

(other than under title X of division A of such Act) is rescinded on a pro rata basis so that the aggregate amount of such rescissions is equal to the net reduction in revenues to the Treasury resulting from amounts appropriated under this Act, after factoring in the rescission under section 102.

(b) REPORT.—The Director of the Office of Management and Budget shall report to each congressional committee the amounts so rescinded within the jurisdiction of such committee.

This Act may be cited as the “Emergency Border Security Supplemental Appropriations Act, 2010”.

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 July 29, 2010, at 9:30 a.m.

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

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 July 29, 2010, at 3 p.m.

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

COMMITTEE ON FINANCE

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on July 29, 2010, at 10 a.m., in room 215 of the Dirksen Senate Office Building.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on July 29, 2010 in the President's Room.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled “The State of the American Child: The Impact of Federal Policies on Children” on July 29, 2010. The hearing will commence at 10 a.m. in room 430 of the Dirksen Senate Office Building.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet, during the session of the Senate, on July 29, 2010, at 9:30 a.m. in room 628 of the Dirksen Senate Office Building.

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

COMMITTEE ON THE JUDICIARY

Mr. REID. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet, during the session of the Senate, on July 29, 2010, at 10 a.m. in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

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

COMMITTEE ON THE JUDICIARY

Mr. REID. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Terrorism and Homeland Security, be authorized to meet, during the session of the Senate, on July 29, 2010, at 2:30 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “The Passport Issuance Process: Closing the Door to Fraud, Part II.”

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

AD HOC SUBCOMMITTEE ON CONTRACTING OVERSIGHT

Mr. REID. Mr. President, I ask unanimous consent that the Ad Hoc Subcommittee on Contracting Oversight of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on July 29, 2010, at 10 a.m. to conduct a hearing entitled, “Mismanagement of Contracts at Arlington National Cemetery.”

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. REID. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on July 29, 2010, at 2 p.m.

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

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia be authorized to meet during the session of the Senate on July 29, 2010, at 2:30 p.m. to conduct a hearing entitled “Closing the Language Gap: Improving the Federal Government's Foreign Language Capabilities.”

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

SAVING KIDS FROM DANGEROUS DRUGS ACT OF 2010

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 477, S. 258.

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

The clerk will state the bill by title. The assistant legislative clerk read as follows:

A bill (S. 258) to amend the Controlled Substances Act to provide enhanced penalties

for marketing controlled substances to minors.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Saving Kids From Dangerous Drugs Act of 2010”.

SEC. 2. OFFENSES INVOLVING CONTROLLED SUBSTANCES MARKETING TO MINORS.

Section 401 of the Controlled Substances Act (21 U.S.C. 841) is amended by adding at the end the following:

“(h) OFFENSES INVOLVING CONTROLLED SUBSTANCES MARKETING TO MINORS.—

“(1) UNLAWFUL ACTS.—Except as authorized under this title, including paragraph (3), it shall be unlawful for any person at least 18 years of age to knowingly or intentionally manufacture or create, with intent to manufacture, create, distribute, or dispense, a controlled substance listed in schedule I or II that is—

“(A) combined with a candy product;

“(B) marketed or packaged to appear similar to a candy product; and

“(C) modified by flavoring or coloring the controlled substance with the intent to distribute, dispense, or sell the controlled substance to a person under 18 years of age.

“(2) PENALTIES.—Except as provided in section 418, 419, or 420, any person who violates paragraph (1) of this subsection shall be subject to—

“(A) 2 times the maximum punishment and at least 2 times any term of supervised release authorized by subsection (b) of this section for a first offense involving the same controlled substance and schedule; and

“(B) 3 times the maximum punishment and at least 3 times any term of supervised release authorized by subsection (b) of this section for a second or subsequent offense involving the same controlled substance and schedule.

“(3) EXCEPTIONS.—Paragraph (1) shall not apply to any controlled substance that—

“(A) has been approved by the Secretary under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355), if the contents, marketing, and packaging of the controlled substance have not been altered from the form approved by the Secretary; or

“(B) has been altered at the direction of a practitioner who is acting for a legitimate medical purpose in the usual course of professional practice.”.

SEC. 3. SENTENCING GUIDELINES.

