South Dakota, Mr. KERRY, Mr. KOHL, championed the rights of women around the
Ambassador to the United Nations Commission on the Status of Women and its
full and equal participation of women in national affairs.

16 women members of the House; where she was one of only
Congresswoman Ferraro to the U.S. House of Representat-
atives, where she was one of only very few women did so;

her way through law school at Fordham University,
at a time when very few women did so;

the Queen's County District Attorney's Office, where she supervised the pros-
escution of a variety of violent crimes, including child and domestic abuse;

the first woman ever chosen to run on the national ticket of
either of the 2 major political parties of the United States;

her candidacy continues the progress begun by women who achieved political offices before her and paved the way foras many as only 16 women members of the House;

where she was nominated as the running mate of Vice President Walter F. Mondale in the 1984 presidential race, Congresswoman Ferraro became the first woman ever chosen to run on the national ticket of either of the 2 major political parties of the United States;

Congresswoman Ferraro's candidacy continues the progress begun by women who achieved political offices before her and paved the way for as many as only 16 women members of the House;

whereas Congresswoman Ferraro then joined the Queen's County District Attorney's Office, where she supervised the prosecution of a variety of violent crimes, including child and domestic abuse;

in January 1993, President Clinton appointed her to the U.S. House of Representa-
tives, where she was one of only very few women did so;

Whereas Geraldine Ferraro's 1984 bid for the
vice presidential ticket with the Democratic nominee
would have made her the first woman to be elected to the Senate;

When Congresswoman Ferraro worked her way through law school at Fordham University,
at a time when very few women did so;

when she was nominated as the running mate of Vice President Walter F. Mondale in the 1984 presidential race, Congresswoman Ferraro became the first woman ever chosen to run on the national ticket of either of the 2 major political parties of the United States;

Whereas Congresswoman Ferraro's candidacy continues the progress begun by women who achieved political offices before her and paved the way for as many as only 16 women members of the House;

Whereas in January 1993, President Clinton appointed her to the U.S. House of Representa-
tives, where she was one of only very few women did so;

Whereas Congresswoman Geraldine A. Ferraro
served the people of the Ninth Congressional District of New York for 6 years;

Whereas Geraldine Ferraro's 1984 bid for the
vice presidential ticket with the Democratic nominee
would have made her the first woman to be elected to the Senate;

Resolved, That—
(1) the Senate recognizes that Geraldine A. Ferraro's candidacy continues the progress begun by women who achieved political offices before her and paved the way for as many as only 16 women members of the House;

(2) the Senate pays tribute to Congresswoman Geraldine A. Ferraro's work to improve the lives of women and families not only in the Ninth Congressional District of New York, whom she represented so well, but also the lives of women and families all across the United States;

(3) the Senate requests the Secretary of the Senate to transmit an enrolled copy of this resolution to the family of Congresswoman Geraldine A. Ferraro; and

(4) when the Senate adjourns today, it stand adjourned as a mark of respect to the memory of Congresswoman Geraldine A. Ferraro.

AMENDMENTS SUBMITTED AND PROPOSED
SA 258. Ms. LANDRIEU (for herself, Mr. VITTER, Mr. COCHRAN, and Mr. SHELY) submitted an amendment intended to be proposed by her to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table.

SA 259. Ms. KLOBUCAR (for herself and Mr. TESTER) submitted an amendment intended to be proposed by her to the bill S. 493, supra; which was ordered to lie on the table.

SA 260. Mr. BROWN of Ohio submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 261. Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 262. Mr. MENENDEZ (for himself, Mr. KERRY, and Mr. ROCKEFELLER) submitted an amendment intended to be proposed to the bill S. 493, supra; which was ordered to lie on the table.

SA 263. Ms. STABENOW submitted an amendment intended to be proposed by her to the bill S. 493, supra; which was ordered to lie on the table.

SA 264. Ms. KLOBUCAR (for herself and Mr. TESTER) submitted an amendment intended to be proposed by her to the bill S. 493, supra; which was ordered to lie on the table.

SA 265. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill S. 493, supra; which was ordered to lie on the table.

SA 266. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill S. 493, supra; which was ordered to lie on the table.

