

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S12971–S13066

Measures Introduced: Eight bills were introduced, as follows: S. 2872–2879. **Pages S13032–33**

Measures Reported:

S. 448, to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media, with an amendment in the nature of a substitute. **Page S13032**

Conference Reports:

Transportation, Housing and Urban Development, and Related Agencies Appropriations Act—Conference Report: Senate continued consideration of the conference report to accompany H.R. 3288, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010. **Pages S12984–S13031**

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

By 60 yeas to 36 nays (Vote No. 372), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to waive the point of order that the conference report violates Rule XXVIII of the Standing Rules of the Senate. **Page S12992**

A unanimous-consent-time agreement was reached providing for further consideration of the conference report at approximately 9 a.m., on Saturday, December 12, 2009, after any Leader remarks, and that at 9:30 a.m., Senate vote on the motion to invoke cloture on the conference report, with the time until 9:30 a.m., equally divided and controlled between the two Leaders, or their designees; provided, that if cloture is invoked, then post-cloture time continue to run during any recess, adjournment or period of morning business; that on Sunday, December 13, 2009, all post-cloture time be considered expired at 2 p.m., and Senate vote on the adoption of the conference report; provided further, that no points of order be in order during the pendency of the conference report. **Pages S13029, S13061**

Nominations Received: Senate received the following nominations:

Marilyn A. Brown, of Georgia, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2012.

William Charles Ostendorff, of Virginia, to be a Member of the Nuclear Regulatory Commission for the remainder of the term expiring June 30, 2011.

Sharon E. Burke, of Maryland, to be Director of Operational Energy Plans and Programs.

16 Air Force nominations in the rank of general.

1 Marine Corps nomination in the rank of general.

1 Navy nomination in the rank of admiral.

Routine lists in the Air Force, Army, Foreign Service, and Marine Corps. **Pages S13064–66**

Messages from the House: **Pages S13031–32**

Measures Referred: **Page S13032**

Measures Placed on the Calendar: **Page S13032**

Executive Communications: **Page S13032**

Additional Cosponsors: **Pages S13033–34**

Statements on Introduced Bills/Resolutions: **Pages S13034–38**

Amendments Submitted: **Pages S13038–61**

Notices of Hearings/Meetings: **Page S13061**

Privileges of the Floor: **Page S13061**

Record Votes: One record vote was taken today. (Total—372) **Page S12992**

Adjournment: Senate convened at 10 a.m. and adjourned at 7:44 p.m., until 9 a.m. on Saturday, December 12, 2009. (For Senate’s program, see the remarks of the Acting Majority Leader in today’s Record on page S13061.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 18 public bills, H.R. 4283–4300; and 6 resolutions, H.J. Res. 62; H. Con. Res. 221; and H. Res. 965–968 were introduced. **Pages H14826–27**

Additional Cosponsors: **Page H14827**

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein she appointed Representative Edwards (MD) to act as Speaker Pro Tempore for today. **Page H14745**

Journal: The House agreed to the Speaker's approval of the Journal by voice vote. **Pages H14745–46**

Wall Street Reform and Consumer Protection Act of 2009: The House passed H.R. 4173, to provide for financial regulatory reform, to protect consumers and investors, to enhance Federal understanding of insurance issues, and to regulate the over-the-counter derivatives markets, by a recorded vote of 223 ayes to 202 noes, Roll No. 968. **Pages H14747–H14804**

Rejected the Dent motion to recommit the bill to the Committee on Financial Services, and in addition to the Committees on Agriculture, Energy and Commerce, the Judiciary, Rules, the Budget, Oversight and Government Reform, and Ways and Means, with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 190 ayes to 232 noes, Roll No. 967. **Pages H14800–04**

Agreed to:

Cohen amendment (No. 15 printed in H. Rept. 111–370) that strikes language that would permit FINRA to regulate investment advisers that are associated with broker dealers; **Pages H14747–48**

Garrett (NJ) amendment (No. 26 printed in H. Rept. 111–370) that allows rating agency firms to deregister as Nationally Recognized Statistical Rating Organizations (NRSRO), provided such NRSRO certifies that it received less than \$250 million during its last full fiscal year in compensation for providing credit ratings on securities and money market instruments issued in the U.S.; **Pages H14757–58**

Kilroy amendment (No. 33 printed in H. Rept. 111–370) that makes explicit that financing for the Systemic Dissolution Fund would come exclusively from assessments on industry, without recourse to the American taxpayer; **Pages H14760–61**

Peters amendment (No. 16 printed in H. Rept. 111–370) that authorizes the FDIC to make assessments for the Systemic Dissolution Fund used to

repay any shortfalls in Troubled Asset Relief Program (TARP) to ensure that such shortfalls do not add to the deficit or national debt (by a recorded vote of 228 ayes to 198 noes, Roll No. 962); and

Pages H14748–50, H14763–64

Schakowsky amendment (No. 32 printed in H. Rept. 111–370) that provides the Director of the Consumer Financial Protection Agency with authority to issue regulations for reverse mortgage transactions within one year of enactment. It clarifies the Directors authority to consider additional consumer protections under both consumer protection statutes and HUD regulations (by a recorded vote of 277 ayes to 149 noes, Roll No. 964). **Pages H14758–60, H14798–99**

Rejected:

Kanjorski amendment (No. 18 printed in H. Rept. 111–370) that sought to aim to stem the unintended consequences resulting from the definitional change of NRSRO from “Nationally Recognized Statistical Rating Organization” to “Nationally Registered Statistical Rating Organization.” Section 6005 creates inconsistencies in the securities laws as it amends the definition only in the 1933 and 1934 Acts and it has potential impact on state rules and regulations requiring a change of state level statute; **Pages H14751–52**

Kanjorski amendment (No. 12 printed in H. Rept. 111–370) that was debated on December 10th that sought to strike the provisions exempting public companies with less than \$75 million in market capitalization from the requirements of the Sarbanes-Oxley Act related to the external audit of internal controls (by a recorded vote of 153 ayes to 271 noes, Roll No. 960); **Page H14762**

McCarthy (CA) amendment (No. 14 printed in H. Rept. 111–370) that was debated on December 10th that sought to strike section 6012 (relating to “Effect of Rule 436(G)”). The amendment would strike increased liability language that would be a barrier to entry, inhibiting increased competition in the rating agency market (by a recorded vote of 166 ayes to 259 noes, Roll No. 961); **Pages H14762–63**

Marshall amendment (No. 19 printed in H. Rept. 111–370) that sought to allow bankruptcy courts to extend repayment periods, reduce excessive interest rates and fees, and adjust the principal balance of the mortgage to a home's fair market value as necessary to prevent foreclosure and revised to allow the VA, FHA, and RHS to take steps to facilitate mortgage modifications. The amendment is substantively identical to title I, subtitle A and sections 121–123 of subtitle B of H.R. 1106 (Helping Families Save