

designated as a state sponsor of terrorism in the course of that person's paid employment doing journalistic, academic, or other research pertaining to terrorism or terrorist groups; or

(B) has engaged and intends to continue to engage in one or more commercial transactions with a bank or other financial institution in a country described in subparagraph (A).

(4) The procedures and standards of the Classified Information Procedures Act (18 U.S.C. App.) shall apply to the action.

(5) A final decision in the action shall be reviewable only by appeal directly to the Supreme Court of the United States. Such appeal shall be taken by the filing of a notice of appeal within 10 days, and the filing of a jurisdictional statement within 30 days, after the entry of the final decision.

(6) It shall be the duty of the United States District Court for the District of Columbia and the Supreme Court of the United States to advance on the docket and to expedite to the greatest possible extent the disposition of the action and appeal.

(c) **MOOTNESS.**—In any civil action filed under subsection (a) for declaratory or injunctive relief, a defendant's claim that the surveillance activity has been terminated may not be grounds for dismissing the case, unless the Attorney General files a declaration under section 1746 of title 28, United States Code, affirming that—

(1) the surveillance described in subsection (a) has ceased; and

(2) the executive branch of the Federal Government does not have legal authority to renew the surveillance described in subsection (a).

(d) **LIMITATION OF DAMAGES.**—In any civil action filed under subsection (a), a prevailing plaintiff shall recover—

(1) damages for injuries arising from a reasonable fear caused by the electronic surveillance described in subsection (a) of not less than \$50 and not more than \$1000; and

(2) reasonable attorney's fees and other investigation and litigation costs reasonably incurred relating to that civil action.

(e) **SEVERABILITY.**—If any provision of this section, or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the Act, any such amendments, and of the application of such provisions to other persons and circumstances shall not be affected thereby.

(f) **RULES OF CONSTRUCTION.**—Nothing in this section may be construed to—

(1) affect a cause of action filed before the date of enactment of this Act;

(2) limit any cause of action available to a person under any other provision of law, including the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.); or

(3) limit the relief that may be awarded under any other provision of law, including the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.).

(g) **DEFINITION.**—In this section, the term "electronic surveillance" has the meaning given that term in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).

SA 3918. Mr. REID proposed an amendment to the bill S. 2248, to amend the Foreign Intelligence Surveillance Act of 1978, to modernize and streamline the provisions of that Act, and for other purposes; as follows:

1. EXTENSION OF THE PROTECT AMERICA ACT OF 2007.

Subsection (c) of section 6 of the Protect America Act of 2007 (Public Law 110-55; 121 Stat. 557; 50 U.S.C. 1803 note) is amended by striking "180" and inserting "210".

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Wednesday, February 6, 2008, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the U.S. Department of Energy's budget for fiscal year 2009.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510-6150, or by e-mail to Rosemarie_Calabro@energy.senate.gov.

For further information, please contact Jonathan Epstein or Rosemarie Calabro.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Thursday, February 14, 2008, at 9:30 a.m. in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to consider the President's fiscal year 2009 budget request for the USDA Forest Service.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510-6150, or by e-mail to rachel_pasternack@energy.senate.gov.

For further information, please contact Scott Miller or Rachel Pasternack.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on Thursday, January 24, 2008, at 3:30 p.m. in room 328A of the Russell Senate Office Building in order to consider the nomination of Ed Schafer, of North Dakota, to be Secretary of Agriculture.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Thursday, January 24, 2008, at 9:30 a.m., in room SD366 of the Dirksen Senate Office Building in order to conduct a hearing. At this hearing, the Committee will hear testimony regarding Reform of the Mining Law of 1872.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on Thursday, January 24, 2008, at 10 a.m. in room 406 of the Dirksen Senate Office Building in order to hold a hearing entitled, "Oversight of EPA's Decision to Deny the California Waiver."

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

COMMITTEE ON FINANCE

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Thursday, January 24, 2008, at 10 a.m., in room 215 of the Dirksen Senate Office Building, in order to conduct a hearing entitled "Strengthening America's Economy: Stimulus That Makes Sense."

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

COMMITTEE ON FOREIGN RELATIONS

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, January 24, 2008, at 2:30 p.m. in order to conduct a hearing on climate change negotiations.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate, in order to conduct a hearing entitled "The Fair Pay Restoration Act: Ensuring Reasonable Rules in Pay Discrimination" on Thursday, January 24, 2008. The hearing will commence at 10 a.m. in room 430 of the Dirksen Senate Office Building.

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

COMMITTEE ON VETERANS' AFFAIRS

Mr. LEAHY. Mr. President, I ask unanimous consent for the Committee on Veterans' Affairs to be authorized to meet during the session of the Senate on Thursday, January 24, in order to conduct an oversight hearing on the Report of the Veterans' Disability Benefits Commission. The Committee will

meet in room 562 of the Dirksen Senate Office Building, at 9:30 a.m.

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

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. LEAHY. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on Thursday, January 24, 2008, at 10 a.m., in order to conduct a hearing entitled, "United Nations Development Program in North Korea: A Case Study."

