

Program Account” for administrative contract expenses shall be \$207,000,000.

SEC. 2230. The first proviso in the first paragraph under the heading “Department of Housing and Urban Development, Federal Housing Administration, General and Special Risk Program Account” in division A of Public Law 111–117 shall be applied in fiscal year 2011 by substituting “\$20,000,000,000” for “\$15,000,000,000”.

SEC. 2231. Notwithstanding section 1101, the level under the heading “Related Agencies, United States Interagency Council on Homelessness, Operating Expenses” shall be \$2,680,000.

SEC. 2232. Section 209 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11319) is repealed.

SEC. 2233. Of the amounts made available under “Department of Transportation, National Highway Traffic Safety Administration, Consumer Assistance to Recycle and Save Program”, \$16,000,000 in unobligated balances are permanently rescinded.

This division may be cited as the “Full-Year Continuing Appropriations Act, 2011”.

This Act may be cited as the “Department of Defense and Full-Year Continuing Appropriations Act, 2011”.

SA 150. Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the bill S. 23, to amend title 35, United States Code, to provide for patent reform; which was ordered to lie on the table; as follows

After section 17, insert the following:

SEC. 18. PROHIBITION OF AUTHORIZED GENERICS.

Chapter 10 of title 35, United States Code, is amended by adding at the end the following:

“§106. Prohibition of authorized generic drugs

“(a) IN GENERAL.—Notwithstanding any provision of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.), the owner of any patent issued under this title that is the subject of a new drug application approved under section 505(c) of such Act (21 U.S.C. 355(c)), or the holder of a new drug application approved under such section 505(c), shall not manufacture, market, sell, or distribute an authorized generic drug, directly or indirectly, or authorize any other person to manufacture, market, sell, or distribute an authorized generic drug.

“(b) AUTHORIZED GENERIC DRUG; LISTED DRUG.—For purposes of this section—

“(1) the term ‘authorized generic drug’—

“(A) means any version of a listed drug that the owner of any patent issued under this title for that listed drug that is the subject of a new drug application approved under subsection (c) of section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355), or the holder of the new drug application approved under such subsection (c) for that listed drug, seeks to commence marketing, selling, or distributing, directly or indirectly, after receipt of a notice sent pursuant to subsection (j)(2)(B) of such section with respect to that listed drug; and

“(B) does not include any drug to be marketed, sold, or distributed—

“(i) by an entity eligible for 180-day exclusivity with respect to such drug under subsection (j)(5)(B)(iv) of such section; or

“(ii) after expiration or forfeiture of any 180-day exclusivity with respect to such drug under such subsection (j)(5)(B)(iv); and

“(2) the term ‘listed drug’ has the meaning applied to such term in section 505(j) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)).”.

SA 151. Mr. ROCKEFELLER submitted an amendment intended to be

proposed by him to the bill S. 23, to amend title 35, United States Code, to provide for patent reform; which was ordered to lie on the table; as follows:

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“(ii) after expiration or forfeiture of any 180-day exclusivity with respect to such drug under such subsection (j)(5)(B)(iv); and

“(2) the term ‘listed drug’ has the meaning applied to such term in section 505(j) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)).”.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on March 4, 2011, at 9 a.m.

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

MEASURE PLACED ON THE CALENDAR—H.R. 4

Mr. REID. Mr. President, H.R. 4 is at the desk due for a second reading, I am told.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

A bill (H.R. 4) to repeal the expansion of information reporting requirements for payments of \$600 or more to corporations, and for other purposes.

Mr. REID. Mr. President, I object to any further proceedings at this time.

The PRESIDING OFFICER. Objection having been heard, the bill is placed on the calendar under rule XIV.

