



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, SECOND SESSION

Vol. 156

WASHINGTON, TUESDAY, MAY 4, 2010

No. 65

Senate

The Senate met at 10 a.m. and was called to order by the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, our only hope, our help in times of trouble, lead our Senators to use their power and influence with faithfulness. May Your word rule in their hearts, as they are led by Your wisdom. Lord, help them to seek Your will and see it clearly. May they work out the issues that divide them, as they strive to serve the welfare of our Nation and world. Empower our lawmakers to not become so familiar with Your customary daily blessings that they lose the sense of expectancy for Your special interventions in the complex challenges they face.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JEANNE SHAHEEN led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 4, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEANNE SHAHEEN, a

Senator from the State of New Hampshire, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mrs. SHAHEEN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Madam President, following leader remarks, we will be in a period of morning business for 60 minutes. The majority will control the first half hour and the Republicans will control the final 30 minutes. Following morning business, we will resume consideration of the Wall Street reform legislation. The Senate will recess from 12:30 until 2:15 today to allow for the weekly caucus meetings.

FINANCIAL REGULATORY REFORM

Mr. REID. Madam President, I applaud and commend my friend, the distinguished chairman of the Banking Committee, Senator CHRIS DODD, for the bill we have on the floor. I also express my appreciation for the work done by the chair of the Agriculture Committee, Senator BLANCHE LINCOLN. The work of these committees is the bill on which we are working, offering amendments to this most important piece of legislation. The bill that is now before the Senate is a strong bill. I again express my appreciation to the two chairs for the good work they have done.

This bill will hold Wall Street accountable and put consumers in control. It ends taxpayer bailouts and guarantees taxpayers will never again be forced to bail out reckless Wall

Street firms by creating a way to liquidate failed firms without taxpayer money. That is going to be underlined and underscored with an amendment that is first up, the Boxer amendment, which indicates that is, in fact, the case. It ends too big to fail with strict new capital and leverage requirements to prevent firms from growing too big to fail. It brings sunlight and transparency to shadowy markets.

It was really a revelation to me to read a book entitled "The Big Short" by Michael Lewis, who wrote the book that was made into a movie and received an Academy Award, "The Blind Side." This book is good. It indicates to anyone who reads it the shadowy markets which are now in existence and which we are trying to stop. This legislation will stop them by bringing in sunlight and transparency, where Wall Street executives make gambles that threaten the entire economy.

The legislation reins in CEO pay by giving shareholders a nonbinding vote on excessive compensation. It, again, brings this into the light. It protects community banks and streamlines bank supervision to create clarity and accountability. It protects a dual banking system that supports community banks and protects consumers in many different ways. It puts a new cop on the beat, creates an independent agency with broad authority to monitor firms for abusive practices, and we allow intervention to protect consumers.

An important provision the American public will easily identify with: it guarantees clear information in plain English and ensures consumers get the information they need to shop for mortgages, credit cards, and other financial products, that it will be in English they can understand. There are no more abusive practices. It protects consumers from hidden fees, abusive terms, and deceptive practices. It also protects against Bernie Madoff-type scams. It is a strong piece of legislation.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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There will be efforts made to make it even stronger with amendments on our side. We hope Republicans will join with us in passing this legislation. There are some who have said that by the time this bill gets off the floor, a significant majority of Senators will vote for it. I hope that is the case.

I also hope we don't get locked into something that appears to be the order of the Congress around here; that is, everything has to have 60 votes. I can't speak for everyone, but I will certainly do everything within my power to tell my Senators, let's just have 50-vote margins. Why do we need to have 60 votes on everything we do around here? It makes it so much more difficult. I believe it is unnecessary.

I hope we can move forward and get this legislation done. We have to finish it by next week. We will finish it one way or the other by next week. We have to do that. We have so much more to do. We have the expiring provisions of the tax extenders. Unemployment benefits will expire at the end of this month. We have the doctors, and we have to take care of them. That is a commitment we made, all of us, Democrats and Republicans—that we would take care of the doctors with the SGR. We were able to pass, with pay-go, a 5-year fix. They have a 10-year fix on the House side. But we have to take care of these doctors. They deserve that. We have to do that before the end of this month. There are other important issues we would like to deal with. We have small business we would like to deal with. There are many good things we can do there that have partisan agreement, and we can move forward.

