

other Federal employees, and for other purposes; which was ordered to lie on the table; as follows:

On page 1925, between lines 14 and 15, insert the following:

Subtitle C—Provisions Relating to the Safety of Drugs and Biological Products

SEC. 7201. ENSURING THE SAFETY OF DRUGS AND BIOLOGICAL PRODUCTS CONTAINING BLOOD, BLOOD COMPONENTS, AND BLOOD DERIVATIVES.

Section 351 of the Public Health Service Act (42 U.S.C. 262), as amended by section 7002, is further amended by adding at the end the following:

“(m) BLOOD, BLOOD COMPONENTS, AND BLOOD DERIVATIVES.—

“(1) REGULATION AND LICENSURE.—The Secretary shall issue regulations that—

“(A) require a person seeking approval of any drug or licensure of a biological product that contains blood, blood components, or blood derivatives to—

“(i) submit an application for licensure pursuant to this section; and

“(ii) demonstrate the clinical safety, purity, and potency of such drug or product; and

“(B) provide analytical methods and standards to evaluate the quality of the blood, blood components, or blood derivatives contained in the new drug or biological product throughout the manufacturing process.

“(2) BIOLOGICAL PRODUCTS AND DRUG PRODUCTS CONTAINING BLOOD, BLOOD COMPONENTS, OR BLOOD DERIVATIVES.—A drug or biological product described in paragraph (1) that contains blood, blood components, or blood derivatives shall include any drug or biological product that includes an active or inactive ingredient that—

“(A) contains blood, blood components, or blood derivatives and has the potential to—

“(i) transmit infectious agents, such as of a prion or a microbial origin; or

“(ii) cause an adverse immune reaction due to the presence of blood, blood components, or blood derivatives; and

“(B) is—

“(i) essential to the manufacture of the drug or product;

“(ii) determinate of the absorption and distribution of the drug or product when administered; and

“(iii) essential to the safety and efficacy of the drug or product.

“(3) OTHER PRODUCTS CONTAINING BLOOD, BLOOD PRODUCTS, OR BLOOD DERIVATIVES.—In addition to the drugs and biological products that meet the criteria described in paragraph (2), the Secretary may issue regulations to include other products containing blood, blood products, or blood derivatives as biological products subject to paragraph (1).

“(4) CONSISTENCY OF DEFINITIONS.—Notwithstanding any other provision of this Act or the Federal Food, Drug, and Cosmetic Act, after the date of enactment of the Patient Protection and Affordable Care Act, a drug or biological product that has been approved under section 505 of the Federal Food, Drug, and Cosmetic Act and that meets the criteria described in paragraph (2) shall be treated by the Secretary as a biological product approved under a biologics license application under this section.”.

SA 3163. Mr. SPECTER submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain

other Federal employees, and for other purposes; which was ordered to lie on the table; as follows:

On page 869, between lines 14 and 15, insert the following:

SEC. 3143. REVISION TO PAYMENT FOR CONSULTATION CODES.

(a) TEMPORARY DELAY OF ELIMINATION OF PAYMENT FOR CONSULTATION CODES.—Notwithstanding any other provision of law, the Secretary of Health and Human Services shall not, prior to January 1, 2011, implement any provision contained in a final rule that eliminates or discontinues payment for consultation codes under the physician fee schedule and part B of title XVIII of the Social Security Act.

(b) EVALUATION PERIOD.—During the period prior to January 1, 2011, the Secretary of Health and Human Services shall consult with the Current Procedural Terminology Editorial Panel of the American Medical Association for the purpose of developing proposals to—

(1) modify existing consultation codes or establish new consultation codes to more accurately reflect the value provided through such consultation services; and

(2) minimize coding errors.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs, Subcommittee on Housing, Transportation, and Community Development, be authorized to meet during the session on the Senate on December 10, 2009 at 9:30 a.m., to conduct a hearing entitled “Examining the Federal Role in Overseeing the Safety of Public Transportation Systems.”

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on December 10, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on December 10, 2009, at 9:30 a.m. in room 406 of the Dirksen Senate Office Building.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on December 10, 2009, at 10 a.m.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Com-

mittee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on December 10, 2009.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on December 10, 2009, at 10 a.m.

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

COMMITTEE ON THE JUDICIARY

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on December 10, 2009, at 10 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

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

AD HOC SUBCOMMITTEE ON DISASTER RECOVERY

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Ad Hoc Subcommittee on Disaster Recovery of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on December 10, 2009, at 2:30 p.m. to conduct a hearing entitled, “Children and Disasters: A Progress Report on Addressing Needs.”

