

SENATE FLOOR PROCEEDINGS

THURSDAY, MAY 24, 2012

The Senate will convene at 9:30 AM on Thursday, May 24, 2012 and will resume consideration of S. 3187 (FDA Bill). At 2:00 PM, the Senate will vote on the following first-degree amendments to S. 3187 (FDA Bill):

Bingaman amend #2111 (To provide substantial savings in health care costs to the Federal government and consumers by fostering competition among pharmaceutical manufacturers and ensuring that anti-competitive “pay-for-delay” settlements between brand-name and generic pharmaceutical manufacturers do not block generic drugs from entering the market). Subject to a 60-affirmative vote threshold.

McCain amend #2107 (To allow the importation by individuals of safe and affordable drugs from Canada). Subject to a 60-affirmative vote threshold.

Sanders amend #2109 (To revoke exclusivity of certain entities that are responsible for violations of the Federal Food, Drug and Cosmetic Act, the False Claims Act, and other laws). Subject to a 60-affirmative vote threshold.

Murkowski amend #2108 (Prohibit approval of the FDA of genetically engineered fish unless the NOAA concurs with such approval). Subject to a 60-affirmative vote threshold.

Portman amend #2146 (To amend the Controlled Substances Act to place synthetic drugs in Schedule I), as modified.

Portman amend #2145 (To direct the Attorney General to establish uniform standards for the exchange of controlled substances and prescription information for the purposes of preventing diversion, fraud and abuse of controlled substances and other prescription drugs), as modified.

Coburn amend #2132 (To provide that a portion of the performance awards of each employee of the Center for Drug Evaluation and Research, the Center for Devices and Radiological Health, and the Center for Biologics Evaluation and Research be connected to an evaluation of the employee’s contribution to goals under the user fee agreements).

Coburn amend #2131 (To require an independent assessment of the Food and Drug Administration’s review of drug applications).

Durbin amend #2127 (To require manufacturers of dietary supplements to register dietary supplement products with the Food and Drug Administration).

Paul amend #2143 (To amend the Federal Food, Drug and Cosmetic Act concerning claims about the effects of foods and dietary-supplements on health-related conditions and disease, to prohibit employees of the Food and Drug Administration from carrying firearms and making arrests without warrants, and to adjust the mens rea of certain prohibited acts under the Federal Food, Drug and Cosmetic Act to knowing and willful).

Burr amend #2130 (To ensure transparency in the Food and Drug Administration user fee agreements negotiation).

There will be no second-degree amendments in order prior to the votes. There will be no points of order to the amendments of the bill other than budget points of order and applicable motions to waive or motions to table. Prior to the votes tomorrow there will be up to 30 minutes of debate on each of the amendments with the exception of the McCain amend #2107 which will have two hours of debate. There will be an additional 60 minutes of debate on the bill itself prior to the votes tomorrow. There will be two minutes of debate prior to each vote. Upon disposition of all amendments, the Senate will proceed to vote on final passage of S. 3187 (FDA Bill).

Following disposition of S. 3187 (FDA Bill), the Senate will immediately proceed to S. 2343 (Stop the Student Loan Interest Rate Hike Act of 2012). The only amendment in order to the bill will be an amendment for the Republican Leader or his designee, the text of which is identical to S. 2366 (Interest Rate Reduction Act). There will be ten minutes of debate on the amendment and the bill prior to a vote on the McConnell or designee amendment, and the amendment will be subject to a 60 affirmative vote threshold. Upon disposition of the amendment the Senate will proceed to vote on final passage of S. 2343 (Stop the Student Loan Interest Rate Hike Act of 2012) as amended, if amended. The bill will be subject to a 60 affirmative vote threshold. If the bill does not receive 60 affirmative votes, S. 2343 (Stop the Student Loan Interest Rate Hike Act of 2012) will be returned to the calendar and the motion with respect to S. 2343 will be withdrawn.

The Senate convened and proceeded to a Legislative Session.

S. 3187 (FDA Bill).

McCain amend #2107 (To allow the importation by individuals of safe and affordable drugs from Canada). Yeas and nays ordered.

The following amendments are considered en bloc:

Leahy amend #2142 (To modify and limit certain exemptions to the Freedom of Information Act), as modified.

Portman amend #2145 (To direct the Attorney General to establish uniform standards for the exchange of controlled substances and prescription information for the purposes of preventing diversion, fraud and abuse of controlled substances and other prescription drugs), as modified.

Portman amend #2146 (To amend the Controlled Substances Act to place synthetic drugs in Schedule I), as modified.

Laid aside by Unanimous Consent.

Leahy amend #2142 (To modify and limit certain exemptions to the Freedom of Information Act), as modified. Agreed to by Unanimous Consent.

Portman amend #2145 (To direct the Attorney General to establish uniform standards for the exchange of controlled substances and prescription information for the purposes of preventing diversion, fraud and abuse of controlled substances and other prescription drugs), as modified. Agreed to by Unanimous Consent.

Coburn amend #2131 (To require an independent assessment of the Food and Drug Administration's review of drug applications). Agreed to by Unanimous Consent.

Coburn amend #2132 (To provide that a portion of the performance awards of each employee of the Center for Drug Evaluation and Research, the Center for Devices and Radiological Health, and the Center for Biologics Evaluation and Research be connected to an evaluation of the employee's contribution to goals under the user fee agreements). Withdrawn by Unanimous Consent.

Portman amend #2146 (To amend the Controlled Substances Act to place synthetic drugs in Schedule I), as modified. Agreed to by **Voice Vote**.

Bingaman amend #2111 (To provide substantial savings in health care costs to the Federal government and consumers by fostering competition among pharmaceutical manufacturers and ensuring that anti-competitive “pay-for-delay” settlements between brand-name and generic pharmaceutical manufacturers do not block generic drugs from entering the market). Subject to a 60-affirmative vote threshold. Yeas and nays ordered. The amendment was not agreed to by a vote of **28-67**.

Murkowski amend #2108 (Prohibit approval of the FDA of genetically engineered fish unless the NOAA concurs with such approval). Subject to a 60-affirmative vote threshold. Yeas and nays ordered. The amendment was not agreed to by a vote of **46-50**.

Paul amend #2143 (To amend the Federal Food, Drug and Cosmetic Act concerning claims about the effects of foods and dietary-supplements on health-related conditions and disease, to prohibit employees of the Food and Drug Administration from carrying firearms and making arrests without warrants, and to adjust the mens rea of certain prohibited acts under the Federal Food, Drug and Cosmetic Act to knowing and willful). Harkin Motion to Table the amendment. Yeas and nays ordered. The Motion to Table is agreed to by a vote of **78-15**.

McCain amend #2107 (To allow the importation by individuals of safe and affordable drugs from Canada). Subject to a 60-affirmative vote threshold. Yeas and nays ordered. The amendment is not agreed to by a vote of **43-54**.

Sanders amend #2109 (To revoke exclusivity of certain entities that are responsible for violations of the Federal Food, Drug and Cosmetic Act, the False Claims Act, and other laws). Subject to a 60-affirmative vote threshold. Yeas and nays ordered. The amendment is not agreed to by a vote of **9-88**.

Burr amend #2130 (To ensure transparency in the Food and Drug Administration user fee agreements negotiation). Withdrawn by Unanimous Consent.

Durbin amend #2127 (To require manufacturers of dietary supplements to register dietary supplement products with the Food and Drug Administration). Harkin Motion to Table the Amendment. Yeas and nays ordered. The Motion to Table the amendment was agreed to by a vote of **77-20**.

S. 3187 (FDA Bill). Final passage. Yeas and nays ordered. The bill as amended passed by a vote of **96-1**.

McConnell unanimous consent request that after the votes on the student loan bill, the next order of business be a Harkin-Enzi bill dealing with the issue of the current student loan rate. Reid objected.

