

Senate Democrats' Summary Of Agreement

The Senate has reached an agreement to limit amendments to [S.3187](#), the FDA bill, to those amendments listed below. No other amendments are in order. There will be 30 minutes for debate on each amendment, except for the McCain amendment, and 60 minutes on the bill, both equally divided in the usual form. There will be 2 hours equally divided on the McCain [amendment #2107](#).

At 2pm on Thursday, May 24, all debate time will be considered expired and the Senate will proceed to vote in relation to the amendments in the order listed. Amendments are subject to a majority vote except where noted with a 60 affirmative vote thresholds. There will be 2 minutes for debate prior to each vote. All votes after the first vote will be 10 minutes in duration. No motions or points of order are in order to the amendment or the bill other than budget points of order and the applicable motions to waive or motions to table. Upon disposition of the amendments, the Senate will proceed to vote on passage of [S.3187](#), as amended.

Further upon disposition of the FDA bill, the Senate will proceed to the consideration of [S.2343](#), the Student Loan interest rate bill. There will be 10 minutes for debate prior to a series of 2 roll call votes. The first, in relation to McConnell, or designee, amendment, which is identical to the text of [S.2366](#), and then on passage of [S.2343](#), as amended, if amended. The amendment and bill are subject to 60-vote thresholds. No motions or points of order are in order to the amendment or the bill other than budget points of order and the applicable motions to waive. If the bill does not achieve 60 affirmative votes, [S.2343](#) will be returned to the Calendar. Senator Reid's previously entered motion to reconsider the failed cloture vote is withdrawn.

Amendments in order to the FDA bill:

- [Bingaman #2111](#) (generic filings) (60-vote threshold)**;
- [McCain #2107](#) (reimportation) (60-vote threshold)**;
- [Sanders #2109](#) (criminal fraud/exclusivity) (60-vote threshold)**;
- [Murkowski #2108](#) (genetically engineered salmon) (60-vote threshold)**;
- [Cardin #2125](#) (health benefits/risks);
- [Cardin #2141](#) (FDA report -- small business);
- [Grassley #2121](#) (whistleblower protections III);
- [Grassley #2129](#) (GAO report -- clinical trials);
- [Manchin #2151](#), as modified [or new version??] (reclassifying hydrocodone under Controlled Substances Act)**;
- [Portman #2146](#), as modified (Synthetic drugs -- controlled substances);
- [Portman #2145](#), as modified (Rx drug monitoring);
- [Reed #2126](#) (Sunscreen testing/labeling); and
- [Coburn #2132](#) (FDA employee performance standards)**;
- [Coburn #2131](#) (Drug Application Review Process)**;
- [Durbin #2127](#) (dietary supplements)**;
- [Paul #2143](#) (supplements)**;
- [Burr #2130](#) (Congress -- user fee negotiations)**.

** indicates the most likely targets for roll call votes.