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on December 10, 2009, at 2:30 p.m.

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

SUBCOMMITTEE ON AVIATION OPERATIONS, SAFETY, AND SECURITY

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Subcommittee on Aviation Operations, Safety, and Security of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on December 10, 2009, at 10 a.m. in room 253 of the Russell Senate Office Building.

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

PRIVILEGES OF THE FLOOR

Mr. BAUCUS. Mr. President, I ask unanimous consent that the following staff of the Finance Committee be permitted the privileges of the floor during debate on the health care bill: Angela Franklin, Kaitlin Guarascio, and Scott Allen.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXTENSION OF AUTHORITY OF
THE SECRETARY OF THE ARMY

Mr. DURBIN. Mr. President, I ask unanimous consent to proceed to the immediate consideration of H.R. 4165, which was received from the House.

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

The bill clerk read as follows:

A bill (H.R. 4165) to extend through December 31, 2010, the authority of the Secretary of the Army to accept and expend funds contributed by non-Federal public entities to expedite the processing of permits.

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

Mr. DURBIN. I ask unanimous consent that the bill be read three times and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the bill be printed in the RECORD.

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

The bill (H.R. 4165) was ordered to a third reading, was read the third time, and passed.

EXTENDING AIRPORT AND
AIRWAY TRUST FUND AUTHORITY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 4217, which was received from the House.

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

The bill clerk read as follows:

A bill (H.R. 4217) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement programs, and for other purposes.

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

Mr. DURBIN. I ask unanimous consent that the bill be read three times and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the bill be printed in the RECORD.

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

The bill (H.R. 4217) was ordered to a third reading, was read the third time, and passed.

NO SOCIAL SECURITY BENEFITS
FOR PRISONERS ACT OF 2009

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 4218, which was received from the House and is at the desk.

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

The bill clerk read as follows:

A bill (H.R. 4218) to amend titles II and XVI of the Social Security Act to prohibit retroactive payments to individuals during periods for which such individuals are prisoners, fugitive felons, or probation or parole violators.

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

Mr. BAUCUS. Mr. President, I urge the Senate to pass by unanimous consent the "No Social Security Benefits for Prisoners Act of 2009," which was recently passed by the House of Representatives.

This bill would prevent retroactive Social Security and Supplemental Security Income benefit payments from being issued to individuals while they are in prison, or in violation of conditions of parole or probation, or are fleeing to avoid prosecution for a felony or a crime punishable by sentence of more than one year.

Under current law, the Social Security Act already prohibits payment of current monthly benefits to such individuals. This bill ensures this prohibition applies to retroactive benefit payments as well. The bill allows any payments that are withheld to be paid once the person is no longer in prison, or in violation of conditions of parole or probation, or are fleeing to avoid prosecution.

This bill makes a common sense reform to the Social Security Act and I urge my colleagues to support the bill.

I thank my colleagues for their support.

Mr. DURBIN. I ask unanimous consent that the bill be read three times and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements relating to the matter be printed in the RECORD.

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

The bill (H.R. 4218) was ordered to a third reading, was read the third time, and passed.

ORDERS FOR FRIDAY,
DECEMBER 11, 2009

Mr. DURBIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Friday, December 11; that follow the prayer and 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 proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each, with Republicans controlling the first 30 minutes and the majority controlling the next 30 minutes.

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

PROGRAM

Mr. DURBIN. Mr. President, the majority leader came to the floor this evening and asked for permission to move to four pending amendments on the health care bill and it was not given. The Republican leader objected. We are hoping to renew that unanimous consent request tomorrow so we can wrap up the Omnibus appropriations bill and move quickly back to debate on the health care bill. I am hoping we can do that, in the interests of moving through some of the important amendments now pending.

We expect two votes tomorrow on motions to waive points of order with respect to the consolidated appropriations conference report. Those votes should require 60 affirmative votes. Senators will be notified when votes are scheduled. Senators should also be prepared for votes Saturday morning.

ADJOURNMENT UNTIL 10 A.M.
TOMORROW

Mr. DURBIN. If there is no further business to come before the Senate, I ask unanimous consent it adjourn under the previous order.

There being no objection, the Senate, at 8:04 p.m., adjourned until Friday, December 11, 2009, at 10 a.m.