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HOUSE REPUBLICAN CONFERENCE

Senate Update – March 10, 2008

Last Week in the Senate

On Monday, March 3, 2008, the Senate unanimously confirmed Mark Filip to be the Deputy Attorney General, making him second in command for the Department of Justice. His nomination was sent to the Senate by the President on December 5, 2008.

**Note: Mark Filip is a former prosecutor and was previously confirmed by the Senate on February 4, 2004, by a vote of 96 to 0 to serve as a U.S. District Judge for the Northern District of Illinois.*

Also on Monday, the Senate voted to invoke cloture on the motion to proceed to a bill to reform the Consumer Product Safety Commission (S. 2663) by a vote of 86 to 1. ([Record Vote 36](#))

**Note: The legislation is sponsored by Senator Mark Pryor (D-AR) and is a substitute for Consumer Product Safety legislation (S. 2045) that was passed by the Senate Committee on Commerce, Science, and Transportation in October, but was never brought to the floor.*

The White House issued a Statement of Administration Policy for S. 2663 that outlines their concerns with certain provisions, "these provisions threaten to burden American consumers and industry in unproductive ways, and may actually harm a well-functioning product safety system." ([SAP for S. 2663](#))

On March 4, 2008, Senator Jim DeMint (R-SC) offered an amendment that would have substituted the House-passed Consumer Product Safety Modernization Act (H.R. 4040) for the text of S. 2663. H.R. 4040 passed the House by a vote of 407 to 0. ([Legislative Digest for H.R. 4040](#)) The Senate voted to table this amendment by a vote of 57 to 39. ([Record Vote 37](#))

On March 5 and 6, the Senate took votes on the following amendments:

- Senator Amy Klobuchar (D-MN) offered an amendment that would ban industry-funded travel for Consumer Product Safety Commissioners. The amendment was agreed to by a vote of 96 to 0. ([Record Vote 38](#))
- Senator John Cornyn (R-TX) offered an amendment that would have prohibited state attorney generals from hiring outside counsel or expert witnesses that are paid contingent on the outcome of the case. The amendment was tabled by a vote of 51 to 45. ([Record Vote 39](#))
- Senator David Vitter (R-LA) offered an amendment that would allow the courts to require losing parties in court cases to pay reasonable attorneys fees and court

costs of the winning parties. The amendment was tabled by a vote of 56 to 39. ([Record Vote 40](#))

On March 6, the Senate adopted a manager's amendment that addressed several of the Republican concerns by unanimous consent. The Senate then substituted the text of S. 2663 for the text of H.R. 4040 and passed H.R. 4040 by a vote of 79 to 13. ([Record Vote 41](#))

This Week in the Senate

The Senate will be in session on Monday, March 10, 2008, and will begin consideration of the fiscal year 2009 Budget Proposal, which was passed out of the Senate Budget Committee on March 6, 2008, by a vote of 12 to 10.

Senator Judd Gregg (R-NH), Ranking Republican on the Budget Committee, issued the following statement, "this Democratic budget, which comes on the heels of last year's massive tax increase and spending spree, continues to spell bad news for American taxpayers. Once again, the majority is using their budgeting authority to fund more big government bureaucracy, instead of allowing families to make more of their own fiscal choices." Senate Budget Committee Republicans provided this helpful [fact sheet](#) that highlights their concerns with the Senate Democratic Budget Proposal.

Key Hearings

Tuesday, March 11, 2008

Senate Commerce Committee will hold a hearing on the Cross-Border Truck Pilot Program with Secretary of Transportation Mary Peters as a witness.

Wednesday, March 12, 2008

Senate Finance Committee will hold a hearing on estate tax alternatives.

Senate Foreign Relations Committee will hold a hearing on Global Aid for HIV/AIDS, Tuberculosis, and Malaria.