

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S3663–S3768*

**Measures Introduced:** Twenty-one bills and two resolutions were introduced, as follows: S. 3356–3376, and S. Res. 524–525. **Page S3716**

#### Measures Reported:

Special Report entitled “Social Security Modernization: Options to Address Solvency and Benefit Adequacy”. (S. Rept. No. 111–187)

S. 624, to provide 100,000,000 people with first-time access to safe drinking water and sanitation on a sustainable basis by 2015 by improving the capacity of the United States Government to fully implement the Senator Paul Simon Water for the Poor Act of 2005, with an amendment in the nature of a substitute. (S. Rept. No. 111–185)

S. 2839, to amend the Torture Victims Relief Act of 1998 to authorize appropriations to provide assistance for domestic and foreign programs and centers for treatment of victims of torture, with an amendment in the nature of a substitute. (S. Rept. No. 111–186) **Page S3715**

#### Measures Passed:

*National Stuttering Awareness Week:* Senate agreed to S. Res. 524, supporting the goals and ideals of National Stuttering Awareness Week 2010. **Pages S3683–84**

*Virgin Islands National Park:* Senate passed H.R. 714, to authorize the Secretary of the Interior to lease certain lands in Virgin Islands National Park, after agreeing to the committee amendments. **Pages S3761–62**

*Law Enforcement Officers Safety Act Improvements Act:* Senate passed S. 1132, to amend title 18, United States Code, to improve the provisions relating to the carrying of concealed weapons by law enforcement officers, after agreeing to the committee amendment in the nature of a substitute. **Pages S3762–63**

*National Transportation Safety Board:* Senate passed S. 2768, to amend title 49, United States Code, to authorize appropriations for the National

Transportation Safety Board for fiscal years 2011 and 2012, and for other purposes, after agreeing to the committee amendment in the nature of a substitute, and the following amendments proposed thereto:

Dodd (for Dorgan) Amendment No. 4038, to amend title 49, United States Code, to authorize appropriations for the National Transportation Safety Board for fiscal years 2011 and 2012. **Pages S3763–66**

Dodd (for Dorgan/Rockefeller) Amendment No. 4039, to amend the title. **Page S3766**

*Expressing Sympathy Regarding the Republic of Korea Ship Cheonan:* Senate agreed to S. Res. 525, expressing sympathy to the families of those killed in the sinking of the Republic of Korea Ship Cheonan, and solidarity with the Republic of Korea in the aftermath of this tragic incident. **Page S3766**

#### Measures Considered:

*Restoring American Financial Stability Act—Agreement:* Senate continued consideration of S. 3217, to promote the financial stability of the United States by improving accountability and transparency in the financial system, to end “too big to fail”, to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices, taking action on the following amendments proposed thereto: **Pages S3664–83, S3684–S3711**

#### Adopted:

By 64 yeas to 35 nays (Vote No. 146), Dodd (for Franken) Amendment No. 3991 (to Amendment No. 3739), to instruct the Securities and Exchange Commission to establish a self-regulatory organization to assign credit rating agencies to provide initial credit ratings. **Pages S3664, S3673–74, S3682**

By 61 yeas to 38 nays (Vote No. 147), LeMieux Modified Amendment No. 3774 (to Amendment No. 3739), to remove statutory references to credit rating agencies. **Pages S3674–81, S3682–83**

By 64 yeas to 33 nays (Vote No. 149), Dodd (for Durbin) Modified Amendment No. 3989 (to Amendment No. 3739), to ensure that the fees that small businesses and other entities are charged for accepting debit cards are reasonable and proportional to the costs incurred, and to limit payment card networks from imposing anti-competitive restrictions on

small businesses and other entities that accept payment cards. (A unanimous-consent agreement was reached providing that the amendment, having achieved 60 affirmatives votes, be agreed to).

**Pages S3664, S3695–99, S3703–05**

Collins Amendment No. 3879 (to Amendment No. 3739), to mandate minimum leverage and risk-based capital requirements for insured depository institutions, depository institution holding companies, and nonbank financial companies that the Council identifies for Board of Governors supervision and as subject to prudential standards. **Pages S3664, S3705–08**

Rejected:

By 42 yeas to 58 nays (Vote No. 148), Sessions Amendment No. 3832 (to Amendment No. 3739), to provide an orderly and transparent bankruptcy process for non-bank financial institutions and prohibit bailout authority.