SA 267. Mr. TESTER (for himself and Mr. CORKER) submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS
SA 258. Ms. LANDRIEU (for herself, Mr. VITTER, Mr. COCHRAN, and Mr. SHELY) submitted an amendment intended to be proposed by her to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 504. EXTENSION OF THE PLACED IN SERVICE DATE FOR LOW-INCOME HOUSING PROJECTS TO IDENTIFY QUALIFIED RECIPIENTS OF AWARDS UNDER THE SBIR OR STTR PROGRAMS.

The Administration shall establish a portal within the centralized SBIR website that—
(1) announces manufacturing opportunities when available; and
(2) publishes any Administration rules and guidance relating to such opportunities.

SA 261. Mr. BROWN of Ohio submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 90, line 13, after “agency” insert “the”, including in the manufacturing sector and, to the extent practicable, the effects of patent rights granted to inventions arising out of SBIR on job creation and savings in the manufacturing sector”.

SA 262. Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 504. MARKET RESEARCH TO IDENTIFY QUALIFIED RECIPIENTS OF AWARDS UNDER THE SBIR OR STTR PROGRAM.

Section 15 of the Small Business Act (15 U.S.C. 644) is amended by adding at the end the following:

(1) the term ‘covered contract’ means a contract to perform research, development, or production that has an expected annual value that is more than $150,000 and not more than $500,000;

(2) the term ‘recipient of an award under an SBIR program or STTR program’ includes
a team of small business concerns that received an award under an SBIR program or STTR program; and

"(C) the terms ‘SBIR program’ and ‘STTR program’ for the meanings given those terms under section 9.

"(2) MARKET RESEARCH.—Before a contracting officer for a Federal agency issues a request for proposals relating to a covered contract, the contracting officer shall perform market research to determine whether a recipient of an award under the SBIR program or STTR program is qualified to perform the covered contract using technology developed using the award.

"(3) FULL AND FAIR CONSIDERATION.—If a contracting officer for a Federal agency identifies a recipient described in paragraph (2) after performing market research under paragraph (2), the contracting officer shall ensure that the recipient is given full and fair consideration in the award of the covered contract.”

SA 265. Ms. STABENOW submitted an amendment intended to be proposed by her to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 116, after line 24, add the following:

SEC. 504. SUSPENSION OF STATIONARY SOURCE REGULATIONS.

(a) DEFINED TERM.—In this section, the term ‘greenhouse gas’ means—

(1) water vapor;

(2) carbon dioxide;

(3) methane;

(4) nitrous oxide;

(5) sulfur hexafluoride;

(6) hydrofluorocarbons;

(7) perfluorocarbons; and

(8) any other substance subject to, or proposed to be subject to, any regulation, action, or consideration under the Clean Air Act (42 U.S.C. 7401 et seq.), except for purposes other than addressing climate change, for any source other than a new motor vehicle engine, for manufacturing the of greenhouse gases (as defined in section 7521(a)) shall not be legally effective during such period.

"(d) EXCEPTIONS.—Subsections (b) and (c) shall not apply to—

(1) the implementation and enforcement of the rule entitled “Light-Duty Vehicle Greenhouse Gas Emission Standards and Corporate Average Fuel Economy Standards” (75 Fed. Reg. 25324 (May 7, 2010) and without further revision; or


SEC. 505. GREENHOUSE GAS EMISSION STANDARDS.

(a) PRESERVING ONE NATIONAL STANDARD FOR AUTOMOBILES.—Section 209(b) of the Clean Air Act (42 U.S.C. 7543) is amended by adding at the end the following:

"(2) With respect to standards for emissions of greenhouse gases (as defined in section 209(b) of the Clean Air Act (42 U.S.C. 7543)) for model year subsequent model year for new motor vehicles and new motor vehicle engines—

(A) the Administrator may not waive application of subsection (b); and

(B) no waiver granted prior to the date of enactment of this paragraph may be considered to waive the application of subsection (b).

