

Commission may require to carry out its functions.

(h) **COMPENSATION OF MEMBERS.**—Members of the Commission shall serve without compensation for services performed for the Commission.

(i) **TRAVEL EXPENSES.**—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(j) **TRANSPARENCY.**—All meetings of the Commission shall be open to the public, except that a meeting, or any portion of it, may be closed to the public if it concerns matters or information described in chapter 552b(c) of title 5, United States Code. Interested persons shall be permitted to appear at open meetings and present oral or written statements on the subject matter of the meeting. The Commission may administer oaths or affirmations to any person appearing before the Commission.

(k) **TERMINATION.**—The Commission shall terminate 30 days after the submission of the report under subsection (e).

#### CLARIFYING THE TERM "CENSUS"

Mr. DODD. Mr. President, I ask unanimous consent that the Homeland Security and Governmental Affairs Committee be discharged from further consideration of H.R. 5148, and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 5148) to amend title 39, United States Code, to clarify the instances in which the term "census" may appear on mailable matter.

There being no objection, the Senate proceeded to consider the bill.

Mr. DODD. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 5148) was ordered to a third reading, was read the third time, and passed.

#### NATIONAL CHARTER SCHOOLS WEEK

Mr. DODD. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 514, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 514) congratulating the students, parents, teachers, and administrators of charter schools across the United States for ongoing contributions to education and supporting the ideals and goals of the 11th annual National Charter Schools Week, to be held May 2 through May 8, 2010.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DODD. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 514) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 514

Whereas charter schools deliver high-quality public education and challenge all students to reach their potential;

Whereas charter schools promote innovation and excellence in public education;

Whereas charter schools provide thousands of families with diverse and innovative educational options for their children;

Whereas charter schools are public schools authorized by a designated public entity that respond to the needs of communities, families, and students in the United States, and promote the principles of quality, accountability, choice, and innovation;

Whereas, in exchange for flexibility and autonomy, charter schools are held accountable by their sponsors for improving student achievement and for the financial and other operations of the charter schools;

Whereas 40 States, the District of Columbia, and Guam have passed laws authorizing charter schools;

Whereas 4,956 charter schools are operating nationwide, serving more than 1,600,000 students;

Whereas, in fiscal year 2010 and the 16 previous fiscal years, Congress has provided a total of more than \$2,734,370,000 in financial assistance to the charter school movement through grants for planning, startup, implementation, dissemination, and facilities;

Whereas numerous charter schools improve the achievements of students and stimulate improvement in traditional public schools;

Whereas charter schools are required to meet the student achievement accountability requirements under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) in the same manner as traditional public schools;

Whereas charter schools often set higher and additional individual goals than the requirements of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) to ensure that charter schools are of high quality and truly accountable to the public;

Whereas charter schools give parents the freedom to choose public schools, routinely measure parental satisfaction levels, and must prove their ongoing success to parents, policymakers, and the communities served by the charter schools;

Whereas more than 50 percent of charter schools report having a waiting list, and the total number of students on all such waiting lists is enough to fill more than 1,100 average-sized charter schools;

Whereas the President has called for doubling the Federal support for charter schools, including replicating and expanding the highest performing charter models to meet the dramatic demand created by the more than 365,000 children on charter school waiting lists; and

Whereas the 11th annual National Charter Schools Week is to be held May 2, through May 8, 2010: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates the students, parents, teachers, and administrators of charter schools across the United States for ongoing contributions to education, the impressive strides made in closing the persistent academic achievement gap in the United States, and improving and strengthening the public school system in the United States;

(2) supports the ideals and goals of the 11th annual National Charter Schools Week, a week-long celebration to be held May 2 through May 8, 2010, in communities throughout the United States; and

(3) encourages the people of the United States to hold appropriate programs, ceremonies, and activities during National Charter Schools Week to demonstrate support for charter schools.

#### ORDERS FOR THURSDAY, MAY 6, 2010

Mr. DODD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Thursday, May 6; that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate resume consideration of S. 3217, Wall Street reform, as provided for under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PROGRAM

Mr. DODD. Mr. President, under the previous order, at 10 a.m., the Senate will proceed to vote in relation to the Tester-Hutchison amendment regarding insurance premiums.

#### ORDER FOR ADJOURNMENT

Mr. DODD. If there is no further business to come before the Senate, I ask it adjourn under the previous order, following the remarks of Senator MARK UDALL of Colorado.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Colorado.

Mr. UDALL of Colorado. Mr. President, are we in morning business?

The PRESIDING OFFICER. Yes, we are.

#### AMENDMENT NO. 3778 TO S. 3217

Mr. UDALL of Colorado. Mr. President, I rise today to speak about a bipartisan amendment which Senator LUGAR and I have filed based on our bill, the Fair Access to Credit Scores Act of 2010. This amendment is cosponsored by 17 of our colleagues from both sides of the aisle, which I have to say is a rare bipartisan piece of legislation. Our amendment corrects one of the fundamental inequities in our financial system by giving Americans free annual access to their credit score.

The problem is that most people have been misled to believe that people have access to a free credit score, but that simply is not true. They only have access to their report. A credit report

tells consumers what outstanding credit accounts they have open, such as student loans or credit cards, perhaps a car or home loan. Unfortunately, it tells Americans little else. On the other hand, your credit score, which our legislation makes available, has the critical information consumers need to know.

