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## House of Representatives

The House was not in session today. Its next meeting will be held on Monday, December 17, 2007, at 10:30 a.m.

## Senate

FRIDAY, DECEMBER 14, 2007

The Senate met at 10 a.m. and was called to order by the Honorable SHERROD BROWN, a Senator from the State of Ohio.

### PRAYER

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

Let us pray.

Eternal God, we run to You for safety. You are our help and hope, and every good thing we have is a gift from You. Your laws teach us the way to abundant living, for Your word is perfect and Your precepts bring truth.

Today we pray for the citizens of this great land. Incline their hearts to submit to You and to governmental authority. Remind them that righteousness exalts a nation, but sin is an equal opportunity destroyer.

### 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.

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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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Strengthen our lawmakers. Help them to heed constructive criticism as You imbue them with the desire and determination to please You. Keep their feet on the right road, inspiring them with a reverence for You. May they strive to tell the truth and to find creative ways of solving the problems of our time.

We pray in the Name of Him whose power and love sustains us. Amen.

#### PLEDGE OF ALLEGIANCE

The Honorable SHERROD BROWN, led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic 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 14, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable SHERROD BROWN, a Senator from the State of Ohio, to perform the duties of the Chair.

ROBERT C. BYRD,  
President pro tempore.

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

#### RESERVATION OF LEADER TIME

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

#### RECOGNITION OF THE MAJORITY LEADER

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

#### ORDER OF PROCEDURE

Mr. REID. Mr. President, the order now before the Senate indicates we are going to move to the FHA bill as soon as we finish the farm bill. One of the key players on the Republican side is not going to be available this afternoon.

I would therefore ask unanimous consent that we go to the FHA bill before we do the farm bill. There is preliminary work on the farm bill to sort out germane and nongermane amendments anyway.

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

#### SCHEDULE

Mr. REID. Mr. President, we are going to do the farm bill today. I have

gotten a number of inquiries about why did we stop the farm bill from going forward when we did. At the time that occurred, we had 26 pending amendments. Christmas is 1 week from Tuesday. We have to finish our work. We have, even today, a heavy burden having to short circuit this a little bit.

We have the Defense authorization bill; that is something that is essential. In that Defense authorization bill are many things, not the least of which is the wounded warrior aspect of it that PATTY MURRAY worked so hard on.

We have the pay raise for the troops. The troops cannot get the pay raise until we do the Defense authorization bill, even though we have sent to the President and he has signed the Defense appropriations bill.

We are going to come in probably at 11 o'clock on Monday. There will be a cloture vote an hour after that on FISA. People have said: Well, why did you not move? I have gotten some inquiries, especially from some of the blogs saying: Why did you not rule XIV it or something that would make it easier and allow people who do not like the bill to make their position known?

I have stated on the floor—this is the third time—the reason we are going to cloture is because Senators FEINGOLD and DODD want a 60-vote margin on proceeding to the bill.

One of the things I have worked very hard to do in the 3 years I have been Democratic leader, the 1 year I have been the majority leader, is to make sure the committee structure of the Senate is sound and the committee chairs and the committees do their work.

It brings stability to this body. Now, I think what we have to do in regular order, unless I try to short circuit this in some way—and I think it would be not looked upon favorably by the Senate and, frankly, by the American people if I tried to short circuit this. We have a procedure—it does not happen very often—where you have a joint referral. In this instance, on the FISA bill, the controversial but important FISA bill, there are two committees that have jurisdiction, the Intelligence Committee, and after that it is referred to the Judiciary Committee.

They both have done their work and they have done good work. But what some wanted me to do is take the best out of one and the best out of the other and bring it to the floor. I cannot do that unless I trample the system.

Under regular order, I will bring the Intelligence bill to the floor. The first operative action after that is the Judiciary Committee. Senator LEAHY is an experienced, veteran legislator. He has been here longer than I have been here. He certainly knows what to do. The Senate will work its will as to what needs to be done with FISA.

I will guarantee you right now one thing that is going to occur: not everyone will be happy. But people have the obligation to do what they think is

right, and I have an obligation to move the bill to the floor. It is important we have a debate, and that debate will start on Monday.

I also am concerned that not everyone is happy they did not have the opportunity to offer their farm bill amendments. That is always a problem, and certainly there were no individual Senators in mind, Democrats or Republicans, who did not have the opportunity to offer their amendments.

But the culminating factor is when we had an objection to the managers' amendment, with the 26 amendments we had to start dealing with at 8:30 last night, we could not get from here to there.

So I think we are doing the right thing this morning, moving forward to completing FHA today, the farm bill, and Defense authorization; starting on the important FISA bill on Monday and then doing everything within our power to fund the Government for the next year. And we are going to have a debate on war funding. That will take place next week.

So we have our hands full. But I wanted to lay out everything this morning, where we are headed and why we are in the position we are in now.

#### RECOGNITION OF THE MINORITY LEADER

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

#### COOPERATION

Mr. MCCONNELL. Mr. President, I wish to defend the majority leader's decision to go to cloture on the farm bill last night under the consent agreement we had.

He consulted with me, and I share his view that we could have been on that bill into January at the rate we were going. It was time to bring it to conclusion. So I applaud the majority leader for his decision. I think it was the right thing to do.

Secondly, we do have a chance to get additional progress this morning with the FHA matter. There is also the Defense authorization bill. I think we are making good progress this week, and the majority leader will have some excellent cooperation on this side of the aisle in that direction.

#### FHA MODERNIZATION ACT OF 2007

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to the consideration of S. 2338, which the clerk will report by title.

The assistant legislative clerk read as follows:

A bill (S. 2338) to modernize and update the National Housing Act and enable the Federal Housing Administration to more effectively reach underserved borrowers, and for other purposes.