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June 9, 2025

The Honorable John Thune, Majority Leader
United States Senate
511 Dirksen Senate Office Building
Washington, DC 20510-4105

Dear Majority Leader Thune:

On behalf of the more than 2 million members of the National Retiree Legislative Network (NRLN), I am requesting that you call for Senate floor votes on **S.1095, Stop Significant and Time-Wasting Abuse Limiting Legitimate Innovation of New Generics (STALLING) Act** and **S.1096, Preserve Access to Affordable Generics and Biosimilars Act**

The Committee on the Judiciary reported the bills out of Committee on April 10, 2025, and placed them on the Senate Legislative Calendar under General Orders.

S.1095 would make it an unfair method of competition to submit an objectively baseless petition to the Food and Drug Administration (FDA) in an attempt to interfere with a competitor's application for market approval of a drug. The bill authorizes the Federal Trade Commission to sue an individual or entity that submits such a petition to the FDA. A party found liable in such a lawsuit shall be subject to civil penalties, such as a fine of up to \$50,000 for each day that the FDA spent reviewing the baseless petition.

S.1096 would authorize the Federal Trade Commission (FTC) to initiate proceedings against parties to any agreement resolving or settling a patent infringement claim in connection with the sale of a drug or biological product. Such an agreement is presumed to have anticompetitive effects. It would be a violation of this bill if the filer of the generic drug or biosimilar application receives anything of value and agrees to limit or forego research, development, manufacturing, marketing, or sales of the generic drug or biosimilar. The bill imposes penalties for violations of this bill, including the forfeiture of the 180-day marketing exclusivity period for a generic drug.

If you would like to learn more about why NRLN supports this bill, please contact me or Alyson Parker, NRLN Executive Director in Washington, DC, at parkerstrategies@gmail.com or call 813-545-6792.

Sincerely,

Bill Kadereit, President
National Retiree Legislative Network
Email: bkad@sbcglobal.net
Phone: 972-722-5928

Copy to Sponsor of the Bills:
Senator Amy Klobuchar