ORDERS FOR MONDAY, MARCH 7, 2011

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m. on Monday, March 7; that following the prayer and pledge, the morning hour be deemed expired; the time for the two leaders be reserved for use later in the day; that following any leader remarks there be a period of morning business until 4:30 p.m., with Senators permitted to speak therein for up to 10 minutes each; at 4:30 p.m., the Senate proceed to executive session as under the previous order; and, finally, the filing deadline for second-degree amendments to S. 23 be 5 p.m. on Monday, March 7.

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

PROGRAM

Mr. REID. Mr. President, Senators should expect a series of three rollcall votes to begin at 5:30 p.m. on Monday. The first two votes will be on confirmation of judicial nominations. The third vote will be on cloture of the America Invents Act.

ADJOURNMENT UNTIL MONDAY, MARCH 7, 2011, AT 2 P.M.

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate adjourn under the previous order.

There being no objection, the Senate, at 1:19 p.m., adjourned until Monday, March 7, 2011, at 2 p.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF THE TREASURY

DANIEL L. GLASER, OF THE DISTRICT OF COLUMBIA, TO BE ASSISTANT SECRETARY FOR TERRORIST FINANCING, DEPARTMENT OF THE TREASURY, VICE DAVID S. COHEN.

FEDERAL TRADE COMMISSION

JON D. LEIBOWITZ, OF MARYLAND, TO BE A FEDERAL TRADE COMMISSIONER FOR A TERM OF SEVEN YEARS FROM SEPTEMBER 26, 2010. (REAPPOINTMENT)

DEPARTMENT OF COMMERCE

PAUL PIQUADO, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF COMMERCE, VICE DAVID M. SPOONER, RESIGNED.

DEPARTMENT OF STATE

ROBERT PATTERSON, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO TURKMENISTAN.

UNITED STATES INSTITUTE OF PEACE

ERIC S. EDELMAN, OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE UNITED STATES INSTITUTE OF PEACE FOR A TERM OF FOUR YEARS, VICE CHESTER A. CROCKER, TERM EXPIRED.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

SUBJECT TO QUALIFICATIONS PROVIDED BY LAW, THE FOLLOWING FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.

To be rear admiral (lower half)

MICHAEL S. DEVANY

FOREIGN SERVICE

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE DEPARTMENT OF

COMMERCE FOR PROMOTION WITHIN AND INTO THE SENIOR FOREIGN SERVICE TO THE CLASSES INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER:

CARMINE G. D'ALOISIO, OF NEW JERSEY

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR:

BERYL C. BLECHER, OF FLORIDA
AMER M. KAYANI, OF CALIFORNIA
JUDY R. REINKE, OF VIRGINIA

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR:

FRANK G. CARRICO, JR., OF TEXAS
LAURIE A. FARRIS, OF VIRGINIA
ROBERT O. JONES, JR., OF FLORIDA
JAMES KOLODITCH, OF COLORADO
JAMES F. SULLIVAN, OF FLORIDA

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. SUSAN A. DAVIDSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS CHIEF OF CHAPLAINS, UNITED STATES ARMY, AND APPOINTMENT TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 3036:

To be major general

BRIG. GEN. DONALD L. RUTHERFORD

IN THE AIR FORCE

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADES INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531(A):

To be lieutenant colonel

CHRISTIAN R. SCHLICHT

To be major

OZREN T. BUNTAK
WILLIAM Y. CHU
CRAIG D. ENGLAND
OLGA V. KENNEDY
CHARLES E. LERNER, JR.
SALAH F. MASRY
REBECCA K. MCARTHUR
RICHARD A. METER
JASON L. RICH
DARYN R. STRALEY
ERIC M. SULLIVAN
KAMEKEA C. WILLIS

IN THE ARMY

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY VETERINARY CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

NICOLE K. AVCI

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

EDMOND K. SAFARIAN

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

CHARLES L. CLARK

To be major

RUSSELL D. TAYLOR

IN THE NAVY

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

RICHARD T. GROSSART
ANDREW G. MORTIMER

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADES INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be commander

JOHN A. SALVATO

To be lieutenant commander

JAY A. FERNS