"(b) AGRICULTURAL SOURCES.—In calculating the emissions or potential emissions of a greenhouse gas, greenhouse gases that are subject to regulation under title III of the Clean Air Act (42 U.S.C. 7601 et seq.) solely on the basis of the effects of the raising of agricultural or horticultural commodities, the growing of commodities, biomass, fruits, vegetables, or other crops; and

"(3) the raising of stock, dairy, poultry, or fur-bearing animals; or

"(4) farms, forests, plantations, ranches, nurseries, ranges, orchards, greenhouses, or other similar structures used primarily for the raising of agricultural or horticultural commodities from land that is not more than one acre in size.

SEC. 506. ENERGY SECURITY.

(a) SHORT TITLE.—This section may be cited as the “Security in Energy and Manufacturing Act of 2011” or the “SEMA Act of 2011”.

(b) EXTENSION OF THE ADVANCED ENERGY PROJECTS.

(1) IN GENERAL.—Subsection (d) of section 48C of the Internal Revenue Code of 1986 is amended by adding at the end the following:

"(4) 2011 ALLOCATION AMOUNT.—For purposes of subsection (a), there shall be added at the end the following:

"(A) a non-refundable credit of $5,000,000,000.
“6) DIRECT PAYMENTS.—In lieu of any qualifying advanced energy project credit which would otherwise be determined under this section with respect to an allocation to a taxpayer under this paragraph, the Secretary shall, upon the election of the taxpayer, make a grant to the taxpayer in the amount of such credit as so determined. Rules comparable to the rules of section 50 shall apply with respect to any grant made under this subparagraph.”.

(2) PORTION OF 2011 ALLOCATION ALLOTTED UNDER THE SMALL BUSINESS LENDING FUND PROGRAM—Subparagraph (b) of section 48C(d)(1) of such Code is amended by inserting “increased by so much of the 2011 allocation amount (not in excess of $1,500,000,000) as the Secretary determines necessary to make allocations to qualified investments with respect to which qualifying applications were submitted before the date of the enactment of paragraph (6)”—after “$2,300,000,000.”.

(3) CONFORMING AMENDMENT.—Paragraph (2) of section 1234(b) of title 31, United States Code, is amended by inserting “48C(d)(6)(E),” after “36C.”.

SA 266. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE I—SMALL BUSINESS LENDING FUND

SEC. 01. SHORT TITLE.
This title may be cited as the “Greater Accountability in the Lending Fund Act of 2011.”

SEC. 02. REPAYMENT DEADLINE UNDER THE SMALL BUSINESS LENDING FUND PROGRAM.

(a) IN GENERAL.—Section 4103(d)(5)(H) of the Small Business Jobs Act of 2010 (12 U.S.C. 4741 note) is amended—

(1) in clause (1)—

(A) in subclause (I), by striking “; or” and inserting “; and”;

(B) by striking subclause (II); and

(C) by striking clause (III); and

(2) by inserting “that—” and all that follows through “be repaid” and inserting “will be repaid”; and

(b) EFFECTIVE DATE; APPLICABILITY; SAVINGS CLAUSE.—

(1) EFFECTIVE DATE; APPLICABILITY.—The amendments made by this section shall—

(A) take effect on the date of enactment of this Act and

(B) apply to any investment made by the Secretary of the Treasury under the Small Business Lending Fund Program established under section 4103 of the Small Business Jobs Act of 2010 (12 U.S.C. 4741 note) (in this subsection referred to as the “Program”)—on or after the date of enactment of this Act.

(2) SAVINGS CLAUSE.—Notwithstanding the amendments made by this section, an investment made by the Secretary of the Treasury under the Program before the date of enactment of this Act shall remain in full force and effect under the terms and conditions under which the investment was made.

SEC. 03. SMALL BUSINESS LENDING FUND LIMITATION.

Section 4109 of the Small Business Jobs Act of 2010 (12 U.S.C. 4741 note) is amended—

(1) in subsection (b), by inserting “shall remain in the termact date in subsection (c)” before the period at the end; and

(2) by adding at the end the following:

(c) TERMINATION OF PROGRAM.—

(1) INVESTMENTS.—On and after the date that is 15 years after the date of enactment of this Act, and after the date that the interchange fee available through the interchange agreement is determined under the section 4103(c) for the 4 full quarters immediately preceding the date of enactment of this Act, the Secretary shall, upon the election of the taxpayer, make a grant to the taxpayer in the amount of such credit as so determined. Rules comparable to the rules of section 50 shall apply with respect to any grant made under this subparagraph.