S. 2343 (Stop the Student Loan Interest Rate Hike Act of 2012).

Alexander amend #2153 (The text of the amendment is identical to S. 2366 - Interest Rate Reduction Act). The amendment is subject to a 60 affirmative vote threshold. Yeas and nays ordered. The amendment was not agreed to by a vote 34-62 with one Senator voting present.

H.R. 5740 (An act to extend the National Flood Insurance Program). The Johnson (SD) substitute amendment was agreed to by unanimous consent. The bill as amended was passed by unanimous consent.

S. 2343 (Stop the Student Loan Interest Rate Hike Act of 2012). The bill is subject to a 60 vote affirmative threshold. Yeas and nays ordered. The bill was not agreed to by a vote of 51 – 43 with one Senator voting present.

Motion to proceed to S. 3220 (Amend the Fair Labor Standards Act of 1938). Sen. Reid filed a Motion to Invoke Cloture on the Motion to Proceed to the bill. The vote on the Cloture Motion will occur at 2:15 on Tuesday, June 5, 2012.

The Senate proceeded with a period of Morning Business.

H. R. 5652 (Violence against Women Reauthorization Act). Sen. Reid Motion to agree to the bill, as amended, was objected to by Sen. McConnell

H. R. 4970 (House passed Violence against Women Reauthorization Act) Sen. McConnell Motion to agree to the bill, as amended with a modification, was objected to by Sen. Reid.

The Senate proceeded to an Executive Session.

PN 1520 (David Lane). Confirmed by unanimous consent.

PN 1565 (16 Public Health Nominations). Confirmed by unanimous consent.

PN 1679 (114 Public Health Service Nominations). Confirmed by unanimous consent.

Cal. #640 (Sara Margalit Aviel—to be United States Alternate Executive Director of the International Bank for Reconstruction and Development for a term of two years). Confirmed by voice vote.

The following nominations were considered en bloc:

Cal. #261 (Matthew Francis McCabe -- to be a Member of the Board of Directors of the Corporation for National and Community Service). Confirmed by unanimous consent.

Cal. #338 (Anthony Frank D'Agostino – to be a Director of the Securities Investor Protection Corporation). Confirmed by unanimous consent.

Cal. #339 (Anthony Frank D'Agostino – to be a Director of the Securities Investor Protection Corporation). Confirmed by unanimous consent.

Cal. #340 (Gregory Karawan – to be a Director of the Securities Investor Protection Corporation). Confirmed by unanimous consent.

Cal #665 (Roy Wallace McLeese III—to be an Associate Judge of the District of Columbia Court of Appeals for the term of fifteen years). Confirmed by unanimous consent.

Cal. #678 (Adam E. Sieminski—to be Administrator of the Energy Information Administration). Confirmed by unanimous consent.

Cal. #679 (Anthony T. Clark—to be a Member of the Federal Energy Regulatory Commission for the term expiring June 30, 2016). Confirmed by unanimous consent.

Cal. #680 (John Robert Norris—to be a Member of the Federal Energy Regulatory Commission for the term expiring June 30, 2017). Confirmed by unanimous consent.

Cal. #681 (Margaret Bartley—to be a Judge of the United States Court of Appeals for Veterans Claims for the term of fifteen years). Confirmed by unanimous consent.

Cal. #682 (Coral Wong Pietsch—to be a Judge of the United States Court of Appeals for Veterans Claims for the term of fifteen years). Confirmed by unanimous consent.

Cal #706 (Michael A. Raynor—to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Benin). Confirmed by unanimous consent.

Cal. #707 (Scott H. DeLisi—to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Uganda). Confirmed by unanimous consent.

Cal. #708 (Makila James—to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Swaziland). Confirmed by unanimous consent.

Cal. #710 (Jessica Lynn Wright—to be an Assistant Secretary of Defense). Confirmed by unanimous consent.

Cal. #711 (James N. Miller, Jr.—to be Under Secretary of Defense for Policy). Confirmed by unanimous consent.

Cal. #712 (Frank Kendall III—to be Under Secretary of Defense for Acquisition, Technology, and Logistics). Confirmed by unanimous consent.

Cal. #713 (Erin C. Conaton—to be Under Secretary of Defense for Personnel and Readiness). Confirmed by unanimous consent.

Cal. #715 (Derek H. Chollet—to be an Assistant Secretary of Defense). Confirmed by unanimous consent.

Cal. #716 (Kathleen H. Hicks—to be a Principal Deputy Under Secretary of Defense). Confirmed by unanimous consent.

Cal. #717 (Joseph G. Jordan, of Massachusetts, to be Administrator for Federal Procurement Policy). Confirmed by unanimous consent.

Cal. #725 (Katharina G. McFarland—to be an Assistant Secretary of Defense). Confirmed by unanimous consent.

Cal. #727 (to be Lieutenant General: Maj. Gen. Michael D. Dubie). Confirmed by unanimous consent.

Cal. #728 (to be Brigadier General in the Air Force: Col. Bobby V. Page). Confirmed by unanimous consent.

Cal. #729 (to be General in the Air Force: Gen. Philip M. Breedlove). Confirmed by unanimous consent.

Cal. #730 (to be General in the Air Force: Lt. Gen. Larry O. Spencer). Confirmed by unanimous consent.

Cal. #731 (to be Lieutenant General in the Air Force: Maj. Gen. Noel T. Jones). Confirmed by unanimous consent.

Cal. #732 (to be Brigadier General in the Air Force: Col. Wayne A. Zimmet). Confirmed by unanimous consent.

Cal. #733 (to be Lieutenant General in the Army: Maj. Gen. Theodore C. Nicholas). Confirmed by unanimous consent.

Cal. #734 (to be Brigadier General in the Army: Col. Francisco A. Espaillat). Confirmed by unanimous consent.

Cal. #735 (to be Major General in the Army: Brig. Gen. William R. Phillips, II). Confirmed by unanimous consent.

Cal. #736 (to be Major General in the Army:

Brigadier General Leslie J. Carroll;

Brigadier General Bryan R. Kelly;

Brigadier General Peter S. Lennon;

Brigadier General Gary A. Medvigy;

Brigadier General David W. Puster;

Brigadier General Megan P. Tatu;

Brigadier General Daniel L. York; and

Brigadier General James V. Young, Jr. All confirmed by unanimous consent.

to be Brigadier General in the Army:

Colonel Douglas F. Anderson;

Colonel Danny C. Baldwin;

Colonel William P. Barriage;

Colonel Leanne P. Burch;

Colonel Mitchell R. Chitwood;

Colonel Stephen K. Curda;

Colonel Arlan M. Deblieck;

Colonel Chris R. Gentry;

Colonel Norman B. Green;

Colonel Lewis G. Irwin;

Colonel Phillip S. Jolly;

Colonel Robert A. Karmazin;

Colonel Troy D. Kok;

Colonel William S. Lee;

Colonel Tammy S. Smith; and

Colonel Michael S. Tuomey). All confirmed by unanimous consent.

Cal. #737 (to be Lieutenant General in the Army: Lt. Gen. Michael T. Flynn). Confirmed by unanimous consent.

Cal. #738 (to be Lieutenant General in the Marine Corps: Lt. Gen. Thomas D. Waldhauser). Confirmed by unanimous consent.

Cal. #739 (to be Lieutenant General in the Marine Corps: Maj. Gen. Jon M. Davis). Confirmed by unanimous consent.

Cal. #740 (to be Lieutenant General in the Marine Corps: Lt. Gen. Robert E. Schmidle, Jr.). Confirmed by unanimous consent.

Cal. #741 (to be Lieutenant General in the Marine Corps: Lt. Gen. Terry G. Robling). Confirmed by unanimous consent.