**Pages S3664, S3668–70, S3673, S3686–91**

By 40 yeas to 55 nays (Vote No. 150), Dodd (for Thune) Amendment No. 3987 (to Amendment No. 3739), to provide for increased Congressional oversight through a sunset of the authority created under title X related to the creation of the Bureau of Consumer Financial Protection. **Pages S3693–95, S3703–05**

Withdrawn:

Dodd (for Wyden) Amendment No. 4019 (to Amendment No. 3739), to establish as a standing order of the Senate that a Senator publicly disclose a notice of intent to objecting to any measure or matter.

**Pages S3693–94, S4019**

Pending:

Reid (for Dodd/Lincoln) Amendment No. 3739, in the nature of a substitute.

**Pages S3664–83, S3684–S3711**

Brownback Modified Amendment No. 3789 (to Amendment No. 3739), to provide for an exclusion from the authority of the Bureau of Consumer Financial Protection for certain automobile manufacturers.

**Page S3664**

Brownback (for Snowe/Pryor) Amendment No. 3883 (to Amendment No. 3739), to ensure small business fairness and regulatory transparency.

**Page S3664**

Specter Modified Amendment No. 3776 (to Amendment No. 3739), to amend section 20 of the Securities Exchange Act of 1934 to allow for a private civil action against a person that provides substantial assistance in violation of such Act.

**Pages S3664–68, S3670–73**

Dodd (for Leahy) Amendment No. 3823 (to Amendment No. 3739), to restore the application of the Federal antitrust laws to the business of health insurance to protect competition and consumers.

**Page S3664**

Whitehouse Amendment No. 3746 (to Amendment No. 3739), to restore to the States the right to protect consumers from usurious lenders.

**Pages S3708–09**

Dodd (for Rockefeller) Amendment No. 3758 (to Amendment No. 3739), to preserve the Federal Trade Commission's rule making authority.

**Pages S3710–11**

During consideration of this measure today, Senate also took the following action:

DeMint/Vitter Amendment No. 3852 (to Amendment No. 4019), to require the completion of the 700-mile southwest border fence not later than 1 year after the date of the enactment of this Act, fell when Dodd (for Wyden) Amendment No. 4019 (to Amendment No. 3739) (listed above), was withdrawn.

**Pages S3699–S3703**

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m., on Friday, May 14, 2010; provided further, that the following be the next first-degree amendments in order: Crapo amendment regarding to GSE on budget; Udall (CO) Amendment No. 4016 regarding credit scores; Shelby Amendment No. 4010 regarding consumer bureau; Vitter Amendment No. 4003 regarding manufacturing; Cantwell/McCain amendment regarding Glass-Steagall; and Cornyn Amendment No. 3986 regarding IMF.

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#### Appointments:

*Board of Directors of the Office of Compliance:* The Chair, on behalf of the Majority and Minority Leaders of the Senate and the Speaker and Minority Leader of the House of Representatives, pursuant to Section 301 of Public Law 104–1, as amended by Public Law 108–349, and further amended by Public Law 111–114, announced the joint re-appointment of the following individuals as members of the Board of Directors of the Office of Compliance: Barbara L. Camens of the District of Columbia and Roberta L. Holzwarth of Illinois.

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*Harry S. Truman Scholarship Foundation Board of Trustees:* The Chair, on behalf of the Vice President, pursuant to Public Law 93–642, appointed Senator Begich to be a member of the Harry S. Truman Scholarship Foundation Board of Trustees, vice Senator Baucus.

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**Removal of Injunction of Secrecy:** The injunction of secrecy was removed from the following treaty:

Treaty with Russia on Measures for Further Reduction and Limitation of Strategic Offensive Arms (Treaty Doc. No. 111–5).

The treaty was transmitted to the Senate today, considered as having been read for the first time, and

referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed. **Pages S3766–67**

**Nominations Received:** Senate received the following nominations:

Mark Feierstein, of Virginia, to be an Assistant Administrator of the United States Agency for International Development.