(2) AUTHORIZED.—Except as provided in subsection (a), all the authorities provided under a subsection shall terminate 15 years after the date of enactment of this Act.”.

SEC. 04. SMALL BUSINESS LENDING FUND TRIGGER.

Section 4109 of the Small Business Jobs Act of 2010 (12 U.S.C. 4741 note), as amended by section 93, is amended by adding at the end the following:

(f) FDIC RECEIVERSHIP.—The Secretary may not make any purchases, including commitments to purchase, under this Act if the Federal Deposit Insurance Corporation is appointed receiver of 5 percent or more of the number of eligible institutions that receive a capital investment under the Program.”.

SEC. 05. SMALL BUSINESS LENDING FUND LIMITATION.

(a) IN GENERAL.—Section 4103(d)(2) of the Small Business Jobs Act of 2010 (12 U.S.C. 4741 note) is amended—

(1) by striking “; less the amount of any CDCI investment or any CPP investment” each place it appears;

(2) by striking paragraph (7);

(3) by redesignating paragraphs (8), (9), and (10) as paragraphs (7), (8), and (9), respectively; and

(4) by adding at the end the following:

(10) PROHIBITION ON TARP PARTICIPANTS ACQUIRING THE SECURED INTEREST.—If the Secretary makes a purchase, under this Act, of a secured interest from an eligible institution, the Secretary shall not purchase any interest in a secured interest unless determined that, based on the financial condition of the eligible institution, the eligible institution should receive;

(b) EFFECTIVE DATE; APPLICABILITY; SAVINGS CLAUSE.—

(1) EFFECTIVE DATE; APPLICABILITY.—The amendments made by this section shall—

(A) take effect on the date of enactment of this Act and

(B) apply to any investment made by the Secretary of the Treasury under the Small Business Lending Fund Program established under section 4103(a)(2) of the Small Business Jobs Act of 2010 (12 U.S.C. 4741 note) (in this subsection referred to as the “Program”)—on or after the date of enactment of this Act.

(2) SAVINGS CLAUSE.—Notwithstanding the amendments made by this section, an investment made by the Secretary of the Treasury under the Program before the date of enactment of this Act shall remain in full force and effect under the terms and conditions under which the investment was made.

SEC. 06. PRIVATE INVESTMENTS UNDER THE SMALL BUSINESS LENDING FUND PROGRAM.


(1) in the heading, by striking “MATCHED” and inserting “CONSULTATION WITH” and inserting “APPROVAL OF”;

(2) in the matter preceding subparagraph (A), by striking “the Secretary shall” and inserting “the Secretary may not make a purchase under this subtitle unless”;

(3) in subparagraph (A)—

(A) by striking “consult with” and inserting “determine whether the institution is able to fund the project”;

(B) by striking “determine whether the institution may receive” and inserting “determine that, based on the financial condition of the eligible institution, the eligible institution should receive”;

(4) in subparagraph (B)—

(A) by striking “consider any views received from” and inserting “required to make a determination under paragraph (2) does not appear”;

(B) by striking “consult with” and inserting “determine that, based on the financial condition of the eligible institution, the eligible institution should receive”;

(5) in subparagraph (C)—

(A) by striking “consult with” and inserting “determine whether the institution is able to fund the project”;

(B) by striking “consider any views received from” and inserting “required to make a determination under paragraph (2) does not appear”;

(6) by striking “to be consulted under paragraph” and inserting “will be consulted”;

(7) by striking clause (ii); and

(8) by striking “that—” and all that follows through “be repaid” and inserting “will be repaid”.

SEC. 07. APPLICATION OF REGULATORS.

(a) IN GENERAL.—Section 4103(d)(2) of the Small Business Jobs Act of 2010 (12 U.S.C. 4741 note) is amended—

(1) in the heading, by striking “both under the Program” and inserting “under the Program and”;

(2) by redesignating subparagraphs (C) and (D) as subparagraphs (A) and (B), respectively.

