

Mr. McCONNELL. The following Senators are necessarily absent: the Senator from Mississippi (Mr. LOTT) and the Senator from Arizona (Mr. MCCAIN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 59, nays 38, as follows:

[Rollcall Vote No. 134 Leg.]

YEAS—59

Akaka	Durbin	Nelson (FL)
Alexander	Feinstein	Nelson (NE)
Bennett	Harkin	Obama
Biden	Inouye	Pryor
Bingaman	Kennedy	Reed
Bond	Kerry	Reid
Boxer	Klobuchar	Rockefeller
Brown	Landrieu	Salazar
Byrd	Lautenberg	Sanders
Cantwell	Leahy	Schumer
Cardin	Levin	Snowe
Carper	Lieberman	Specter
Casey	Lincoln	Stabenow
Clinton	Lugar	Stevens
Cochran	McCaskill	Voivovich
Collins	McConnell	Warner
Conrad	Menendez	Webb
Dodd	Mikulski	Whitehouse
Domenici	Murkowski	Wyden
Dorgan	Murray	

NAYS—38

Allard	DeMint	Kohl
Baucus	Dole	Kyl
Bayh	Ensign	Martinez
Brownback	Enzi	Roberts
Bunning	Feingold	Sessions
Burr	Graham	Shelby
Chambliss	Grassley	Smith
Coburn	Gregg	Sununu
Coleman	Hagel	Tester
Corker	Hatch	Thomas
Cornyn	Hutchison	Thune
Craig	Inhofe	Vitter
Crapo	Isakson	

NOT VOTING—3

Johnson	Lott	McCain
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The motion was agreed to.

Mr. LEAHY. Madam President, I move to reconsider the vote.

Mr. KENNEDY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mrs. MURRAY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

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

Mr. GRASSLEY. I ask unanimous consent that I be able to speak in morning business.

Mr. REID. Madam President, I ask the distinguished Senator from Iowa, my dear friend, I have to file a cloture motion. It will take me just a minute.

Mr. GRASSLEY. Surely.

CLOTURE MOTION

Mr. REID. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Calendar No. 107, S. 378, the Court Security Improvement bill.

Robert Menendez, Sherrod Brown, Dick Durbin, Harry Reid, Ron Wyden, Debbie Stabenow, Patrick Leahy, Sheldon Whitehouse, Ted Kennedy, Tom Carper, Kent Conrad, Frank Lautenberg, Joe Lieberman, Claire McCaskill, Robert P. Casey, Patty Murray, Jay Rockefeller.

MORNING BUSINESS

Mr. REID. Madam President, I now ask unanimous consent we be allowed to proceed to a period of morning business with Senators permitted to speak therein. The Senator from Iowa wishes to speak for a half hour. After that, Senators will be recognized for up to 10 minutes each.

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

FINISHING CONSIDERATION OF S. 378

Mr. REID. Madam President, if I could take another minute of the time of the distinguished Senator, we hope we can finish this bill tomorrow. That would be my desire. Tomorrow is Thursday. I am filing this tonight. The time ripens for voting on this Friday morning. But Friday morning occurs at 1 a.m. We have to finish this bill as soon as we can. I am alerting everyone, there could be a vote Friday morning at 1 a.m.

I also suggest that I have been trying for some time now to do a bipartisan bill that has been worked on by many Senators. There are 50 cosponsors of this legislation, dealing with competitiveness. On our side it will be managed by Senator BINGAMAN. It is my understanding on the other side it will be managed by Senator ALEXANDER. I hope we can have an agreement to move to that. I hope I do not have to file a motion to proceed to that piece of legislation. Remember, next week we need to complete work to send to the President the supplemental appropriations bill.

Having said that, I want to alert everyone I think it is too bad. This bill that is before the body now, the Court Security bill, has been passed by the Senate on two separate occasions. We have filed cloture; cloture was invoked. I appreciate very much the minority allowing us to move to the bill. But this afternoon I had a meeting with Mr. Clark, head of the U.S. Marshals Service. This year, threats to Federal judges have gone up 17 percent. We have had vile things done to judges all over the country, even in the State of Nevada, and we need to give Federal courts and local courts protection. We need to be a country that is ruled by the finest judicial system in the world, which we have now, and we cannot

have bad people take away our court system—and violence can do that.

I hope we can finish this bill in a reasonable time tomorrow. If not, tomorrow will be a long night.

I appreciate very much my friend from Iowa allowing me to speak for a minute.

The PRESIDING OFFICER. The Senator from Iowa.

DRUG SAFETY

Mr. GRASSLEY. Madam President, today I wanted to speak on an issue I speak on many times, drug safety. Today is a little different approach to it, though, because earlier today the Committee on Health, Education, Labor, and Pensions began marking up S. 1082, the Food and Drug Administration Revitalization Act. For the first time in almost a decade we have an opportunity to reform, to improve, and to reestablish the FDA as an institution committed to making patient safety as important as bringing new drugs to the market.

S. 1082 presents a framework for the future of drug and device safety. I am gratified by some of its current contents and I express some disappointment about others. That is the purpose of my speaking to my colleagues.

First, I am gratified the bill attempts to address some of the overarching issues plaguing the FDA that have been repeatedly revealed by the investigations I conducted of the FDA over the last 3 years. In particular, S. 1082 takes a number of steps to address the issue of transparency, the issue of accountability, and the issue of respect for the scientific process that has been lacking for some time at the FDA. S. 1082, for example, requires that within 30 days of approval, the action package for approval of a new drug must be posted on the FDA's Web site. This requirement, however, only applies to a drug with an active ingredient that has not been previously approved by the FDA. The action package would contain all documents generated by the FDA related to the review of a drug application, including a summary review of all conclusions and, among other things, any disagreements and how these disagreements were resolved. If a supervisor disagreed with the review, then the supervisor's opposing review would be available to the public. And to address the many allegations that the Food and Drug Administration safety reviewers are sometimes coerced into changing their findings, I greatly welcome the provision that states a scientific review of an application is considered the work of the reviewer and must not be changed by FDA managers or the reviewer once that review is final.

The bill also takes steps to bring more resources to the FDA for drug safety, another matter I have been discussing for years. In addition, the bill requires the Food and Drug Administration's Drug Safety and Risk Management Advisory Committee to meet