insurance Trust Fund for a term of four years, which was sent to the Senate on January 9, 2007.

John L. Palmer, of New York, to be a Member of the Board of Trustees of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund for a term of four years, which was sent to the Senate on January 9, 2007.

Thomas R. Saving, of Texas, to be a Member of the Board of Trustees of the Federal Supplementary Medical Insurance Trust Fund for a term of four years, which was sent to the Senate on January 9, 2007.

Thomas R. Saving, of Texas, to be a Member of the Board of Trustees of the Federal Hospital Insurance Trust Fund for a term of four years, which was sent to the Senate on January 9, 2007.

Thomas R. Saving, of Texas, to be a Member of the Board of Trustees of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund for a term of four years, which was sent to the Senate on January 9, 2007.

Patricia Mathes, of Texas, to be a Member of the National Institute for Literacy Advisory Board for a term expiring November 25, 2007, which was sent to the Senate on January 9, 2007. **Page S924**

Messages from the House: Pages S918–19

Additional Cosponsors: Pages S919–20

Statements on Introduced Bills/Resolutions: Pages S920–22

Additional Statements: Pages S916–18

Amendments Submitted: Page S922

Notices of Hearings/Meetings: Pages S922–23

Authorities for Committees to Meet: Page S923

Record Votes: Eight record votes were taken today. (Total—20) **Pages S883, S884, S885, S886, S889, S890, S891, S904**

Adjournment: Senate convened at 10:00 a.m. and adjourned at 6:26 p.m., until 9:30 a.m. on Wednesday, February 13, 2008. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S923.)

Committee Meetings

(Committees not listed did not meet)

AIR FORCE NUCLEAR SECURITY

Committee on Armed Services: Committee concluded open and closed hearings to examine Air Force nuclear security, focusing on the August 2007 weapons-transfer incident, after receiving testimony from Lieutenant General Daniel J. Darnell, USAF, Deputy Chief of Staff for Air, Space and Information Operations, Plans and Requirements, Major General Douglas L. Raaberg, USAF, Director, Air and Space Operations, Air Combat Command, Major General Polly A. Peyer, USAF, Director, Resource Integration, Office of the Deputy Chief of Staff, Logistics, Installation, and Mission Support, all of the Department of Defense; and General Larry D. Welch, USAF (Ret.), Institute for Defense Analysis, Alexandria, Virginia.

DEFENSE AND WAR COSTS BUDGET

Committee on the Budget: Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2009 for the Department of Defense and war costs, after receiving testimony from Gordon England, Deputy Secretary, General James Cartwright, USMC, Vice Chairman, Joint Chiefs of Staff, and Tina Jonas, Under Secretary (Comptroller), all of the Department of Defense.

HEALTHCARE WORKFORCE ISSUES

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine ways to address healthcare workforce issues for the future, focusing on primary care professionals, after receiving testimony from A. Bruce Steinwald, Director, Health Care, Government Accountability Office; Kevin Grumbach, University of California Department of Family and Community Medicine, San Francisco; Roderick S. Hooker, Department of Veterans Affairs Medical Center, Dallas, Texas; Edward Salsberg, Association of American Medical Colleges (AAMC), Washington, D.C.; James Q. Swift, American Dental Education Association (ADEA), Minneapolis, Minnesota; Bruce Auerbach, Massachusetts Medical Society, Waltham; Beth Landon, Alaska Center for Rural Health, Anchorage, on behalf of the National Rural Health Association (NRHA); Jennifer S. Laurent, Vermont Nurse and Practitioner Association, Burlington; and John E. Maupin, Jr., Morehouse School of Medicine, Atlanta, Georgia, on behalf of the Association of Minority Health Professions Schools.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.