I hope we can move quickly on this legislation. I hope there can be some work with the two managers to move this legislation along, the two initial managers, Senators DODD and SHELBY, who will manage most of this bill. When we get into the derivative section, Senators LINCOLN and CHAMBLISS will be managing that part.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

NYC TERROR SUSPECT

Mr. MCCONNELL. Madam President, Americans were happy to learn this morning that late last night Federal and local officials in New York City apprehended the man they believe to have attempted a terrorist attack in Times Square on Saturday.

I join all Americans in thanking the law enforcement officials who worked around the clock these past two days. It looks like they got their man, and we are grateful for their efforts on our behalf.

It is my understanding that the suspect, a naturalized American citizen, is a native of Pakistan and that he trav-

eled there at some point in the past year. Hopefully the appropriate officials are using this opportunity to exploit as much intelligence as he may have about his overseas connections and any other plots against Americans either here or abroad.

But this is very good news, and again, we want to thank those who work so hard to keep us safe and to protect us from ongoing threats. As I said yesterday, this plot is a reminder to all of us of the need for constant vigilance and to never drop our guard.

KENTUCKY FLOODING

I would also like to say a word about the flooding in Kentucky.

Last night Governor Beshear said he would seek a major disaster declaration from the President to help recover from the devastation wrought by a round of weekend storms and collateral flooding, and I will be sending a letter to the President today in support of Kentucky's request for a major disaster declaration which would provide direct Federal logistical support and cost sharing assistance to mitigate the effects of the flooding.

Emergency declarations have been made in 48 counties throughout the Commonwealth, and that number is likely to increase as recovery efforts continue. Tragically, four people have been confirmed dead as a result of flooding in Madison, Barren, Allen, and Lincoln Counties.

My office has been in contact with the Governor's office, and we will do all we can to assist him. It is my understanding that Governor Beshear has spoken with the President about the situation and that FEMA is already working with State authorities in Kentucky to render assistance.

Our prayers are with the victims of the flooding in both the Commonwealth and in her sister State of Tennessee and our gratitude goes out to the first responders and emergency personnel rendering aid to the impacted communities.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

Mr. BROWN of Ohio. I ask unanimous consent that the order for the quorum call be rescinded.

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

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business for up to 1 hour equally divided and controlled between

the two leaders or their designees, with Senators permitted to speak therein for up to 10 minutes each, with the majority controlling the first half of the time and Republicans the second.

Mr. BROWN of Ohio. Madam President, I ask unanimous consent that Senator KAUFMAN, the cosponsor of our Wall Street reform amendment, and I be permitted to speak for up to 20 minutes.

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

FINANCIAL REGULATORY REFORM

Mr. BROWN of Ohio. Madam President, we all agree our financial system should never again be on the brink of total collapse. We all agree we must never again allow Americans to fall victim to the unconscionable recklessness and unbridled greed we have seen over the last decade. No longer should a no-show regulatory attitude rob Americans of their jobs, of their homes, of their retirement savings, of their credit ratings, and the list goes on and on. We all agree American taxpayers should never again have to foot the bill for bailouts to the very firms whose cowboy attitudes got us into this mess in the first place.

So how do we put a stop to the madness that left our economy in a shambles? We stop it in its tracks. That means hard decisions. It means decisive action. It means doing more than taking action when we recognize the symptoms of collapse. It doesn't mean waiting until it is too late and too many people suffer. It means eliminating the ingredients of collapse.

Chairman DODD's bill is strong. It sets the stage for recognizing trouble, and it helps use regulatory tools to reverse it.

Senator KAUFMAN and I think we owe it to the American people to take one more significant step. We need to take action now so trouble never has the chance to brew. That means taking on the financial institutions that are too big to fail and doing that now and doing that in this bill.

Former FDIC Chair William Isaac said these institutions are "too big to manage and too big to regulate." Senator KAUFMAN and I want to do more than monitor banks that must be bailed out if they gamble themselves into a corner. We want to put a hard limit on the size of these behemoth banks so they don't control so much of our economy that, come crisis time, we have to save them; we have to bail them out to save the economy. We want to limit their size so they can't back taxpayers into a corner, where it is either help them or hurt ourselves. We don't want that obsequious choice. We think that should be a concern whether it comes through acquisition or organic growth. Certainly, risk is the biggest problem, but size is almost as big a problem, and together they can spell disaster. Our measure only affects the six largest megabanks.