(b) EFFECTIVE DATE; APPLICABILITY.—Section 4103(d)(3)(A)(iii) of the Small Business Jobs Act of 2010 (12 U.S.C. 4741 note) is amended—

(1) by striking “on or after the date of enactment of this Act” and inserting “immediately preceding the date of enactment of this Act” and inserting “during calendar year 2007”;

(2) in paragraph (2), by striking “in each of calendar year 2007” and inserting “in each of calendar year 2007”;

(3) by redesignating paragraphs (3), (4), and (5) as paragraphs (2), (3), and (4), respectively; and

(4) by striking “the Secretary” and inserting “the Secretary determines that, based on the financial condition of the eligible institution, the eligible institution should receive”.

SEC. 08. SMALL BUSINESS LENDING FUND TRIGGER.


(1) by inserting “in each of calendar year 2007” after “the Secretary determines that, based on the financial condition of the eligible institution, the eligible institution should receive”;

(2) in paragraph (2), by striking “in each of calendar year 2007” and inserting “in each of calendar year 2007”;

(3) by redesignating paragraphs (3), (4), and (5) as paragraphs (2), (3), and (4), respectively; and

(4) by striking “the Secretary” and inserting “the Secretary determines that, based on the financial condition of the eligible institution, the eligible institution should receive”.

SA 257. Mr. TESTER (for himself and Mr. CORRIGAN) submitted an amendment in a form to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE VI—DEBIT INTERCHANGE FEE STUDY

SEC. 601. SHORT TITLE.
This title may be cited as the “Debit Interchange Fee Study Act of 2011.”

SEC. 602. FINDINGS.

Congress finds that—

(1) in response to the proposed debit interchange rule of the Board of Governors of the Federal Reserve System mandated by section 1075 of the Dodd-Frank Wall Street Reform and Consumer Protection Act, the Chairman of the Board, the Comptroller of the Currency, the Chairperson of the Federal Deposit Insurance Corporation, and the Chair of the National Credit Union Administration Board have publicly raised concerns about the impact of the proposed rule;

(2) while testifying before the Committee on Banking, Housing, and Urban Affairs of the Senate on February 17, 2011, the Chairman of the Board suggested mere questions to consumers about the impact of debit cards on small banks and consumers, and stated, “there is some risk that the exemption will not be effective and that the interchange rate for smaller institutions will be reduced to the some extent we would see for larger banks”;

(3) the Acting Comptroller of the Currency, in testimony before the Committee on safety and soundness concerns and stated, “we believe the proposal takes an unnecessarily
narrow approach to recovery of costs that would be allowable under the law and that are recognized and indisputably part of conducting a debit card business. This has long-term potential consequences for banks of all sizes. . . ."

(4) the chairperson of the Federal Deposit Insurance Corporation stated in comments to the Board that the proposed fee limit exemption would not work, stating, "...we are concerned that these institutions may not actually benefit from the interchange fee limit exemption explicitly provided by Congress, resulting in a loss of income for community banks and ultimately higher banking costs for customers.

(5) the chairman of the National Credit Union Administration, in comments to the Board, cited concern with making sure there are "meaningful exemptions for smaller card issuers"; and

(6) all of the comments and concerns raised by the banking and credit union regulatory agencies cast serious questions about the practical implementation of section 1075 of the Dodd-Frank Wall Street Reform and Consumer Protection Act, and further study and collection of data is needed.

SEC. 603. RULEMAKING AND EFFECTIVE DATES.

(a) EXTENSION FOR RULEMAKING TIMELINES AND REVISED EFFECTIVE DATE.—Section 920 of the Electronic Fund Transfer Act (15 U.S.C. 1699a-2) is amended—

(1) in subsection (a)(3)(A), by striking "9 months after the date of enactment of the Consumer Financial Protection Act of 2010" and inserting "24 months after the date of enactment of the Debit Interchange Fee Study Act of 2011;"

(2) in subsection (a)(5)(B)(i), by striking "9 months after the date of enactment of the Consumer Financial Protection Act of 2010" and inserting "24 months after the date of enactment of the Debit Interchange Fee Study Act of 2011;"

(3) in subsection (a)(8)(C), by striking "9-month period beginning on the date of enactment of the Consumer Financial Protection Act of 2010" and inserting "24-month period beginning on the date of enactment of the Debit Interchange Fee Study Act of 2011;"