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

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, FEDERAL SERVICES, AND INTERNATIONAL SECURITY AND THE SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security and the Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia be authorized to meet during the session of the Senate on Thursday, January 24, 2008, at 2:30 p.m. in order to conduct a hearing entitled, "Management and Oversight of Contingency Contracting in Hostile Zones."

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

PRIVILEGES OF THE FLOOR

Mr. BOND. Mr. President, I ask unanimous consent that Mr. Jesse Baker, a Federal Government detailee for Senator HATCH, be granted the privileges of the floor for the consideration of this bill.

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

Mr. DURBIN. Mr. President, I ask unanimous consent that Paul Tiao, a detailee on my staff from the Department of Justice, be granted floor privileges for the duration of the consideration of the FISA Amendments Act.

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

Mr. KENNEDY. Mr. President, I ask unanimous consent that David Pozen, a legal fellow on my staff, be granted floor privileges through August of this year.

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

MINORITY PARTY APPOINTMENTS FOR THE 110TH CONGRESS

Mr. BROWN. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 425 submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 425) making minority party appointments for the 110th Congress.

There being no objection, the Senate proceeded to consider the resolution.

Mr. BROWN. I ask unanimous consent that the resolution be agreed to and the motion to reconsider be laid on the table.

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

The resolution (S. Res. 425) was agreed to, as follows:

S. RES. 425

Resolved, That the following be the minority membership on the following committees for the remainder of the 110th Congress, or until their successors are appointed:

Committee on Armed Services: Mr. McCain, Mr. Warner, Mr. Inhofe, Mr. Sessions, Ms. Collins, Mr. Chambliss, Mr. Graham, Mrs. Dole, Mr. Cornyn, Mr. Thune, Mr. Martinez, Mr. Wicker.

Committee on Banking, Housing, and Urban Affairs: Mr. Shelby, Mr. Bennett, Mr. Allard, Mr. Enzi, Mr. Hagel, Mr. Bunning, Mr. Crapo, Mrs. Dole, Mr. Martinez, Mr. Corker.

Committee on Commerce, Science, and Transportation: Mr. Stevens, Mr. McCain, Mrs. Hutchison, Ms. Snowe, Mr. Smith, Mr. Ensign, Mr. Sununu, Mr. DeMint, Mr. Vitter, Mr. Thune, Mr. Wicker.

Committee on Finance: Mr. Grassley, Mr. Hatch, Ms. Snowe, Mr. Kyl, Mr. Smith, Mr. Bunning, Mr. Crapo, Mr. Roberts, Mr. Ensign, Mr. Sununu.

Committee on Rules and Administration: Mr. Bennett, Mr. Stevens, Mr. McConnell, Mr. Cochran, Mr. Chambliss, Mrs. Hutchison, Mr. Hagel, Mr. Alexander, Mr. Ensign.

Committee on Veterans' Affairs: Mr. Burr, Mr. Specter, Mr. Craig, Mr. Isakson, Mr. Graham, Mrs. Hutchison, Mr. Wicker.

PROVIDING FOR A JOINT SESSION OF CONGRESS TO RECEIVE A MESSAGE FROM THE PRESIDENT

Mr. BROWN. I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 282 just received from the House and at the desk.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows: A concurrent resolution (H. Con. Res. 282) providing for a joint session of Congress to receive a message from the President.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. BROWN. I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be laid upon the table, without intervening debate or action.

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

The concurrent resolution (H. Con. Res. 282) was agreed to.

ORDER FOR APPOINTMENT OF SENATE COMMITTEE TO ESCORT THE PRESIDENT OF THE UNITED STATES

Mr. BROWN. Mr. President, I ask unanimous consent that the Presiding

Officer of the Senate be authorized to appoint a committee on the part of the Senate to join with a like committee on the part of the House of Representatives to escort the President of the United States into the House Chamber for the joint session to be held at 9 p.m. on Monday, January 28, 2008.

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

MEASURE READ THE FIRST TIME—S. 2556

Mr. BROWN. Mr. President, I understand that S. 2556, introduced earlier today by Senator REID, the majority leader, is at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the title of the bill.

The legislative clerk read as follows:

A bill (S. 2556) to extend the provisions of the Protect America Act of 2007 for an additional 30 days.

Mr. BROWN. Mr. President, I now ask for its second reading and object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will receive its second reading on the next legislative day.

Mr. BROWN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

FISA

Mr. REID. Mr. President, I was hoping that at this time today we would be talking about the work we had done on the Foreign Intelligence Surveillance Act. But we were unable to do that. What an unusual day. We were not allowed to vote on anything on this bill. I hope our friends in the press have been able to witness what took place today.

We talk about last year the Republicans having caused us to try to invoke cloture more in 1 year than had ever happened in a Congress before. In 1 year, they obstructed more things than ever in the history of the country.

Now we are starting this year, and they are objecting to their own bills. The President wants the bill passed. Every one of the Republicans—all 49 of them, I assume—will vote for this bill. So all they would need to pass it is two Democrats. I would have to suggest they probably could do that. They are so afraid they may take a vote that may not be something they want to take that they stop everything.

This is the President's program. It is not our program. We have stood by since 9/11 telling the President: Anything that you need, we are here at