

(2) INVESTMENT COMPANY ACT OF 1940.—The Investment Company Act of 1940 (15 U.S.C. 80a et seq.) is amended—

(A) in section 2(a) (15 U.S.C. 80a-2(a)), by adding at the end the following new paragraph:

“(53) The term ‘credit rating agency’ has the same meaning as in section 3 of the Securities Exchange Act of 1934.”; and

(B) in section 9(a) (15 U.S.C. 80a-9(a))—

(i) in paragraph (1), by inserting “‘credit rating agency,’” after “‘transfer agent,’”; and

(ii) in paragraph (2), by inserting “‘credit rating agency,’” after “‘transfer agent.’”.

(3) INVESTMENT ADVISERS ACT OF 1940.—The Investment Advisers Act of 1940 (15 U.S.C. 80b et seq.) is amended—

(A) in section 202(a) (15 U.S.C. 80b-2(a)), by adding at the end the following new paragraph:

“(28) The term ‘credit rating agency’ has the same meaning as in section 3 of the Securities Exchange Act of 1934.”;

(B) in section 202(a)(11) (15 U.S.C. 80b-2(a)(11)), by striking “or (F)” and inserting the following: “(F) any nationally recognized statistical rating organization, as that term is defined in section 3(a)(62) of the Securities Exchange Act of 1934, unless such organization engages in issuing recommendations as to purchasing, selling, or holding securities or in managing assets, consisting in whole or in part of securities, on behalf of others; or (G)”;

(C) in section 203(e) (15 U.S.C. 80b-3(e))—

(i) in paragraph (2)(B), by inserting “‘credit rating agency,’” after “‘transfer agent,’”; and

(ii) in paragraph (4), by inserting “‘credit rating agency,’” after “‘transfer agent.’”.

(4) HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1992.—Section 1319 of the Housing and Community Development Act of 1992 (12 U.S.C. 4519) is amended by striking “effectively” and all that follows through “‘broker-dealers’” and inserting “‘that is a nationally recognized statistical rating organization, as such term is defined in section 3(a) of the Securities Exchange Act of 1934’”.

(5) HIGHER EDUCATION ACT OF 1965.—Section 439(r)(15)(A) of the Higher Education Act of 1965 (20 U.S.C. 1087-2(r)(15)(A)) is amended by striking “means any entity recognized as such by the Securities and Exchange Commission” and inserting “means any nationally recognized statistical rating organization, as that term is defined in section 3(a) of the Securities Exchange Act of 1934”.

(6) TITLE 23.—Section 181(11) of title 23, United States Code, is amended by striking “‘identified by the Securities and Exchange Commission as a nationally recognized statistical rating organization’” and inserting “‘registered with the Securities and Exchange Commission as a nationally recognized statistical rating organization, as that term is defined in section 3(a) of the Securities Exchange Act of 1934’”.

#### SEC. 5. ANNUAL AND OTHER REPORTS.

Section 17(a)(1) of the Securities Exchange Act of 1934 (15 U.S.C. 78q(a)(1)) is amended—

(1) by inserting “‘nationally recognized statistical rating organization,’” after “‘registered transfer agent,’”; and

(2) by adding at the end the following: “Any report that a nationally recognized statistical rating organization is required by Commission rules under this paragraph to make and disseminate to the Commission shall be deemed furnished to the Commission.”.

#### SEC. 6. COMMISSION ANNUAL REPORT.

The Commission shall submit an annual report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives that, with respect to the year to which the report relates—

(1) identifies applicants for registration under section 15E of the Securities Exchange Act of 1934, as added by this Act;

(2) specifies the number of and actions taken on such applications; and

(3) specifies the views of the Commission on the state of competition, transparency, and conflicts of interest among nationally recognized statistical rating organizations.

#### SEC. 7. GAO STUDY AND REPORT REGARDING NATIONALLY RECOGNIZED STATISTICAL RATING ORGANIZATIONS.

(a) STUDY REQUIRED.—The Comptroller General of the United States shall conduct a study—

(1) to determine the impact of this Act and the amendments made by this Act on—

(A) the quality of credit ratings issued by nationally recognized statistical ratings organizations;

(B) the financial markets;

(C) competition among credit rating agencies;

(D) the incidence of inappropriate conflicts of interest and sales practices by nationally recognized statistical rating organizations;

(E) the process for registering as a nationally recognized statistical rating organization; and

(F) such other matters relevant to the implementation of this Act and the amendments made by this Act, as the Comptroller General deems necessary to bring to the attention of the Congress;

(2) to identify problems, if any, that have resulted from the implementation of this Act and the amendments made by this Act; and

(3) to recommend solutions, including any legislative or regulatory solutions, to any problems identified under paragraphs (1) and (2).

(b) REPORT REQUIRED.—Not earlier than 3 years nor later than 4 years after the date of enactment of this Act, the Comptroller General shall submit a report on the results of the study required by this section to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives.

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

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

The legislative clerk proceeded to call the roll.

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

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

#### ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent, notwithstanding the order of last night, that it be reflected that the leader or his designee may offer 3 bills under the provisions of rule XIV, and that all other provisions under the order be in effect; further, that the RECORD remain open until 11 a.m. for submitted statements.

The PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

#### JEWISH HOLIDAY SEASON

Mr. FRIST. Tomorrow, Saturday September 23—the first day of the month of Tishri on the Hebrew Calendar—Jewish people all over the world

will celebrate the holiday of Rosh Hashana. On the 10th of Tishri, October 2 on the Gregorian calendar, will mark the holiday of Yom Kippur—The Day of Atonement. These two days: one a spiritually important New Years celebration, the other an opportunity for solemn reflection coupled with a recognition of God’s mercy, rank alongside the weekly Sabbath as the most important holidays in Judaism.

The coming weeks bring two other important, joyous holidays: Sukkot—a commemoration of the mercy of God that allowed the Israelites to survive while wandering in the desert and Simchat Torah, a celebration of the completion of the annual cycle of readings from the scriptures most sacred to Jews.

In their observances, these holidays run the gamut. Jewish law requires fasting on Yom Kippur while the celebration of Sukkot focuses on festive meals eaten in a temporary shelter. All of them, however, have a common thread: a focus on justice, on the Eternal, and upon improving—healing—the world. On ethnical monotheism. All these are important traditions that Judaism transmitted to Christianity and Islam.

As we enter the Jewish holiday season, I urge all Americans to reflect on the need to heal the world, to work for peace, and to do justice.

And, on this, the day before Rosh Hashana. I wish all of my Jewish friends and colleagues a Happy New Year. L’Shana Tova.

#### MESSAGE FROM THE HOUSE

#### ENROLLED BILLS SIGNED

At 9:38 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 260. An act to authorize the Secretary of the Interior to provide technical and financial assistance to private landowners to restore, enhance, and manage private land to improve fish and wildlife habitats through the Partners for Fish and Wildlife Program.

S. 418. An act to protect members of the Armed Forces from unscrupulous practices regarding sales of insurance, financial, and investment products.

S. 1025. An act to amend the Act entitled “An Act to provide for the construction of the Cheney division, Wichita Federal reclamation project, Kansas, and for other purposes” to authorize the Equus Beds Division of the Wichita Project.

H.R. 3408. An act to reauthorize the Livestock Mandatory Reporting Act of 1999 and to amend the swine reporting provisions of that Act.

H.R. 3858. An act to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to ensure that State and local emergency preparedness operational plans address the needs of individuals with household pets and service animals following a major disaster or emergency+.

#### MEASURES READ THE FIRST TIME

The following bills were read the first time: