

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of debate prior to a vote on or in relation to Durbin Amendment No. 1034; that the cloture motion on the bill be withdrawn; provided further, that upon disposition of the amendments, the committee amendment in the nature of a substitute, as modified and amended, be agreed to, and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

United States through a 50 percent reduction in the oil intensity of the economy of the United States by 2030 and the prudent expansion of secure oil supplies, to be achieved by raising the fuel efficiency of the vehicular transportation fleet, increasing the availability of alternative fuel sources, fostering responsible oil exploration and production, and improving international arrangements to secure the global oil supply, after receiving testimony from Senators Dorgan and Craig; Alexander Karsner, Assistant Secretary of Energy for Energy Efficiency and Renewable Energy; R.M. Burton, Director, Minerals Management Service, Department of the Interior; and Admiral Gregory G. Johnson, (Ret.) USN, former Commander, United States Naval Forces, Europe, and Frederick W. Smith, FedEx Corporation, both on behalf of the Energy Security Leadership Council, and Robert F. Wescott, Keybridge Research LLC, all of Washington, D.C.

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported S. 357, to improve passenger automobile fuel economy and safety, reduce greenhouse gas emissions, reduce dependence on foreign oil, with an amendment in the nature of a substitute.

MEDICARE PRESCRIPTION DRUG BENEFIT

Committee on Finance: Committee concluded an oversight hearing to examine the Medicare prescription drug benefit (Part D), focusing on enrolling new dual-eligible beneficiaries in prescription drug plans, after receiving testimony from Kathleen M. King, Director, Health Care, and Barbara Bovbjerg, Director, Education, Workforce, and Income Security Issues, both of the Government Accountability Office; Abby L. Block, Director, Center for Beneficiary Choices, Centers for Medicare and Medicaid Services,

Department of Health and Human Services; and Beatrice M. Disman, New York Regional Commissioner of Social Security, Social Security Administration.

MENTAL HEALTH AND SUBSTANCE ABUSE TREATMENT SYSTEMS

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine community integration and recovery, focusing on transforming mental health and substance abuse systems of care, after receiving testimony from Representative Kennedy; Terry L. Cline, Administrator, Substance Abuse and Mental Health Services Administration, Department of Health and Human Services; Rodger McDaniel, Wyoming Department of Health, Cheyenne; Lisa Halpern, National Alliance on Mental Illness, Dorchester, Massachusetts; and Terry Lee Allebaugh, Housing for New Hope, Durham, North Carolina.

REAL ID ACT: PRIVACY AND CIVIL LIBERTIES CONCERNS

Committee on the Judiciary: Committee concluded a hearing to examine privacy and civil liberties concerns, focusing on the REAL ID Act (Public Law 109-13), after receiving testimony from Allen Gilbert, American Civil Liberties Union of Vermont, Montpelier; Jim Harper, CATO Institute, and James Jay Carafano, Heritage Foundation, both of Washington, D.C.; Bruce Schneier, BT Counterpane, Minneapolis, Minnesota; and Janice L. Kephart, 9/11 Security Solutions, LLC, Alexandria, Virginia.

BUSINESS MEETING

Select Committee on Intelligence: Committee met in closed session to consider pending intelligence matters.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: public bills, H.R. 2199-2226; 1 private bill, H.R. 2227; and 3 resolutions, H. Con. Res. 144-145; and H. Res. 384 were introduced. **Pages H4627-28**

Additional Cosponsors: **Pages H4628-29**

Reports Filed: Reports were filed today as follows: Supplemental report on H.R. 1873, to reauthorize the programs and activities of the Small Business

Administration relating to procurement (H. Rept. 110-111, Pt. 3);

H.R. 1505, to designate the Federal building located at 131 East 4th Street in Davenport, Iowa, as the "James A. Leach Federal Building", with an amendment (H. Rept. 110-132);

H. Con. Res. 79, authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby (H. Rept. 110-133);

H. Con. Res. 123, authorizing the use of the Capitol Grounds for the District of Columbia Special