Cal. #742 (to be Brigadier General in the Marine Corps: Col. Burke W. Whitman). Confirmed by unanimous consent.

Cal. #743 (to be Major General in the Marine Corps: Brig. Gen. James M. Lariviere). Confirmed by unanimous consent.

Cal. #744 (to be Lieutenant General in the Marine Corps: Lt. Gen. John M. Paxton, Jr.). Confirmed by unanimous consent.

Cal. #745 (to be Lieutenant General in the Marine Corps: Maj. Gen. John A. Toolan, Jr.). Confirmed by unanimous consent.

Cal. #746 (to be Brigadier General in the Marine Corps: Col. Paul K. Lebidine). Confirmed by unanimous consent.

Cal. #747 (to be Lieutenant General: Lt. Gen. Robert B. Neller). Confirmed by unanimous consent.

Cal. #748 (to be Admiral in the Navy: Vice Adm. William E. Gortney). Confirmed by unanimous consent.

Cal. #749 (to be Vice Admiral in the Navy: Rear Adm. Kurt W. Tidd).). Confirmed by unanimous consent.

Cal. #750 (to be Vice Admiral in the Navy: Vice Adm. David H. Buss).). Confirmed by unanimous consent.

Cal. #751 (to be Vice Admiral in the Navy: Rear Adm. Michelle J. Howard).). Confirmed by unanimous consent.

Cal. #752 (to be Vice Admiral in the Navy: Rear Adm. Thomas H. Copeman, III).). Confirmed by unanimous consent.

Cal. #753 (to be Vice Admiral in the Navy: Vice Adm. Richard W. Hunt).). Confirmed by unanimous consent.

Cal. #754 (to be Rear Admiral (lower half) in the Navy: Capt. John F. Kirby).). Confirmed by unanimous consent.

Cal. #755 (to be Rear Admiral (lower half) in the Navy: Capt. Brian B. Brown).). Confirmed by unanimous consent.

Cal. #756 (Drew R. McCoy—to be a Member of the Board of Trustees of the James Madison Memorial Fellowship Foundation for a term expiring January 27, 2016).). Confirmed by unanimous consent.

Cal. #757 (Pauline R. Maier—to be a Member of the Board of Trustees of the James Madison Memorial Fellowship Foundation for a term expiring November 17, 2017).). Confirmed by unanimous consent.

Cal. #758 (Charles Thomas Massarone, of Kentucky, to be a Commissioner of the United States Parole Commission for a term of six years).). Confirmed by unanimous consent.

All nominations placed on the Secretary's desk in the Air Force, Army, Foreign Service, Marine Corps and the Navy. All confirmed by unanimous consent.

The Senate proceeded with a Legislative Session.

S. 414 (Protect girls in developing countries through the prevention of child marriages). Agreed to by voice vote.

S. 739 (Authorize the Architect of the Capitol to establish battery recharging stations). Agreed to by unanimous consent, as amended.

H. R. 2947 (Provide for the release of the reversionary interests held by the United States in certain land conveyed by the United States in 1950 for the establishment of an airport in Cook County, Minnesota). Agreed to by unanimous consent.

H. R. 3992 (Allow otherwise eligible Israeli nationals to receive E-2 Non-immigrant Visas if similarly situated United States Nationals are eligible for similar Non-immigrant status in Israel). Agreed to by unanimous consent.

S. Res. 455 (Designating June 7, 2012 as “National Post-Traumatic Stress Disorder Awareness Day”). Agreed to by unanimous consent.

S. Res. 475 (Relating to the death of the Honorable E. James Abnor, former United States Senator and Congressman from the state of South Dakota). Agreed to by unanimous consent.

S. J. Res. 41 (Sense of Congress regarding the nuclear program of the government of the republic of Iran). The first reading of the bill was agreed to. Further consideration was objected to.

Upon the adjournment of today’s session, the Senate will convene for Pro Forma Sessions only on the following days:

Friday, May 2, 2012 at 2:30 PM.

Tuesday, May 29, 2012 at 11:00 PM

Thursday, May 31, 2012 at 12:00 PM.

The Senate will convene at 2:00 PM on Monday, June 4, 2012 and will proceed with a period of Morning Business. At 5:00 PM, the Senate will proceed to a Legislative Session to consider Cal. #613 (Timothy Hillman to be U. S. District Judge for the District of Massachusetts). There will be 30 minutes of debate on the nomination followed by a vote on confirmation. It is Sen. Reid’s intention to resume consideration of the Motion to Proceed to S. 3220 (Paycheck Fairness Act) upon conclusion of the nomination vote.

The Senate adjourned at 7:22 PM.

SENATE FLOOR PROCEEDINGS

WEDNESDAY, MAY 23, 2012

The Senate will convene at 9:30 AM and will resume consideration of the Motion to Proceed to S. 3187 (FDA Bill). At 11:00 AM, the Senate will adopt the motion to proceed to the bill, and the Harkin-Enzi substitute amend #2122 will be agreed to by unanimous consent. The text of the Harkin-Enzi substitute amendment will be considered as original bill text for amendment purposes.

The Senate convened and proceeded with a Legislative Session

The following bills received their second reading en bloc:

S. 3220 (Paycheck Fairness Act).

S. 3221 (Rewarding Achievement and Incentivizing Successful Employees Act).

Further consideration of the bills were objected to.

Motion to Proceed to S. 3187 (FDA Bill).

At 2:15 PM, the Senate will adopt the motion to proceed to the bill, and the Harkin-Enzi substitute amend #2122 will be agreed to by unanimous consent. The text of the Harkin-Enzi substitute amendment will be considered as original bill text for amendment purposes.

Motion to Proceed to S. 3187 (FDA Bill) was agreed to by unanimous consent.

S. 3187 (FDA Bill).

Harkin-Enzi #2122 (In Nature of a Substitute) was agreed to by unanimous consent. The text of the Harkin-Enzi substitute amendment will be considered as original bill text for amendment purposes.

Durbin amend #2127 (To require manufacturers of dietary supplements to register dietary supplement products with the Food and Drug Administration). Laid aside.

Sanders amend #2109 (To revoke exclusivity of certain entities that are responsible for violations of the Federal Food, Drug and Cosmetic Act, the False Claims Act, and other laws). Laid aside.

Coburn amend #2131 (To require an independent assessment of the Food and Drug Administration's review of drug applications). Laid aside.

Coburn amend #2132 (To provide that a portion of the performance awards of each employee of the Center for Drug Evaluation and Research, the Center for Devices and Radiological Health, and the Center for Biologics Evaluation and Research be connected to an evaluation of the employee's contribution to goals under the user fee agreements). Laid aside.

Grassley amend #2129 (To provide deadlines for the issuance of certain regulations and require a GAO report on the implementation of the clinical trial registration and reporting requirements under the Public Health Service Act). Laid aside.

Grassley amend #2121 (To provide employee protections for the Commissioned Corps of the Public Health Service Act). Laid aside.

Burr amend #2130 (To ensure transparency in the Food and Drug Administration user fee agreements negotiation). Laid aside.

Murkowski amend #2108 (Prohibit approval of the FDA of genetically engineered fish unless the NOAA concurs with such approval). Laid aside.

Cardin amend #2125 (To ensure that adequate information is disseminated to health care providers and payors about the potential benefits and risks of medical products on all patient populations, particularly underrepresented subpopulations, including racial subgroups). Laid aside.

Cardin amend #2141 (To require the Commissioner of the Food and Drugs to report to Congress on issues with respect to small business). Laid aside.

Paul amend #2143 (To amend the Federal Food, Drug and Cosmetic Act concerning claims about the effects of foods and dietary-supplements on health-related conditions and disease, to prohibit employees of the Food and Drug Administration from carrying firearms and making arrests without warrants, and to adjust the mens rea of certain prohibited acts under the Federal Food, Drug and Cosmetic Act to knowing and willful). Laid aside.

