

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S5675–S5753

Measures Introduced: Fifteen bills and one resolution were introduced, as follows: S. 1325–1339, and S. Res. 191. **Page S5716**

Measures Passed:

Use of Capitol Grounds: Senate agreed to H. Con. Res. 124, authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service. **Page S5753**

Measures Considered:

Prescription Drug User Fee Amendments: Senate continued consideration of S. 1082, to amend the Federal Food, Drug, and Cosmetic Act to reauthorize and amend the prescription drug user fee provisions, and taking action on the following amendments proposed thereto: **Pages S5682–86, S5689–S5707**

Adopted:

Brown (for Brownback/Brown) Amendment No. 985, to establish a priority drug review process to encourage treatments of tropical diseases. **Pages S5682, S5699**

Brown (for Stabenow) Modified Amendment No. 1011, to insert provisions related to citizen petitions. **Pages S5682, S5699–S5700**

Brown (for Hatch) Modified Amendment No. 1009, to insert provisions relating to antibiotic access and innovation and certain enantiomer drugs. **Pages S5700–01**

Brown (for Feingold) Modified Amendment No. 1026, to require the Food and Drug Administration to publish certain annual reports. **Page S5701**

Brown (for Inhofe) Modified Amendment No. 987, to amend the Head Start Act to require parental consent for nonemergency intrusive physical examinations. **Page S5701–02**

Brown (for Murkowski) Modified Amendment No. 1006, to modify provisions relating to required experience or certification for prescribing or dispensing certain drugs. **Page S5702**

Brown (for Levin) Modified Amendment No. 1005, to require the Food and Drug Administration

to determine whether certain substances create any health risks and mislead consumers. **Page S5702**

Brown (for Landrieu) Modified Amendment No. 1004, to require the Food and Drug Administration to permit the sale of baby turtles as pets so long as the seller uses proven methods to effectively treat salmonella. **Pages S5682, S5702**

Brown (for Obama) Modified Amendment No. 1041, to improve the safety and efficacy of genetic tests. **Page S5702**

Brown (for Casey/Specter) Amendment No. 1019, to express the sense of the Senate concerning orphan disease treatment in children. **Page S5702**

Brown (for Enzi) Amendment No. 1053, to modify provisions related to pediatric testing and medical products. **Pages S5702–03**

Brown (for Enzi/Kennedy) Amendment No. 1050, to provide for color certification reports. **Page S5703**

Brown (for Enzi) Modified Amendment No. 1049, to modify provisions relating to user fees. **Pages S5703–04**

Brown (for Roberts) Amendment No. 1047, to modify provisions relating to direct-to-consumer advertisements. **Pages S5704–05**

Brown (for Reed/Isakson) Amendment No. 1056, to require the FDA to conduct consumer testing to determine the appropriateness of the labeling requirements for indoor tanning devices. **Page S5705**

Withdrawn:

Vitter Amendment No. 983, to require counterfeit-resistant technologies for prescription drugs. **Page S5682**

Inhofe Amendment No. 988, to protect children and their parents from being coerced into administering a controlled substance in order to attend school. **Page S5682**

Gregg/Coleman Amendment No. 993, to provide for the regulation of Internet pharmacies. **Pages S5682, S5707**

Pending:

Brown (for Grassley) Amendment No. 1039, to clarify the authority of the Office of Surveillance and Epidemiology with respect to postmarket drug safety pursuant to recommendations by the Institute of Medicine. **Page S5705**

Brown (for Grassley) Amendment No. 998, to provide for the application of stronger civil penalties for violations of approved risk evaluation and mitigation strategies. **Page S5705**

Brown (for Durbin/Bingaman) Amendment No. 1034, to reduce financial conflict of interest in FDA Advisory Panels. **Pages S5705–06**

A unanimous-consent-time agreement was reached providing for further consideration of the bill at 10:30 a.m., on Wednesday, May 9, 2007; provided that the only amendments remaining in order be the following: Grassley Amendment No. 1039 (listed above), Grassley Amendment No. 998 (listed above), and Durbin Amendment No. 1034 (listed above); that there be 60 minutes of debate remaining, to run concurrently on the bill and remaining amendments and that there be 10 minutes under the control of Senator Grassley, or his designee, 5 minutes under the control of Senator Durbin, or his designee, and the remaining time equally divided and controlled between the Chairman and Ranking Member of the Committee on Health, Education, Labor and Pensions, or their designees; there be 2 minutes of debate equally divided and controlled prior to a vote in relation to Grassley Amendment No. 1039, that upon disposition of that amendment, there be 2 minutes of debate prior to a vote on or in relation to Grassley Amendment No. 998, and that upon disposition of that amendment, there be 2 minutes of debate prior to a vote on or in relation to Durbin Amendment No. 1034; that the cloture motion on the bill be withdrawn; provided further, that upon disposition of the amendments, the committee amendment in the nature of a substitute, as modified and amended, be agreed to, and Senate vote on final passage of the bill. **Page S5699**

Water Resources Development Act—Agreement: A unanimous-consent agreement was reached providing that the vote on the motion to invoke cloture on the motion to proceed to consideration of H.R. 1495, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, not occur before Thursday, May 10, 2007. **Page S5753**

Livingston Nomination—Agreement: A unanimous-consent-time agreement was reached providing that, notwithstanding the provisions of rule XXII, on Wednesday, May 9, 2007, when Senate completes its action on S. 1082, Senate begin consideration of the nomination of Debra Ann Livingston, of New York, to be United States Circuit Judge for the Second Circuit; that there be 3 hours for debate equally divided between the Chairman and Ranking Member

of the Committee on the Judiciary, or their designees; provided further, that upon the use or yielding back of time, and vote on the confirmation thereon. **Page S5753**

Appointments:

Board of Directors of the Vietnam Education Foundation: The Chair, on behalf of the President pro tempore and upon the recommendation of the Republican Leader, pursuant to Public Law 106–554, appointed Senator Vitter to the Board of Directors of the Vietnam Education Foundation. **Page S5753**

Nomination Confirmed: Senate confirmed the following nomination:

By a unanimous vote of 91 yeas (Vote No. EX. 153), Frederick J. Kapala, of Illinois, to be United States District Judge for the Northern District of Illinois. **Pages S5687–89, S5753**

Messages From the House: **Pages S5713–14**

Measures Referred: **Page S5714**

Measures Placed on the Calendar: **Pages S5675, S5714**

Executive Communications: **Pages S5714–16**

Additional Cosponsors: **Page S5716**

Statements on Introduced Bills/Resolutions: **Pages S5719–51**

Additional Statements: **Pages S5713–19**

Amendments Submitted: **Pages S5751–52**

Notices of Hearings/Meetings: **Page S5752**

Authorities for Committees to Meet: **Page S5752**

Record Votes: One record vote was taken today. (Total—153) **Page S5689**

Adjournment: Senate convened at 10 a.m., and adjourned at 7:34 p.m., until 9:30 a.m. on Wednesday, May 9, 2007. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S5753.)

Committee Meetings

(Committees not listed did not meet)

U.S. OIL DEPENDENCE

Committee on Appropriations: Subcommittee on Energy and Water Development concluded a hearing to examine the policies and funding necessary for reducing United States oil dependence relating to the results of an analysis conducted to assess the economic impact of implementing the Energy Security Leadership Council's recommendations to the Nation, including S. 875, to improve energy security of the