Oswaldo Luis Gratacós Munet, of Puerto Rico, to be Inspector General, Export-Import Bank.

1 Air Force nomination in the rank of general.

Routine lists in the Air Force, Army, Coast Guard, Marine Corps, and Navy. **Pages S3767–68**

**Messages from the House:** **Page S3713**

**Executive Communications:** **Pages S3713–15**

**Executive Reports of Committees:** **Pages S3715–16**

**Additional Cosponsors:** **Pages S3716–19**

**Statements on Introduced Bills/Resolutions:** **Pages S3719–21**

**Additional Statements:** **Pages S3711–13**

**Amendments Submitted:** **Pages S3721–61**

**Authorities for Committees to Meet:** **Page S3761**

**Record Votes:** Five record votes were taken today. (Total—50) **Pages S3682–83, S3691, S3705**

**Adjournment:** Senate convened at 9:30 a.m. and adjourned at 8:16 p.m., until 9:30 a.m. on Friday, May 14, 2010. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S3767.)

## Committee Meetings

(Committees not listed did not meet)

### FEDERAL HOUSING ADMINISTRATION

*Committee on Appropriations:* Subcommittee on Transportation, Housing and Urban Development, and Related Agencies concluded an oversight hearing to examine the Federal Housing Administration and its role in the housing market, after receiving testimony from David H. Stevens, Assistant Secretary, and Commissioner, Federal Housing Administration, and Kenneth Donohue, Inspector General, both of the Department of Housing and Urban Development.

### BUSINESS MEETING

*Committee on Appropriations:* Committee ordered favorably reported H.R. 4899, making emergency supplemental appropriations for disaster relief and summer jobs for the fiscal year ending September 30, 2010, with an amendment in the nature of a substitute.

### OPERATIONS IN AFGHANISTAN

*Committee on Armed Services:* Committee received a closed briefing on operations in Afghanistan from General Stanley A. McChrystal, USA, Commander, International Security Assistance Force, and Commander, United States Forces Afghanistan.

### NOMINATION

*Committee on Finance:* Committee concluded a hearing to examine the nomination of Alan D. Bersin, of California, to be Commissioner of Customs, Department of Homeland Security, after the nominee, who was introduced by Senator Boxer, testified and answered questions in his own behalf.

### INDIAN SCHOOL SAFETY

*Committee on Indian Affairs:* Committee concluded an oversight hearing to examine Indian school safety, after receiving testimony from Larry Echo Hawk, Assistant Secretary for Indian Affairs, Bart Stevens, Acting Director, Bureau of Indian Education, Jack Rever, Director, Office of Facilities, Environmental and Cultural Resources, and Mary L. Kendall, Acting Inspector General, all of the Department of the Interior; Anthony Fairbanks, Pueblo of Laguna Department of Education Superintendent, Laguna, New Mexico; Quinton Roman Nose, National Indian Education Association (NIEA), Washington, D.C.; and Charles L. Jaynes, Albuquerque, New Mexico.

### BUSINESS MEETING

*Committee on the Judiciary:* Committee ordered favorably reported the nominations of Goodwin Liu, of California, to be United States Circuit Judge for the Ninth Circuit, Raymond Joseph Lohier, Jr., of New York, to be United States Circuit Judge for the Second Circuit, Leonard Philip Stark, to be United States District Judge for the District of Delaware, and Kerry Joseph Forestal, to be United States Marshal for the Southern District of Indiana, John Dale Foster, to be United States Marshal for the Southern District of West Virginia, Gary Michael Gaskins, to be United States Marshal for the Northern District of West Virginia, Dallas Stephen Neville, to be United States Marshal for the Western District of Wisconsin, and R. Booth Goodwin II, to be United States Attorney for the Southern District of West Virginia, all of the Department of Justice.

### NOMINATIONS

*Committee on the Judiciary:* Committee concluded a hearing to examine the nominations of Scott M. Matheson, Jr., of Utah, to be United States Circuit Judge for the Tenth Circuit, who was introduced by Senators Hatch and Feingold, John J. McConnell,