Manchin amend #2151 (To amend the Controlled Substances Act to make any substance containing hydrocodone a schedule II drug), as modified. Laid aside.

Reed amend #2126 (To make effective the proposed rule of the Food and Drug Administration relating to sunscreen drug products).

The following amendments were considered en bloc:

Cardin amend #2125 (To ensure that adequate information is disseminated to health care providers and payors about the potential benefits and risks of medical products on all patient populations, particularly underrepresented subpopulations, including racial subgroups).

Cardin amend #2141 (To require the Commissioner of the Food and Drugs to report to Congress on issues with respect to small business).

Grassley amend #2121 (To provide employee protections for the Commissioned Corps of the Public Health Service Act).

Grassley amend #2129 (To provide deadlines for the issuance of certain regulations and require a GAO report on the implementation of the clinical trial registration and reporting requirements under the Public Health Service Act).

Manchin amend #2151 (To amend the Controlled Substances Act to make any substance containing hydrocodone a schedule II drug), as modified.

Reed amend #2126 (To make effective the proposed rule of the Food and Drug Administration relating to sunscreen drug products).
Agreed to, en bloc, by Unanimous Consent.

The Senate proceeded to a period of Morning Business.

S. 2367 (21st Century Language Act of 2012). Agreed to by Unanimous Consent.

H.R. 4097 (John F. Kennedy Center Reauthorization Act of 2012). Agreed to by Unanimous Consent.

The Senate will convene at 9:30 AM on Thursday, May 24, 2012 and will resume consideration of S. 3187 (FDA Bill). At 2:00 PM, the Senate will vote on the following first-degree amendments to S. 3187 (FDA Bill):

Bingaman amend #2111 (To provide substantial savings in health care costs to the Federal government and consumers by fostering competition among pharmaceutical manufacturers and ensuring that anti-competitive “pay-for-delay” settlements between brand-name and generic pharmaceutical manufacturers do not block generic drugs from entering the market). Subject to a 60-affirmative vote threshold.

McCain amend #2107 (To allow the importation by individuals of safe and affordable drugs from Canada). Subject to a 60-affirmative vote threshold.

Sanders amend #2109 (To revoke exclusivity of certain entities that are responsible for violations of the Federal Food, Drug and Cosmetic Act, the False Claims Act, and other laws). Subject to a 60-affirmative vote threshold.

Murkowski amend #2108 (Prohibit approval of the FDA of genetically engineered fish unless the NOAA concurs with such approval). Subject to a 60-affirmative vote threshold.

Portman amend #2146 (To amend the Controlled Substances Act to place synthetic drugs in Schedule I), as modified.

Portman amend #2145 (To direct the Attorney General to establish uniform standards for the exchange of controlled substances and prescription information for the purposes of preventing diversion, fraud and abuse of controlled substances and other prescription drugs), as modified.

Coburn amend #2132 (To provide that a portion of the performance awards of each employee of the Center for Drug Evaluation and Research, the Center for Devices and Radiological Health, and the Center for Biologics Evaluation and Research be connected to an evaluation of the employee’s contribution to goals under the user fee agreements).

Coburn amend #2131 (To require an independent assessment of the Food and Drug Administration’s review of drug applications).

Durbin amend #2127 (To require manufacturers of dietary supplements to register dietary supplement products with the Food and Drug Administration).

Paul amend #2143 (To amend the Federal Food, Drug and Cosmetic Act concerning claims about the effects of foods and dietary-supplements on health-related conditions and disease, to prohibit employees of the Food and Drug Administration from carrying firearms and making arrests without warrants, and to adjust the mens rea of certain prohibited acts under the Federal Food, Drug and Cosmetic Act to knowing and willful).

Burr amend #2130 (To ensure transparency in the Food and Drug Administration user fee agreements negotiation).

There will be no second-degree amendments in order prior to the votes. There will be no points of order to the amendments of the bill other than budget points of order and applicable motions to waive or motions to table. Prior to the votes tomorrow there will be up to 30 minutes of debate on each of the amendments with the exception of the McCain amend #2107 which will have two hours of debate. There will be an additional 60 minutes of debate on the bill itself prior to the votes tomorrow. There will be two minutes of debate prior to each vote. Upon disposition of all amendments, the Senate will proceed to vote on final passage of S. 3187 (FDA Bill).

Following disposition of S. 3187 (FDA Bill), the Senate will immediately proceed to S. 2343 (Stop the Student Loan Interest Rate Hike Act of 2012). The only amendment in order to the bill will be an amendment for the Republican Leader or his designee, the text of which is identical to S. 2366 (Interest Rate Reduction Act). There will be ten minutes of debate on the amendment and the bill prior to a vote on the McConnell or designee amendment, and the amendment will be subject to a 60 affirmative vote threshold. Upon disposition of the amendment the Senate will proceed to vote on final passage of S. 2343 (Stop the Student Loan Interest Rate Hike Act of 2012) as amended, if amended. The bill will be subject to a 60 affirmative vote threshold. If the bill does not receive 60 affirmative votes, S. 2343 (Stop the Student Loan Interest Rate Hike Act of 2012) will be returned to the calendar and the motion with respect to S. 2343 will be withdrawn.

The Senate adjourned at 6:39 PM.

SENATE FLOOR PROCEEDINGS

TUESDAY, MAY 22, 2012

The Senate will convene at 10:00 AM and will be in a period of Morning Business for one hour. The Senate will recess for Party Caucuses from 12:30 – 2:15 PM. It is the Majority Leader's intention to proceed to the consideration of S. 3187 (FDA Bill).

The Senate convened and proceeded to a Legislative Session.

Motion to Proceed to S. 3187 (FDA Bill).

Sen. Vitter motion to proceed to S. 577 (Child tax credit integrity preservation act) and agree to the bill was objected to by Sen. Reid.

Motion to Proceed to S. 3187 (FDA Bill).

At 12:30 PM, the Senate recessed for Party Caucuses.

The Senate reconvened at 2:15 PM and resumed a Legislative Session.

Motion to Proceed to S. 3187 (FDA Bill).

The following bills were read for the first time en bloc:

S. 3220 (A bill to amend the Fair Labor Standards Act dealing with payment of wages on the basis of sex).

S. 3221 (A bill to amend the National Labor Relations Act to permit employers to pay higher wages to their employees).

Further consideration of the bills were objected to en bloc.

The Senate will convene at 9:30 AM on Wednesday, May 23, 2012 and will be in a period of Morning Business. It is the Majority Leader's intention to proceed to the consideration of S. 3187 (FDA Bill).

The Senate adjourned at 6:28 PM.

SENATE FLOOR PROCEEDINGS

MONDAY, MAY 21, 2012

The Senate will convene at 2:00 PM and will resume consideration of the Motion to Proceed to S. 3187 (Food and Drug Administration Safety and Innovation Act). At 4:30 PM, the Senate will proceed to an Executive Session to consider Cal. #522 (Paul Watford, of California, to be United States Circuit Judge for the Ninth Circuit). At 5:30 PM, the Senate will have a cloture vote on the Watford nomination. If cloture is not invoked, the Senate will resume a Legislative Session and will immediately vote on the Motion to Invoke Cloture on the Motion to Proceed to S. 3187 (Food and Drug Administration Safety and Innovation Act).

The Senate convened and proceeded to a Legislative Session.

Motion to Proceed to S. 3187 (Food and Drug Administration Safety and Innovation Act). The Motion to Invoke Cloture on the Motion to Proceed was vitiated and the Motion to Proceed to the bill was agreed to by unanimous consent.

Senator Reid asked Unanimous Consent that the cloture motion in respect to Cal. #522 (Paul Watford to be United States Circuit Judge for the Ninth Circuit) be vitiated.

