Quick Procedural Overview for Senate Debate – June 27-29, 2007

On Wednesday morning (June 27) at 10am, Senator Reid will break the so-called "clay pigeon" amendment into the following 27 amendments:

<u>Name</u>	Page #
Hutchison	1
Webb	116
Bond	121
Dodd	122
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Menendez	130
Baucus-Tester	131
Baucus-Grassley-Obama	132
Domenici	200
Chambliss	206
Graham	213
McCaskill	247
Cantwell	262
Coleman	272
Byrd	274
Thune	276
Sanders-Grassley	277
Alexander	278
Brown	291
Levin	294
Isakson	296
Schumer	298
Ensign	304
Leahy	307 (EB-5 language stricken before introduction, because also in the manager's amendment)
Graham	310
Boxer	323
Manager's package	324

The Senate will then commence debate on these amendments (in the sequence set forth above) and will push to have votes on as many as 10 amendments before the cloture petition on the underlying bill ripens on Thursday morning (June 28).

It appears, however, that a goal of 10 pre-cloture votes could be overly ambitious. Because the restrictionists have vowed to reject any unanimous consent agreement - including time agreements to structure debate and votes - the managers of the bill will be forced to try to dispense with pending amendments through a procedure known as a motion to table.

Motions to Table: If a motion to table an amendment passes, the amendment effectively dies and the Senate can move to consideration of the next amendment. If, however, the motion to table fails, debate cannot be ended on that amendment unless a petition for cloture is filed on the amendment. Because this would be an incredibly time consuming process, cloture petitions will not be filed on any amendment that cannot be tabled.

The practical effect of a failure to table an amendment therefore will be to stall action on amendments until the cloture vote on the underlying bill (scheduled for Thursday morning). So, for example, if they fail to table the first amendment (Hutchison) the Senate would not be able to turn to any of the other amendments until after cloture is invoked.

If cloture is successfully invoked on Thursday morning with 60 votes, 30 hours of debate will ensue. Restrictionist senators once again can thwart votes during that 30 hour period through refusing to provide unanimous consent. At the expiration of the 30 hours, however, we would expect a "vote-a-rama" on all of the outstanding amendments that remained "germane" post cloture.

If the process unfolds as described, at the conclusion of the "vote-a-rama" there would be a vote on final passage, likely sometime late on Friday (June 29).