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Senate

The Senate met at 10 a.m. and was called to order by the Honorable JACK REED, a Senator from the State of Rhode Island.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

God of our fathers and mothers, we thank You for Your kindness and mercy. When we call You in our pain, You answer our prayers and remove our worries. You enable us to defeat our enemies and surround us with Your protection.

Today, let Your presence be felt in the Senate. Encourage our Senators to be models of the unity our country

longs for. Remind them that ultimately they will be judged by their productivity, for Your Word states, "By their fruits, You will know them." Help them to see that they need each other and that more will be accomplished by working together than by laboring at cross-purposes.

We pray in the name of Him whose life was the epitome of peace, poise, and power. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JACK REED led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Repub-

lic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,

Washington, DC, December 17, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JACK REED, a Senator

NOTICE

If the 110th Congress, 1st Session, adjourns sine die on or before December 21, 2007, a final issue of the *Congressional Record* for the 110th Congress, 1st Session, will be published on Friday, December 28, 2007, in order to permit Members to revise and extend their remarks.

All material for insertion must be signed by the Member and delivered to the respective offices of the Official Reporters of Debates (Room HT-60 or S-123 of the Capitol), Monday through Friday, between the hours of 10:00 a.m. and 3:00 p.m. through Thursday, December 27. The final issue will be dated Friday, December 28, 2007, and will be delivered on Wednesday, January 2, 2008.

None of the material printed in the final issue of the *Congressional Record* may contain subject matter, or relate to any event that occurred after the sine die date.

Senators' statements should also be formatted according to the instructions at http://webster/secretary/cong_record.pdf, and submitted electronically, either on a disk to accompany the signed statement, or by e-mail to the Official Reporters of Debates at "Record@Sec.Senate.gov".

Members of the House of Representatives' statements may also be submitted electronically by e-mail, to accompany the signed statement, and formatted according to the instructions for the Extensions of Remarks template at <http://clerk.house.gov/forms>. The Official Reporters will transmit to GPO the template formatted electronic file only after receipt of, and authentication with, the hard copy, and signed manuscript. Deliver statements to the Official Reporters in Room HT-60.

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By order of the Joint Committee on Printing.

ROBERT A. BRADY, *Chairman.*

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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from the State of Rhode Island, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. REED thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

Mr. REID. I suggest the absence of quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. I ask unanimous consent that the order for the quorum call be rescinded.

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

SCHEDULE

Mr. REID. Mr. President, the Senate will immediately resume the motion to proceed to S. 2248, the FISA legislation. This debate will extend until 12 noon. At noon, the Senate will vote—or thereabouts; there may be a couple minutes' slippage—on the motion to invoke cloture on the motion to proceed to the legislation. If cloture is invoked on the motion, the motion can then be adopted and the Senate can proceed to the bill and begin the amending process.

ORDER OF PROCEDURE

I have 10 minutes under my control. I have given 35 minutes to Senator DODD and 15 minutes to Senator FEINGOLD. It is my understanding that the distinguished Senator from Missouri will allow 10 minutes from the Republican leader's time to go to Senator ROCKEFELLER. I will give Senator ROCKEFELLER 10 minutes. That means he will have 20 minutes. That uses all our time.

I ask unanimous consent that be the case.

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

RESERVATION OF LEADER TIME

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

FOREIGN INTELLIGENCE SURVEILLANCE ACT—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 2248, which the clerk will report.

The legislative clerk read as follows:

A motion to proceed to the bill (S. 2248) to amend the Foreign Intelligence Surveillance

Act of 1978, to modernize and streamline provisions of that Act, and for other purposes.

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

Mr. MCCONNELL. Mr. President, I will proceed on leader time so as not to encroach on the complicated agreement we reached on dividing time.

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

Mr. MCCONNELL. Mr. President, heading into our last work week, Republicans remain focused on the two principles that have guided us all year: protecting and defending the country from harm and protecting taxpayers' wallets. In these last few days, we will face some of the most crucial tests of the year on both fronts.

On security, Senate Republicans will amend the House version of the Appropriations bill to include funding for the troops in Iraq. Our men and women in uniform deserve our support wherever they are serving.

These funds are dangerously overdue. Delaying them further could put the Pentagon in serious straits and potentially jeopardize the universally acknowledged gains of the Petraeus plan.

We will also need to act wisely on reforming the FISA law that lets our intelligence agents track terrorists overseas. The success of this law over the last several years should be obvious to everyone.

The Intelligence Committee has produced a bill that would retain its core strengths; that has broad bipartisan support; and that, with slight modification, the President would sign into law. We need to act on this version of the revision without any political games.

On protecting taxpayers, we have two major pieces of legislation to finish: AMT, and a fiscally responsible omnibus bill.

A quarter of the way into the fiscal year, we have passed 1 of 12 Appropriations bills from last year.

We need to evaluate this omnibus and make sure it is written in a form the President will sign. That means funding for our forces in Afghanistan and Iraq, no excess spending, and no poison pills in the form of politically motivated policy riders.

Crucially, we also need to assure middle-class Americans we are not going to raise their taxes or further delay their tax refunds. The House needs to patch the AMT tax that now threatens 23 million taxpayers it was never meant to affect, and they need to do so without raising other taxes on these households.

We saw last week we could get legislation out the door when we work together. After Republican insistence, we passed an energy bill without raising taxes or utility rates. We will need to repeat that effort this week on several issues that lie at the very heart of our responsibilities to the American people.

We need to ensure the safety of our citizens. We need to keep them from

being hit by new and unnecessary taxes.

We will need to do all this and act on several important executive nominations. New week. Much to do. America's watching. Let's get to work.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 12 noon is equally divided and controlled between the two leaders or their designees, with the Senator from Connecticut, Mr. DODD, controlling 35 minutes and the Senator from Wisconsin, Mr. FEINGOLD, controlling 15 minutes of the opponents' time.

Who seeks recognition?

The Senator from West Virginia.

Mr. ROCKEFELLER. Mr. President, I am not a part of the order as read by the Chair.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator has been allocated 20 minutes.

Mr. ROCKEFELLER. I thank the Chair.

Today, the Senate begins debate on S. 2248, the FISA Amendments Act of 2007. I am confident in saying without any risk of exaggeration that FISA modernization is one of the most important matters that will be considered by this Congress. It calls on us to get two essential matters entirely right—protection of our national security and the preservation of the privacy of our citizens.

I am proud of the substance of the bill the Intelligence Committee reported to the Senate in late October on a strong bipartisan vote of 13 to 2. I am equally proud of the process by which we achieved that result. The distinguished vice chairman of the committee, Senator CHRISTOPHER BOND, and I provided simple guidance for all who worked on this bill: First, work together, reach out; second, reach out particularly to the intelligence community and the Department of Justice for their expertise; third, keep in mind at all times the fundamental principles of protecting both the security and the privacy of all Americans; and finally, remain united in our effort to produce a bill that will meet the test of Congress and that will be signed into law by the President.

I am also grateful to all members of our committee for their contribution. As the Senate can see from our report, we debated and voted on highly important issues. We then sought as a committee to lay out for the entire Senate and the American public a description of our bill, the reasons for it, and, in additional views, further improvements that Members might seek. Our report is on each Member's desk. It is also on our committee's Web site and the Web site of the Library of Congress. I urge every Member of the Senate to read it, including a careful section-by-section explanation of the bill.

Of course, some sensitive intelligence matters cannot be described in a public report. That makes this something of an awkward procedure. If any Member has a question about a classified matter, please let the vice chairman or myself know, and we will do our best to