The Senate proceeded to an Executive Session.

Cal. #522 (Paul Watford to be United States Circuit Judge for the Ninth Circuit). The cloture vote is vitiated by Unanimous Consent. Yeas and nays ordered. The nomination was confirmed by a vote of 61-34.

H. R. 1905 (Iran Threat Reduction Act). The bill was agreed to by voice vote, as amended by the Johnson amend #2124 (Substitute and language of S. 2101).

S. Res. 468 (Sense of the Senate with respect to childhood stroke and recognizing May as "National Pediatric Stroke Prevention Month"). Agreed to by unanimous consent.

S. Res. 469 (Regarding "National Small Business Week"). Agreed to by voice vote.

The Senate will convene at 10:00 AM on Tuesday, May 22, 2012. There will be a period of Morning Business for one hour. The Senate will recess for Party Caucuses from 12:30 – 2:15 PM. It is the Majority Leader's intention to proceed to the consideration of S. 3187 (FDA Bill).

The Senate adjourned at 6:45 PM.

SENATE FLOOR PROCEEDINGS

THURSDAY, MAY 17, 2012

The Senate will convene at 9:30 AM and will proceed to the consideration of the Motion to Proceed to S. 3187 (Food and Drug Administration Safety and Innovation Act). At 10:30 AM the Senate will proceed to an Executive Session to consider Cal. #646 (Jeremy Stein to be a Member of the Board of Governors of the Federal Reserve System) and Cal. #647 (Jerome Powell to be a Member of the Board of Governors of the Federal Reserve System). There will be 90 minutes of debate, followed by votes on both nominations. Both nominees are subject to a 60 yeas vote threshold.

The Senate convened and proceeded to a Legislative Session.

Motion to Proceed to S. 3187 (Food and Drug Administration Safety and Innovation Act).

The Senate proceeded to an Executive Session to consider the following nominations:
Cal. #646 (Jeremy Stein to be a Member of the Board of Governors of the Federal Reserve System). The nomination was confirmed by a vote of 70-24.

Cal. #647 (Jerome Powell to be a Member of the Board of Governors of the Federal Reserve System). The nomination was confirmed by a vote of 74-21.

Reid filed cloture on Cal. #522 (Paul Watford, of California, to be United States Circuit Judge for the Ninth Circuit).

The Senate proceeded with a Legislative Session.

Reid filed cloture on the Motion to Proceed to S. 3187 (Food and Drug Administration Safety and Innovation Act).

Reid unanimous consent request that the Senate proceed to H.R. 1905 (Iran Threat Reduction Act), that the Reid-Johnson-Shelby substitute amendment be agreed to, and the bill as amended be read a third time and passed. Kyl objected.

H.R. 2415 (An act to designate the facility of the United States Postal Service located as the Jasher D. Miller post office building). Agreed to by unanimous consent.

H.R. 3220 (An act to designate the facility of the United States Postal Service located at Evergreen Square Southwest, California). Agreed to by unanimous consent.

H.R. 3413 (An act to designate the facility of the United States Postal Service located at 1449 West Avenue in Bronx, New York, as a private Isaac T. Cortiz post office). Agreed to by unanimous consent.

H.R. 4045 (An act to modify the Department of Defense program guidance and so forth). Agreed to by unanimous consent.

H.R. 4119 (An act to reduce the trafficking of drugs and to prevent human smuggling across the southwest border by deterring the construction and use of border tunnels). Agreed to by unanimous consent.

H.R. 4849 (An act to direct the Secretary of the Interior to issue commercial-use authorizations to commercial stock operators) The Boxer-Feinstein substitute amendment was agreed to. The bill as amended was agreed to by unanimous consent.

The Senate proceeded to an Executive Session and removed the injunction of secrecy be removed from the following treaties:

Treaty number 112-5 (Convention on law applicable to certain rights with respect to securities held with an intermediary).

Treaty number 112-6 (Convention on rights of persons with disabilities).

Treaty number 112-7 (Convention with Chile)

Treaty number 112-8

The Senate resumed a Legislative Session.

The Senate will convene at 2:00 PM on Monday, May 21, 2012 and will resume consideration of the Motion to Proceed to S. 3187 (Food and Drug Administration Safety and Innovation Act). At 4:30 PM, the Senate will proceed to an Executive Session to consider Cal. #522 (Paul Watford, of California, to be United States Circuit Judge for the Ninth Circuit). At 5:30 PM, the Senate will have a cloture vote on the Watford nomination. If cloture is not invoked, the Senate will resume a Legislative Session and will immediately vote on the Motion to Invoke Cloture on the Motion to Proceed to S. 3187 (Food and Drug Administration Safety and Innovation Act).

The Senate adjourned at 4:47 PM.

SENATE FLOOR PROCEEDINGS

WEDNESDAY, MAY 16, 2012

The Senate will convene at 9:30 AM and will proceed to a Legislative Session to consider the Motions to Proceed to the following bills, en bloc:

- Motion to Proceed to S. Con. Res. 41 (A concurrent resolution setting forth the President's budget request for the United States Government for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2014 through 2022).
- Motion to Proceed to H. Con. Res. 112 (Establishing the budget for the United States Government for fiscal year 2013 and setting forth appropriate budgetary levels for fiscal years 2014 through 2022).
- Motion to Proceed to S. Con. Res. 37 (A concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2014 through 2022).
- Motion to Proceed to S. Con. Res. 42 (A concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2013, revising the appropriate budgetary levels for fiscal year 2012, and setting forth the appropriate budgetary levels for fiscal years 2013 through 2022).
- Motion to Proceed to S. Con. Res. 44 (A concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2013 and setting forth the appropriate budgetary levels for fiscal years 2014 through 2022).

There will be up to 6 hours of debate prior to votes on the Motions to Proceed to each budget resolution.

The Senate convened and proceeded to a Legislative Session.

S. 3187 (Amends the Federal Food, Drug and Cosmetic Act). The bill is read for the second time. Further readings are objected to.

Motion to Proceed to S. 2343 (Stop the Student Loan Interest Rate Hike Act of 2012). Laid aside.

The Senate considered the Motions to Proceed to the following bills, en bloc:

- Motion to Proceed to S. Con. Res. 41 (A concurrent resolution setting forth the President's budget request for the United States Government for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2014 through 2022).
- Motion to Proceed to H. Con. Res. 112 (Establishing the budget for the United States Government for fiscal year 2013 and setting forth appropriate budgetary levels for fiscal years 2014 through 2022).
- Motion to Proceed to S. Con. Res. 37 (A concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2014 through 2022).
- Motion to Proceed to S. Con. Res. 42 (A concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2013, revising the

appropriate budgetary levels for fiscal year 2012, and setting forth the appropriate budgetary levels for fiscal years 2013 through 2022).

- Motion to Proceed to S. Con. Res. 44 (A concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2013 and setting forth the appropriate budgetary levels for fiscal years 2014 through 2022).

Motion to Proceed to S. Con. Res. 41 (A concurrent resolution setting forth the President's budget request for the United States Government for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2014 through 2022). Yeas and nays ordered. The Motion to Proceed was not agreed to by a vote of 0-99.

Motion to Proceed to H. Con. Res. 112 (Establishing the budget for the United States Government for fiscal year 2013 and setting forth appropriate budgetary levels for fiscal years 2014 through 2022). Yeas and nays ordered. The Motion to Proceed was not agreed to by a vote of 41-58.

Motion to Proceed to S. Con. Res. 37 (A concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2014 through 2022). Yeas and nays ordered. The Motion to Proceed was not agreed to by a vote of 42-57.

Motion to Proceed to S. Con. Res. 42 (A concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2013, revising the appropriate budgetary levels for fiscal year 2012, and setting forth the appropriate budgetary levels for fiscal years 2013 through 2022). Yeas and nays ordered. The Motion to Proceed was not agreed to by a vote of 16-83.

