



Senate Update

HOUSING BILL

On June 23, 2008, the Senate resumed consideration of the House Amendments to the Senate Amendment to H.R. 3221, the Foreclosure Prevention Act. Majority Leader Harry Reid (D-NV) and Republican Leader Mitch McConnell (R-KY) agreed to have a regular amendment process for the consideration of this legislation. Senator Christopher Dodd (D-CT), Chairman of the Senate Banking Committee, and Senator Richard Shelby (R-AL), Ranking Member of the Committee, developed this bipartisan legislation which includes the HOPE for Homeowner's Act, an affordable housing trust fund, funds for foreclosure counseling, GSE Reform, \$3.9 billion in Community Development Block Grants for state and local governments to purchase foreclosed homes, increase in loan limits, and FHA modernization. A Senate Banking Committee summary of the legislation can be found [here](#). On June 25, 2008, the Senate agreed to the first of three parts of the Housing bill by a vote of 79 to 16. ([Record Vote 157](#))

Senator John Ensign (R-NV) attempted to offer an amendment that would provide \$8.3 billion of renewable energy tax-credit extensions. However, Senator Harry Reid (D-NV), the Senate Majority Leader, would not allow the amendment to be considered because it was not directly related to housing. Majority Leader Reid pushed consideration of the Housing Bill to after the July 4, 2008, recess because of procedural requirements.

**Note: The House sent three separate amendments to H.R. 3221 to the Senate for consideration. Because Senator Ensign's amendment was not allowed to be considered, he forced Majority Leader Reid to go through each step of Senate procedure to consider the bill.*

On July 7, 2008, the Senate resumed consideration of the Housing Bill. The Senate voted to invoke cloture on the second part of the three part bill Housing bill by a vote of 76 to 10. ([Record Vote 163](#))

On July 8, 2008, Senator Ensign (R-NV) proposed that the \$8.2 billion of renewable energy tax-credit extensions could be paid for by cutting discretionary spending (except for veteran's spending) by 0.05 percent over the next ten years. Majority Leader Reid (D-NV) still refused to allow Senator Ensign's amendment to be considered, and Senator Ensign continued to force Majority Leader Reid to conduct several procedural votes in order pass the Housing Bill.

On July 10, 2008, the Senate agreed to the motion to invoke cloture on the third part of the Senate Housing Bill by a vote of 84 to 12. ([Record Vote 170](#)) On the following day, the Senate passed their version of H.R. 3221 and moved to change the bill's title to the "Foreclosure Prevention Act of 2008" by a vote of 63 to 5. ([Record Vote 173](#)) The bill now awaits further consideration by the House.

FOREIGN INTELLIGENCE SURVEILLANCE ACT

On June 25, 2008, the Senate then voted to invoke cloture on the motion to proceed to the FISA Amendments Act of 2008 (H.R. 6304) by a vote of 80 to 15. ([Record Vote 158](#))

The Senate considered three amendments to the FISA Amendments Act of 2008 on July 9, 2008. The first amendment was offered by Senator Christopher Dodd (D-CT) and would strike Title II of the bill which contains retroactive legal immunity provisions for telecommunications companies. The amendment failed by a vote of 32 to 66. ([Record Vote 164](#)) The second amendment was offered by Senator Arlen Specter (R-PA) and requires the court to review the constitutionality of the assistance provided in connection with an intelligence activity prior to granting retroactive immunity. The amendment failed by a vote of 37 to 61. ([Record Vote 165](#)) The final amendment was offered by Senator Jeff Bingaman (D-NM) and would have required a stay to be placed on all pending lawsuits against telecommunication companies until 90 days after the Inspector's General on the President's Surveillance Program submit a report to Congress. This amendment failed by a vote of 42 to 56. ([Record Vote 166](#))

After rejecting all three amendments, the Senate passed H.R. 6304 by a vote of 69 to 28. ([Record Vote 168](#)) The President signed the bill into law (P.L. 110-261) on July 10, 2008.

MEDICARE PHYSICIAN PAYMENT

The Senate then began consideration of the Medicare Improvement for Patients and Providers Act of 2008 (H.R. 6331). The House passed H.R. 6331 by a vote of 355 to 59 on June 24, 2008. (Legislative Digest for H.R. 6331). The Senate failed to invoke cloture on the bill by one vote and the motion was rejected by a vote of 58 to 40 on June 26, 2008. ([Record Vote 160](#)) Majority Leader Reid switched his vote from yea to nay to enable himself to bring the bill back to the floor for consideration at a later date.

Following the passage of FISA, the Senate again brought up the Medicare Improvement for Patients and Providers Act of 2008 (H.R. 6331). The measure had previously failed to garner the 60-votes required for passage on June 24, 2008. However, on July 9, 2008, the measure passed by a vote of 69 to 30. ([Record Vote 169](#)) Senator Edward Kennedy (D-MA) returned to the Senate floor for this vote for the first time since being diagnosed with a brain tumor earlier this year.

EMERGENCY SUPPLEMENTAL

On June 26, 2008, the Senate passed the Supplemental Appropriations Bill, 2008 (H.R. 2642) by a vote of 92 to 6. ([Record Vote 162](#)) The President signed this legislation into law on June 30, 2008 (P.L. 110-252). (Legislative Digest for H.R. 2642)

SENATE CONFIRMATIONS

During the week of June 23, 2008, the Senate confirmed the following Judicial nominees:

- Helene N. White of Michigan, to be United States Circuit Judge for the Sixth Circuit by a vote of 63 to 29. ([Record Vote 156](#))
- William T. Lawrence, of Indiana, to be United States District Judge for the Southern District of Indiana by a vote of 97 to 0. ([Record Vote 159](#))

The Senate confirmed General David Petraeus to be the commander of U.S. Central Command on July 10, 2008, by a vote of 95 to 2. ([Record Vote 171](#)) The U.S. Central Command has authority over all military operations in the Middle East and Southwest Asia. ([Petraeus Biography](#)) The Senate also confirmed Lieutenant General Raymond Odierno to replace General Petraeus as

commander of Multi-National Forces-Iraq by a vote of 96 to 1. ([Record Vote 172](#)) ([Odierno Biography](#))

This Week in the Senate

During the week of July 14, 2008, the Senate is expected to resume consideration of the Tom Lantos and Henry J. Hyde United State Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2008 (S. 2731). On July 11, 2008, the Administration issued a Statement of Administration Policy strongly supporting S. 2731. ([SAP for S. 2731](#)) The House passed their version of this legislation (H.R. 5501, Legislative Digest) by a vote of 308 to 116 on April 2, 2008. ([Roll no. 158](#))

**Note: On July, 11, 2008, the Senate began consideration of the Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2008 (S. 2731). The cloture motion to proceed to the bill was agreed to by a vote of 65 to 3. ([Record Vote 174](#))*

Following consideration of S. 2731, the Senate may consider the Free Flow of Information Act (S. 2035), which would establish a federal shield law for journalists. The Senate may also consider the Warm in Winter and Cool in Summer Act (S. 3186), which would provide \$2.53 billion in emergency spending for the Low Income Home Energy Assistance Program (LIHEAP).