(4) in subsection (a)(9), by striking "12-month period beginning on the date of enactment of the Consumer Financial Protection Act of 2010" and inserting "36-month period beginning on the date of enactment of the Debit Interchange Fee Study Act of 2011;"

(b) EARLIER RULEMAKING VOIDED; NEW RULEMAKING REQUIRED.—Any regulation proposed or prescribed by the Board pursuant to section 920 of the Electronic Fund Transfer Act (as amended by the Dodd-Frank Wall Street Reform and Consumer Protection Act) prior to the date that is 6 months after the date of completion of the study required under section 604 shall be withdrawn by the Board and shall have no legal effect.

SEC. 604. STUDY.

(a) STUDY REQUIRED.—Not later than 12 months after the date of enactment of this Act, the study agencies shall jointly submit a report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives regarding the impact of regulating debit interchange transaction fees and related issues under section 920 of the Electronic Fund Transfer Act.

(b) SUBJECTS FOR REVIEW.—In conducting the study required, the study agencies shall examine the state of the debit interchange payment system, including the impact of section 920 of the Electronic Fund Transfer Act that allows merchants to opt out of debit cards, including debit card issuers, and debit card networks, and shall specifically examine:

(1) the costs and benefits of electronic debit card transactions and alternative forms of payment, including cash, check, and automated clearing house (ACH) for consumers, merchants, issuers, and debit card networks, including—

(A) individual consumer protections, ease of acceptance, payment guarantee, and security provided through such forms of payment for consumers;

(B) costs and benefits associated with acceptance, handling, and processing of different forms of payments, including labor, security, verification, and collection where applicable;

(C) the extent to which payment form impacts incremental sales and ticket sizes for merchants;

(D) all direct and indirect costs associated with fraud prevention, detection, and mitigation, including data breach and identity theft, and the overall costs of fraud incurred by debit card issuers and merchants, and how those costs are distributed among those parties; and

(E) financial liability and payment guarantees for debit card transactions and associated risks and costs incurred by debit card issuers and merchants, and how those costs are distributed among those parties;

(2) the structure of the current debit interchange system, including—

(A) the extent to which the current structure offers merchants and issuers, particularly small issuers, sufficient competitive opportunities to participate and negotiate in the debit interchange system;

(B) an examination of the benefits of allowing interchange fees to be determined in bilateral negotiations between merchants and issuers, including small issuers directly; and

(C) mechanisms for allowing more price discovery and transparency on the part of the consumer; and

(3) the impact of the proposed rule reducing debit card interchange fees issued by the Board entitled, "Debit Card Interchange Fees and Routing" (75 Fed. Reg. 81,722 (Dec. 28, 2010)), if such proposed rule were adopted without objection,

(A) the impact on consumers, including whether consumers would benefit from reduced interchange fees through reduced retail prices;

(B) the impact on lower and moderate income consumers and on small businesses with respect to the cost and accessibility of payment products and services, the availability of credit, and what alternative forms of financing are available and the cost of such financing;

(C) the impact on consumer protection, including anti-fraud, customer identification efforts, and privacy protection;

(D) the impact of reduced debit card interchange fees on merchants, including a comparison of the impact on small merchants versus large merchants;

(E) the potential consequences to merchants if reduced debit interchange fees result in elimination of the payment guarantee or other reductions in debit card services to merchants or shift consumers to other forms of payments;

(F) the impact of significantly reduced debit card interchange fees on debit card networks and the services and rates they provide, if fees do not adequately recoup costs and investments made by issuers and the potential impact on the safety and soundness of issuers;

(G) whether it is possible to exempt or treat differently a certain class of issuers with regard to the debit interchange fee, such as small issuers and the impact of market forces on such treatment;

(H) the extent to which a transition to a fee cap from an interchange fee that is proportional to the overall cost of a transaction could provide a reasonable rate of return for issuers and adequately cover fraud and related costs;

(I) the impact on other entities that utilize debit card transactions, including the debit card programs of Federal and State entities.

(3) SMALL ISSUERS.—The term "small issuers" means debit card issuers that are depository institutions, including community banks and credit unions, with assets of less than $10,000,000,000.