Motion to Proceed to S. Con. Res. 44 (A concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2013 and setting forth the appropriate budgetary levels for fiscal years 2014 through 2022). Yeas and nays ordered. The Motion to Proceed was not agreed to by a vote of 17-82.

The Senate proceeded with a period of Morning Business.

The following resolutions were considered en bloc:

S. Res. 463 (Designating May 19, 2012, as "National Kids to Parks Day"). Agreed to by unanimous consent.

S. Res. 464 (Commemorating the 70th anniversary of Ellsworth Air Force Base). Agreed to by unanimous consent.

S. Res. 465 (Recognizing that the Governor of the State of Colorado has proclaimed 2012 as the "Year of Water"). Agreed to by unanimous consent.

The Senate will convene at 9:30 AM on Thursday, May 17, 2012. The Senate will proceed to the consideration of the Motion to Proceed to S. 3187 (Food and Drug Administration Safety and Innovation Act). At 10:30 AM the Senate will proceed to an Executive Session to consider Cal. #646 (Jeremy Stein to be a Member of the Board of Governors of the Federal Reserve System)

and Cal. #647 (Jerome Powell to be a Member of the Board of Governors of the Federal Reserve System). There will be 90 minutes of debate, followed by votes on both nominations. Both nominees are subject to a 60 yea vote threshold.

The Senate adjourned at 6:57 PM.

SENATE FLOOR PROCEEDINGS

TUESDAY, MAY 15, 2012

The Senate will convene at 10:00 AM and will resume a Legislative Session. At 11:15 AM, the Motion to Proceed to H.R. 2072 (Export-Import Bank Reauthorization Act) be will adopted and the Senate will proceed to H.R. 2072 (Export-Import Bank Reauthorization Act). The following amendments will be the only in order:

Lee amend #2100 (To phase out the authority of the Export-Import Bank of the United States and to require the President to initiate negotiations with other major exporting countries to end subsidized export financing programs).

Paul amend #2101 (To prohibit the Export-Import Bank of the United States from providing financing to a person or for a project in a country the government or central bank of which holds debt instruments of the United States).

Corker amend #2102 (To require the Export-Import Bank of the United States to provide financing only for transactions subsidized by export credit agencies of other countries or for which private sector financing is unavailable or prohibitively expensive and to require the Bank of maintain a ratio of capital to the outstanding principle balance of loans and loan guarantees of not less than 10 percent).

Vitter amend #2103 (To clarify the requirement that the Export-Import Bank of the United States not make or guarantee loans that are subordinate to other loans, to restrict financing of certain fossil fuel projects in foreign countries, and to prohibit financing of renewable energy products manufactured in foreign countries).

Toomey amend #2104 (To prohibit an increase in the lending authority of the Export-Import Bank of the United States to more than \$100,000,000,000 until the Secretary of the Treasury verifies that the Secretary has initiated international negotiations to eliminate export financing programs and to prohibit an increase in that lending authority to more than \$120,000,000,000 until a multilateral agreement to eliminate export financing programs has been completed).

At approximately 2:15 PM, the Senate will proceed to vote on the above amendments, and upon disposition of the amendments, the Senate will proceed to final passage of the bill. All amendments and passage of the bill will be subject to a 60-yea vote threshold for adoption.

The Senate will recess from 12:30-2:15 PM for weekly party caucus meetings.

The Senate convened and proceeded to a Legislative Session.

Motion to Proceed to H.R. 2072 (Export-Import Bank Reauthorization Act).

H.R. 5652 (Sequester Replacement Reconciliation Act of 2012). The bill was read for a second time. Further reading was objected to and the bill is placed on the calendar.

Motion to Proceed to H.R. 2072 (Export-Import Bank Reauthorization Act). Under a previous Unanimous Consent agreement, the Motion to Proceed is agreed to.

H.R. 2072 (Export-Import Bank Reauthorization Act).

Lee amend #2100 (To phase out the authority of the Export-Import Bank of the United States and to require the President to initiate negotiations with other major exporting countries to end subsidized export financing programs). Laid aside.

Corker amend #2102 (To require the Export-Import Bank of the United States to provide financing only for transactions subsidized by export credit agencies of other countries or for which private sector financing is unavailable or prohibitively expensive and to require the Bank of maintain a ratio of capital to the outstanding principle balance of loans and loan guarantees of not less than 10 percent). Laid aside.

Vitter amend #2103 (To clarify the requirement that the Export-Import Bank of the United States not make or guarantee loans that are subordinate to other loans, to restrict financing of certain fossil fuel projects in foreign countries, and to prohibit financing of renewable energy products manufactured in foreign countries). Laid aside.

Toomey amend #2104 (To prohibit an increase in the lending authority of the Export-Import Bank of the United States to more than \$100,000,000,000 until the Secretary of the Treasury verifies that the Secretary has initiated international negotiations to eliminate export financing programs and to prohibit an increase in that lending authority to more than \$120,000,000,000 until a multilateral agreement to eliminate export financing programs has been completed).

The Senate recessed from 12:40-2:15 PM for weekly party caucus luncheons.

The Senate reconvened at 2:15 PM and resumed a Legislative Session.

H.R. 2072 (Export-Import Bank Reauthorization Act).

Senator Conrad asked Unanimous Consent that on Wednesday, May 15th, the Senate proceed to the Motions to Proceed to the following Budget Resolutions en bloc, that there be 6 hours of debate prior to a vote on Motions to Proceed to each budget resolution.

Motion to Proceed to S. Con. Res. 41 (A concurrent resolution setting forth the President's budget request for the United States Government for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2014 through 2022).

Motion to Proceed to H. Con. Res. 112 (Establishing the budget for the United States Government for fiscal year 2013 and setting forth appropriate budgetary levels for fiscal years 2014 through 2022).

Motion to Proceed to S. Con. Res. 37 (A concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2014 through 2022).

Motion to Proceed to S. Con. Res. 42 (A concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2013, revising the appropriate budgetary levels for fiscal year 2012, and setting forth the appropriate budgetary levels for fiscal years 2013 through 2022).

Motion to Proceed to S. Con. Res. 44 (A concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2013 and setting forth the appropriate budgetary levels for fiscal years 2014 through 2022).

H.R. 2072 (Export-Import Bank Reauthorization Act).

Lee amend #2100 (To phase out the authority of the Export-Import Bank of the United States and to require the President to initiate negotiations with other major exporting countries to end subsidized export financing programs). Yeas and nays ordered. Under a previous order, the amendment is subject to a 60-yea vote for adoption. The amendment is not agreed to by a vote of 12-86.

Paul amend #2101 (To prohibit the Export-Import Bank of the United States from providing financing to a person or for a project in a country the government or central bank of which holds debt instruments of the United States). Yeas and nays ordered. Under a previous order, the amendment is subject to a 60-yea vote for adoption. The amendment is not agreed to by a vote of 9-89.

Corker amend #2102 (To require the Export-Import Bank of the United States to provide financing only for transactions subsidized by export credit agencies of other countries or for which private sector financing is unavailable or prohibitively expensive and to require the Bank of maintain a ratio of capital to the outstanding principle balance of loans and loan guarantees of not less than 10 percent). Yeas and nays ordered. Under a previous order, the amendment is subject to a 60-yea vote for adoption. The amendment is not agreed to by a vote of 36-62.

Vitter amend #2103 (To clarify the requirement that the Export-Import Bank of the United States not make or guarantee loans that are subordinate to other loans, to restrict financing of certain fossil fuel projects in foreign countries, and to prohibit financing of renewable energy products manufactured in foreign countries). Yeas and nays ordered. Under a previous order, the amendment is subject to a 60-yea vote for adoption. The amendment is not agreed to by a vote of 37-61.