This score is the very first point of entry into our entire financial system which rates each and every one of us. It is a number that banks, lenders, and large financial firms have easy access to, while hard-working Americans—the engine of our economy—do not have access to it. A credit score affects consumers' interest rates, monthly payments on home loans, and can even affect a consumer's ability to buy a car, rent an apartment or get phone or Internet service. They can be paying interest rates on their home loan, car loan, or student loan which are two to three times higher because of their credit score. This inequity absolutely needs to be fixed if Americans are to take control of their finances. How do we expect them to do that if they do not know if their credit score is bad or good?

Mr. President, I will be insisting on a vote because we must put consumers back in control of their finances by offering Americans annual access to their credit score when they access their free annual credit report.

I know lobbyists have been calling everyone in the Capitol. These credit reporting agencies have misled Americans for years, and now their lobbyists are trying to mislead my colleagues in the Senate. They are making calls and asking Members to fight this transparency and coming up with all sorts of phony arguments. The truth is, this amendment accomplishes what the television commercials and their fine print have claimed for years—the offer of a free credit score.

Our bipartisan amendment would simply require that a credit score be included when a consumer accesses their free annual credit report once per year from each agency. This would provide some context for consumers who access their free annual credit report and allow them to take responsibility for their financial situation.

Since we filed this amendment—and I want to thank the Presiding Officer who has joined me on this amendment—credit reporting agencies and their lobbyists have been hard at work perpetuating fine-print arguments. They claim our amendment would confuse consumers; that the information belongs to the agency and not the people; and they have even been threatening Members it will cost them jobs in their particular State.

I don't have to tell those watching and my colleagues that those arguments are overstated and are really no grounds for keeping Americans from having access to their individual credit score. According to credit reporting agencies and their lobbyists, providing

a free score for transparency and therefore a sense of financial standing simply would distract and confuse the American consumer.

How can they say these scores would confuse Americans, even though they are happy to sell them that same information? These same lobbyists we are discussing also claim that credit scores belong to them. In other words, a credit score to gauge the creditworthiness of a consumer, based upon their personal information, is the property of the credit reporting agency, not the consumer. So, in other words, they are making the argument it belongs to the agency, not to the individual who creates the credit score.

I can't help but wonder: Would a doctor say someone's blood pressure reading is their information, not their patient's?

I have to say I am disappointed to hear these credit reporting agencies are even making the suggestion that this amendment might result in job losses in their particular States. These are tough times, and who wouldn't be moved by the argument about jobs. But what they do not tell you when they make that argument is that they opposed the 2003 law that required disclosure of consumers' credit reports and the industry has tripled its business since that time. It has tripled because consumers have gotten engaged. They care about those credit reports. And I would predict that if we have free credit scores, it will only enhance the interest of consumers to have additional financial literacy.

Talking about jobs, I have some of these jobs in my State, but I don't consider deceptive practices and keeping Americans from their personal information to be a kind of jobs program. In fact, if anything, not knowing your credit score could be the greatest threat to employment for any given individual. Employers are increasingly using this information to decide whether to hire one person over another.

I came to the Senate floor yesterday to speak about the frequent television commercials and Internet advertisements we have all seen which falsely claim to offer consumers free access to their credit score. Their ads clearly indicate to Americans that their credit score is critical information. What they do not tell you—and I know the Presiding Officer shares some personal experiences with me on this account—is that they want to lure you into a costly monthly monitoring service that can cost hundreds of dollars a year.

What is comical about all this is that credit reporting agency representatives are walking the Halls of Congress as I speak telling Members that our bill is somehow unfair and unfounded. They want to protect a Federal law that has given them a monopoly on these scores and continues to direct unwitting consumers their way. They are using the same tactics of confusion and misdirection to fight our amendment.

We agree with the credit reporting agencies that a credit score is important information, and perhaps their misleading ads, if anything, have convinced consumers they need to know this information. However, luring Americans into a costly credit monitoring service is simply not fair.

As I begin to close, I want to say that we have all come to the floor this week from both sides of the aisle explaining that what we want to do is to protect consumers and to do what is right for Main Street in this important and historic bill we are considering. We have a chance to right this wrong here and now. That is why the Consumer Federation of America, Third Way, the Consumers Union, and a wide range of consumer advocates support this legislation.

While free access to a consumer's credit score is only a small part of the larger reforms that are needed, it addresses one of the fundamental inequities that pervade the financial system.

I wish to thank a group of bipartisan Senators who have held strong amidst the lobbying blitz by these large multi-billion-dollar entities to stand with consumers and cosponsors of my bipartisan amendment. That list includes Senators LUGAR, BOND, COCHRAN, BROWN of Massachusetts, SCHUMER, LIEBERMAN, LEVIN, HAGAN, BROWN of Ohio, SHAHEEN, MCCASKILL, LAUTENBERG, MENENDEZ, TOM UDALL, GILLIBRAND, BURRIS, and BEGICH.

I hope and expect more Members will join us in cosponsoring this amendment and vote for it when it comes up for a vote.

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider en bloc the following nominations on the Executive Calendar: Nos. 832, 833, 834, and 835; that the nominations be confirmed en bloc, that the motions to reconsider be considered made and laid on the table en bloc, that any statements relating to the nominations be printed in the RECORD, the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

#### DEPARTMENT OF JUSTICE

David B. Fein, of Connecticut, to be United States Attorney for the District of Connecticut for the term of four years.

Zane David Memeger, of Pennsylvania, to be United States Attorney for the Eastern District of Pennsylvania for the term of four years.

Clifton Timothy Massanelli, of Arkansas, to be United States Marshal for the Eastern District of Arkansas for the term of four years.

Paul Ward, of North Dakota, to be United States Marshal for the District of North Dakota for the term of four years.