

SEC. 204. ISSUES RESERVED FOR THE COURTS.

Nothing in this Act shall be deemed to amend those provisions of FISA concerning any wire or radio communication sent from outside the United States to a person inside the United States. The constitutionality of such interceptions shall be determined by the courts, including the President's claim that his article II authority supersedes FISA.

TITLE III—ENHANCED CONGRESSIONAL OVERSIGHT AND SUPREME COURT REVIEW OF THE TERRORIST SURVEILLANCE PROGRAM**SEC. 301. CONGRESSIONAL OVERSIGHT.**

(a) ELECTRONIC SURVEILLANCE UNDER FISA.—Section 108 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1808) is amended—

- (1) in subsection (a)(2)—
 (A) in subparagraph (B), by striking “and” at the end;
 (B) in subparagraph (C), by striking the period and inserting “; and”; and
 (C) by adding at the end the following:
 “(D) the authority under which the electronic surveillance is conducted.”; and
 (2) by striking subsection (b) and inserting the following:
 “(b) On a semiannual basis, the Attorney General additionally shall fully inform the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate on electronic surveillance conducted without a court order.”.

(b) INTELLIGENCE ACTIVITIES.—The National Security Act of 1947 (50 U.S.C. 401 et seq.) is amended—

- (1) in section 501 (50 U.S.C. 413)—
 (A) by redesignating subsection (f) as subsection (g); and
 (B) by inserting after subsection (e) the following new subsection:
 “(f) The Chair of each of the congressional intelligence committees, in consultation with the ranking member of the committee for which the person is Chair, may inform, on a bipartisan basis, all members or any individual members of such committee of a report submitted under subsection (a)(1) or subsection (b) as such Chair considers necessary.”; and
 (2) in section 502 (50 U.S.C. 414), by adding at the end the following new subsection:
 “(d) INFORMING OF COMMITTEE MEMBERS.—The Chair of each of the congressional intelligence committees, in consultation with the ranking member of the committee for which the person is Chair, may inform, on a bipartisan basis, all members or any individual members of such committee of a report submitted under subsection (a) as such Chair considers necessary.”.

SEC. 302. SUPREME COURT REVIEW OF THE TERRORIST SURVEILLANCE PROGRAM.

(a) IN GENERAL.—Upon appeal by the United States or any party to the underlying proceedings, the Supreme Court of the United States shall review the final decision of any United States court of appeal concerning the legality of the Terrorist Surveillance Program.

(b) EXPEDITED CONSIDERATION.—It shall be the duty of the Supreme Court of the United States to advance on the docket and to expedite to the greatest possible extent the disposition of any matter brought under subsection (a).

(c) DEFINITION.—In this section, the term “Terrorist Surveillance Program” means the program identified by the President of the United States on December 17, 2005, to intercept international communications into and out of the United States of persons linked to al Qaeda or related terrorist organizations.

TITLE IV—OTHER MATTERS**SEC. 401. DEFINITION.**

In this Act, the term “Foreign Intelligence Surveillance Court” means the court established by section 103(a) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1803(a)).

SEC. 402. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated such sums as may be necessary to carry out this Act and the amendments made by this Act.

SEC. 403. EFFECTIVE DATE.

This Act, and the amendments made by this Act, shall take effect on the date that is 30 days after the date of the enactment of this Act.●

TRIBUTE TO COLONEL THOMAS V. COLELLA

● Mr. ISAKSON. Mr. President, I rise today to recognize in the RECORD COL Thomas V. Colella, who officially retired from the United States Marine Corps last month after 30 years of honorable service to this Nation.

Colonel Colella graduated from the United States Naval Academy in 1976 and was commissioned a Second Lieutenant in the Marine Corps. His first tour took him to Okinawa, Japan, where he was assigned to E Battery, 2nd Battalion, 12th Marine Regiment. While assigned to that battalion, he served as a battery officer, forward observer and liaison officer. Colonel Colella then served at the Landing Force Training Command, Atlantic area, as an Aide-de-Camp to the commanding general of the 4th Marine Amphibious Brigade. In 1981 he entered the Marine Corps Reserve where he held several line and staff positions including a role as commander of the 4th Battalion, 14th Marines and Executive Officer of the 4th Civil Affairs Group. Most recently, Colonel Colella was recalled to active duty in support of coalition operations in Afghanistan related to Operation Enduring Freedom, where he served as Chief of Staff to the U.S. Defense Representative in Pakistan.

In 1987, Tom joined Korn/Ferry in the firm's Washington, D.C. office conducting senior-level searches for a global client base in the industrial, aerospace and defense sectors. Tom was also called into civilian public service after accepting a position within the U.S. Department of Education in the former Bush administration, and most recently serving as the Principal Deputy Assistant Secretary of the Navy for Manpower and Reserve Affairs in the current Bush administration.

I have been fortunate to have Colonel Colella serve as the chairman of my academy review board since my election to the U.S. House of Representatives in 1999. I inherited him from former House Speaker Newt Gingrich who also sought out Tom's expertise in the important and extremely difficult academy selection process. His commitment to the young men and women who make up the future of our Nation does not go unrecognized.

I could go on for hours with Tom's biography, but his distinguished career can be summarized in one word: devotion. He is a devoted father; a devoted leader at Korn/Ferry International; a devoted public servant; and he has now finished his career as a devoted member of the U.S. Military. An important chapter in Tom's life is now finished, but I know there are many more chapters left to be written. I wish Tom Colella and his three kids, Nicholas, Andrew and Gregory, the very best, and convey to him my deepest gratitude on behalf of the people of Georgia and the United States.●

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting a nomination which was referred to the Committee on Armed Services.

(The nomination received today is printed at the end of the Senate proceedings.)

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on November 21, 2006, she had presented to the President of the United States the following enrolled bills:

S. 101. An act to convey to the town of Frannie, Wyoming, certain land withdrawn by the Commissioner of Reclamation.

S. 435. An act to amend the Wild and Scenic Rivers Act to designate a segment of the Farmington River and Salmon Brook in the State of Connecticut for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes.

S. 819. An act to authorize the Secretary of the Interior to reallocate costs of the Pactola Dam and Reservoir, South Dakota, to reflect increased demands for municipal, industrial, and fish and wildlife purposes.

S. 1131. An act to authorize the exchange of certain Federal land within the State of Idaho, and for other purposes.

S. 1140. An act to designate the State Route 2 Bridge in the State of Delaware as the “Senator William V. Roth, Jr., Bridge”.

S. 2464. An act to revise a provision relating to a repayment obligation of the Fort McDowell Yavapai Nation under the Fort McDowell Indian Community Water Rights Settlement Act of 1990, and for other purposes.

S. 3880. An act to provide the Department of Justice the necessary authority to apprehend, prosecute, and convict individuals committing animal enterprise terror.

S. 4001. An act to designate certain land in New England as wilderness for inclusion in the National Wilderness Preservation System and certain land as a National Recreation Area, and for other purposes.

ADDITIONAL COSPONSORS

S. 3910

At the request of Mrs. CLINTON, the names of the Senator from Connecticut