Toomey amend #2104 (To prohibit an increase in the lending authority of the Export-Import Bank of the United States to more than \$100,000,000,000 until the Secretary of the Treasury verifies that the Secretary has initiated international negotiations to eliminate export financing programs and to prohibit an increase in that lending authority to more than \$120,000,000,000 until a multilateral agreement to eliminate export financing programs has been completed). Yeas and nays ordered. Under a previous order, the amendment is subject to a 60-yea vote for adoption. The amendment is not agreed to by a vote of 35-63.

H.R. 2072 (Export-Import Bank Reauthorization Act). The bill is read for a third time. **Final Passage.** Yeas and nays ordered. Under a previous order, the bill is subject to a 60-yea vote for adoption. The bill is passed by a vote of 78-20.

Motion to Proceed to S. 2343 (Stop the Student Loan Interest Rate Hike Act of 2012).

The Senate proceeded to an Executive Session.

Cal. #646 (Jeremy Stein to be a Member of the Board of Governors of the Federal Reserve System). Reid Motion to Invoke Cloture on the nomination.

The Senate resumed a Legislative Session.

The Senate resumed an Executive Session.

Cal. #647 (Jerome Powell to be a Member of the Board of Governors of the Federal Reserve System). Reid Motion to Invoke Cloture on the nomination.

The Senate resumed a Legislative Session.

S. 2344 (Extension of the National Flood Insurance Program). Sen. Reid asked Unanimous Consent that the bill be read a third time and passed. Objected to by Sen. Coburn.

The Senate proceeded to a period of Morning Business.

S. Res. 460 (National Public Works Week). Agreed to by Unanimous Consent.

S. Res. 461 (Recognizing the teachers of the United States for their contributions to the development and progress of our nation). Agreed to by Unanimous Consent.

S. 3187 (Amends the Federal Food, Drug and Cosmetic Act). The bill is read for the first time. Further readings are objected to and the bill will be read for the second time on the next Legislative day.

The Senate will convene at 9:30 AM on Wednesday, May 16, 2012 and will proceed to a Legislative Session to consider the Motions to Proceed to the following bills, en bloc:

- **Motion to Proceed to S. Con. Res. 41 (A concurrent resolution setting forth the President's budget request for the United States Government for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2014 through 2022).**
- **Motion to Proceed to H. Con. Res. 112 (Establishing the budget for the United States Government for fiscal year 2013 and setting forth appropriate budgetary levels for fiscal years 2014 through 2022).**
- **Motion to Proceed to S. Con. Res. 37 (A concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2014 through 2022).**
- **Motion to Proceed to S. Con. Res. 42 (A concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2013, revising the appropriate budgetary levels for fiscal year 2012, and setting forth the appropriate budgetary levels for fiscal years 2013 through 2022).**
- **Motion to Proceed to S. Con. Res. 44 (A concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2013 and setting forth the appropriate budgetary levels for fiscal years 2014 through 2022).**

There will be up to 6 hours of debate prior to votes on the Motions to Proceed to each budget resolution.

The Senate adjourned at 6:36 PM.

SENATE FLOOR PROCEEDINGS

MONDAY, MAY 14, 2012

The Senate will convene at 2:00 PM and will proceed to a Legislative Session to consider the Motion to Proceed to H.R. 2072 (Export-Import Bank Reauthorization Act). At 4:30 PM, the Senate will proceed to an Executive Session to consider the following nominations:
Cal. #570 (George Russell III to be U.S. District Judge for the District of Maryland).
Cal. #571 (John Tharp Jr. to be U.S. District Judge for the Northern District of Illinois).
At 5:30 PM, the Senate will proceed to votes on the nominations. Following the nomination votes, the Senate will resume a Legislative Session and proceed to a roll call vote on the Motion to Invoke Cloture on the Motion to Proceed to H.R. 2072 (Export-Import Bank Reauthorization Act).

The Senate convened and proceeded to a Legislative Session.

Motion to Proceed to H.R. 2072 (Export-Import Bank Reauthorization Act).

The Senate proceeded to an Executive Session.

Cal. #570 (George Russell III to be U.S. District Judge for the District of Maryland). The nomination is confirmed by **Voice Vote**.

Cal. #571 (John Tharp Jr. to be U.S. District Judge for the Northern District of Illinois). Yeas and nays ordered. The nomination is confirmed by a vote of 86-1.

The Senate resumed a Legislative Session.

Motion to Invoke Cloture on the Motion to Proceed to H.R. 2072 (Export-Import Bank Reauthorization Act) is vitiated by Unanimous Consent.

The Senate proceeded to a period of Morning Business.

H.R. 5652 (Sequester Replacement Reconciliation Act of 2012). The bill was read for the first time. Further reading was objected to and the bill will be read for a second time on the next Legislative day.

The Senate will convene at 10:00 AM on Tuesday, May 15, 2012 and will resume a Legislative Session. At 11:15 AM, the Motion to Proceed to H.R. 2072 (Export-Import Bank Reauthorization Act) be will adopted and the Senate will proceed to H.R. 2072 (Export-Import Bank Reauthorization Act). The following amendments will be the only in order:
Lee amend #2100 (To phase out the authority of the Export-Import Bank of the United States and to require the President to initiate negotiations with other major exporting countries to end subsidized export financing programs).

Paul amend #2101 (To prohibit the Export-Import Bank of the United States from providing financing to a person or for a project in a country the government or central bank of which holds debt instruments of the United States).

Corker amend #2102 (To require the Export-Import Bank of the United States to provide financing only for transactions subsidized by export credit agencies of other countries or for which private sector financing is unavailable or prohibitively expensive and to require the Bank of maintain a ratio of capital to the outstanding principle balance of loans and loan guarantees of not less than 10 percent).

Vitter amend #2103 (To clarify the requirement that the Export-Import Bank of the United States not make or guarantee loans that are subordinate to other loans, to restrict financing of certain fossil fuel projects in foreign countries, and to prohibit financing of renewable energy products manufactured in foreign countries).

Toomey amend #2104 (To prohibit an increase in the lending authority of the Export-Import Bank of the United States to more than \$100,000,000,000 until the Secretary of the Treasury verifies that the Secretary has initiated international negotiations to eliminate export financing programs and to prohibit an increase in that lending authority to more than \$120,000,000,000 until a multilateral agreement to eliminate export financing programs has been completed).

At approximately 2:15 PM, the Senate will proceed to vote on the above amendments, and upon disposition of the amendments, the Senate will proceed to final passage of the bill. All amendments and passage of the bill will be subject to a 60-yea vote threshold for adoption.

The Senate will recess from 12:30-2:15 PM for weekly party caucus meetings.

The Senate adjourned at 6:43 PM.

SENATE FLOOR PROCEEDINGS

THURSDAY, MAY 10, 2012

The Senate will convene at 9:30 AM. The Senate Majority Leader will be immediately recognized. No votes are scheduled at this time. It is expected that the Senate will resume debate on the Motion to Proceed to S. 2343 (Stop Student Loan Interest Rate Hike Act). Reid also announced that the Senate may take up the Export-Import Bank Reauthorization Act.

The Senate convened and proceeded with a Legislative Session.

Motion to Proceed to H. R. 2072 (Export-Import Bank Reauthorization Act).

Reid Motion to Invoke Cloture on the Motion to Proceed to H.R. 2072 (Export-Import Bank Reauthorization Act).

S. 418 (Award Congressional Gold Medal to the World War II Members of the Civil Air Patrol). Agreed to by Unanimous Consent.

The Senate proceeded to a period of Morning Business.

H.R. 4967 (Temporary Bankruptcy Judgeships Extension Act of 2012). Agreed to by Unanimous Consent.

S. Res. 456 (Commemorating and acknowledging the dedication and sacrifice made by the federal, state and local law enforcement officers who have been killed or injured in the line of duty). Agreed to by Unanimous Consent.

S. Res. 458 (Commemorating May 15, 2012 as the sesquicentennial of the founding of the Department of Agriculture). Agreed to by Unanimous Consent.

The Senate will convene at 2:00 PM on Monday, May 14, 2012 and will proceed to a Legislative Session to consider the Motion to Proceed to H.R. 2072 (Export-Import Bank Reauthorization Act). At 4:30 PM, the Senate will proceed to an Executive Session to consider the following nominations:

Cal. #570 (George Russell III to be U.S. District Judge for the District of Maryland).

Cal. #571 (John Tharp Jr. to be U.S. District Judge for the Northern District of Illinois).

At 5:30 PM, the Senate will proceed to votes on the nominations. Following the nomination votes, the Senate will resume a Legislative Session and proceed to a roll call vote on the Motion to Invoke Cloture on the Motion to Proceed to H.R. 2072 (Export-Import Bank Reauthorization Act).

The Senate adjourned at 6:11 PM.

SENATE FLOOR PROCEEDINGS

WEDNESDAY, MAY 9, 2012

The Senate will convene at 9:30 AM. The Senate Majority Leader will be immediately recognized. No votes are scheduled at this time. It is expected that the Senate will resume debate on the Motion to Proceed to S. 2343 (Stop Student Loan Interest Rate Hike Act).

The Senate convened and proceeded to a Legislative Session.

Motion to Proceed to S. 2343 (Stop Student Loan Interest Rate Hike Act).

The Senate proceeded to a period of Morning Business.

S. 2224 (A bill to require the President to report to Congress on issues related to Syria). The Corker substitute amendment was agreed to by unanimous consent. The bill as amended was agreed to by unanimous consent.

The following Concurrent Resolutions were agreed to en bloc by unanimous consent:

H. Con. Res. 105 (Authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to celebrate the birthday of King Kamehameha).

H. Con. Res. 106 (Authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby).

H. Con. Res. 117 (Authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service).

The following Resolutions were agreed to en bloc:

S. Res. 450

S. Res. 451

S. Res. 452

The Senate will convene at 9:30 AM on Thursday, May 10, 2012. The Senate Majority Leader will be immediately recognized. No votes are scheduled at this time. It is expected that the Senate will resume debate on the Motion to Proceed to S. 2343 (Stop Student Loan Interest Rate Hike Act). Reid also announced that the Senate may take up the Export-Import Bank Reauthorization Act.

The Senate adjourned at 6:48 PM.

SENATE FLOOR PROCEEDINGS

TUESDAY, MAY 8, 2012

The Senate will convene at 10:00 AM and will resume consideration of the Motion to Proceed to S. 2343 (Stop Student Loan Interest Rate Hike Act). At 12:00 PM, the Senate will vote on the Motion to Invoke Cloture on the Motion to Proceed to S. 2343 (Stop Student Loan Interest Rate Hike Act). Following the vote, the Senate will recess until 2:15 PM for weekly party caucus luncheons.

The Senate convened and proceeded to a Legislative Session.

The following bills are read en bloc:

H.R. 2050 (Idaho Wilderness Water Resources Protection Act).

H.R. 2240 (Lowell National Historical Park Land Exchange Act of 2012).

H.R. 4628 (Interest Rate Reduction Act).

H.R. 4849 (Sequoia and Kings Canyon National Parks Backcountry Access Act).

The bills were read, en bloc, for a second time. Further readings were objected to and the bills are placed on the calendar.

Motion to Proceed to S. 2343 (Stop Student Loan Interest Rate Hike Act). Motion to Invoke Cloture on the Motion to Proceed. Yeas and nays ordered. The Motion was not agreed to by a vote of 52-45-1 present.

Reid Motion to Reconsider the vote by which cloture was not invoked.

The Senate recessed from 12:30-2:15 PM for weekly party caucus luncheons.

The Senate convened at 2:15 PM and resumed a Legislative Session.

Motion to Proceed to S. 2343 (Stop Student Loan Interest Rate Hike Act).

S. 743 (Amend Chapter 23 or Title V of the U.S. Code). Agreed to by unanimous consent, as amended.

H. R. 2668 (Designate a station of the Border Patrol). Agreed to by unanimous consent.

S. Res. 447 (Congratulating charter schools across the United States). Agreed to by unanimous consent.

The Senate will convene at 9:30 AM on Wednesday, May 9, 2012. The Senate Majority Leader will be immediately recognized. No votes are scheduled at this time. It is expected that the Senate will resume debate on the Motion to Proceed to S. 2343 (Stop Student Loan Interest Rate Hike Act).

The Senate adjourned at 6:45 PM.

SENATE FLOOR PROCEEDINGS

MONDAY, MAY 7, 2012

The Senate will convene at 2:00 PM and will resume consideration of the Motion to Proceed to S.2343 (Stop Student Loan Interest Rate Hike Act). At 4:30pm, the Senate will proceed to Executive Session to consider the following items:

Cal #508, Jacqueline H. Nguyen, of CA, to be United States Circuit Judge for the Ninth Circuit;
Cal. #568 Kristine Gerhard Baker, of AR, to be United States District Judge for the Eastern District of Arkansas;

Cal. #569 John Z. Lee, IL, to be United States District Judge for the Northern District of Illinois. There will be 60 minutes of debate, followed by up to three roll call votes on the Nguyen, Baker and Lee nominations. It is possible the Baker and Lee nominations will be confirmed by voice vote. Additionally, on Tuesday, May 8, 2012, at 12:00 PM, there will be a vote on the Motion to Invoke Cloture on the Motion to Proceed to S.2343 (Stop Student Loan Interest Rate Hike Act).

The Senate convened and proceeded to a Legislative Session.

The Senate proceeded to an Executive Session and confirmed the following nominations en bloc by unanimous consent:

Cal. #512 (Ajit Varadaraj Pai, to be a Member of the Federal Communications Commission).

Cal. #513 (Jessica Rosenworcel to be a Member of the Federal Communications Commission).

The Senate resumed a Legislative Session.

Motion to Proceed to S. 2343 (Stop Student Loan Interest Rate Hike Act).

The Senate proceeded to an Executive Session.

Cal #508 (Jacqueline H. Nguyen, of CA, to be United States Circuit Judge for the Ninth Circuit). Yeas and nays ordered. The nomination is confirmed by a vote of 91-3.

Cal. #568 (Kristine Gerhard Baker, of AR, to be United States District Judge for the Eastern District of Arkansas). The nomination is confirmed by Voice Vote.

Cal. #569 (John Z. Lee, IL, to be United States District Judge for the Northern District of Illinois). The nomination is confirmed by Voice Vote.

The Senate proceeded to a Legislative Session.

The Senate proceeded to a period of Morning Business.

The following bills were read en bloc:

H.R. 2050 (Idaho Wilderness Water Resources Protection Act).

H.R. 2240 (Lowell National Historical Park Land Exchange Act of 2012).

H.R. 4628 (Interest Rate Reduction Act).

H.R. 4849 (Sequoia and Kings Canyon National Parks Backcountry Access Act).

The bills were read for a first time en bloc. A second reading, en bloc, were objected to and the bills will be read on the next legislative day.

The Senate will convene at 10:00 AM on Tuesday, May 8, 2012 and will resume consideration of the Motion to Proceed to S. 2343 (Stop Student Loan Interest Rate Hike Act). At 12:00 PM, the Senate will vote on the Motion to Invoke Cloture on the Motion to Proceed to S. 2343 (Stop Student Loan Interest Rate Hike Act). Following the vote, the Senate will recess until 2:15 PM for weekly party caucus luncheons.

The Senate adjourned at 6:46 PM.