Pursuant to its authority under section 994 of title 28, United States Code, and in accordance with this section, the United States Sentencing Commission shall review and amend the Federal sentencing guidelines and policy statements to ensure that the guidelines provide an appropriate additional penalty increase of up to 3 offense levels above the sentence otherwise applicable in Part D of the Guidelines Manual if the defendant was convicted of a violation of section 401(h) of the Controlled Substances Act, as added by section 2 of this Act.

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the committee-reported substitute be agreed to, the bill, as amended, be read the third time and passed, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statement related to the bill be printed in the RECORD.

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

The committee amendment in the nature of a substitute was agreed to.

The bill (S. 258), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

MULTINATIONAL SPECIES CONSERVATION FUNDS SEMIPOSTAL STAMP ACT OF 2009

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 486, H.R. 1454.

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

The clerk will state the bill by title. The assistant legislative clerk read as follows:

A bill (H.R. 1454) to provide for the issuance of a Multinational Species Conservation Fund Semipostal Stamp.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Multinational Species Conservation Funds Semipostal Stamp Act of 2010".

SEC. 2. MULTINATIONAL SPECIES CONSERVATION FUNDS SEMIPOSTAL STAMP.

(a) *IN GENERAL.*—In order to afford a convenient way for members of the public to contribute to funding for the operations supported by the Multinational Species Conservation Funds, the United States Postal Service shall issue a semipostal stamp (hereinafter in this Act referred to as the "Multinational Species Conservation Funds Semipostal Stamp") in accordance with succeeding provisions of this section.

(b) COST AND USE.—

(1) *IN GENERAL.*—The Multinational Species Conservation Funds Semipostal Stamp shall be offered at a cost equal to the cost of mailing a letter weighing 1 ounce or less at the nonautomation single-piece first-ounce letter rate, in effect at the time of purchase, plus a differential of not less than 15 percent.

(2) *VOLUNTARY USE.*—The use of any semipostal issued under this section shall be voluntary on the part of postal patrons.

(3) *SPECIAL RATE.*—The special rate of postage of an individual stamp under this section shall be an amount that is evenly divisible by 5.

(c) *OTHER TERMS AND CONDITIONS.*—The issuance and sale of the Multinational Species Conservation Funds Semipostal Stamp shall be governed by the provisions of section 416 of title 39, United States Code, and regulations issued under such section, subject to subsection (b) and the following:

(1) DISPOSITION OF PROCEEDS.—

(A) *IN GENERAL.*—All amounts becoming available from the sale of the Multinational Species Conservation Funds Semipostal Stamp (as determined under section 416(d) of such title 39) shall be transferred to the United States Fish and Wildlife Service, for the purpose described in subsection (a), through payments which shall be made at least twice a year, with the proceeds to be divided equally among the African Elephant Conservation Fund, the Asian Elephant Conservation Fund, the Great Ape Conservation Fund, the Marine Turtle Conservation Fund, the Rhinoceros and Tiger Conservation Fund, and other international wildlife conservation funds authorized by the Congress after the date of the enactment of this Act and administered by the Service as part of the Multinational Species Conservation Fund.

(B) *PROCEEDS NOT TO BE OFFSET.*—In accordance with section 416(d)(4) of such title 39, amounts becoming available from the sale of the Multinational Species Conservation Funds Semipostal Stamp (as so determined) shall not be taken into account in any decision relating to the level of appropriations or other Federal funding to be furnished in any year to—

(i) the United States Fish and Wildlife Service; or

(ii) any of the funds identified in subparagraph (A).

(2) *DURATION.*—The Multinational Species Conservation Funds Semipostal Stamp shall be made available to the public for a period of at least 2 years, beginning no later than 12 months after the date of the enactment of this Act.

(3) *LIMITATION.*—The Multinational Species Conservation Funds Semipostal Stamp shall not be subject to, or taken into account for purposes of applying, any limitation under section 416(e)(1)(C) of such title 39.

(4) *RESTRICTION ON USE OF FUNDS.*—Amounts transferred under paragraph (1) shall not be used to fund or support the Wildlife Without Borders Program or to supplement funds made available for the Neotropical Migratory Bird Conservation Fund.

(d) *DEFINITION.*—For purposes of this Act, the term "semipostal stamp" refers to a stamp described in section 416(a)(1) of title 39, United States Code.

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the committee-reported substitute amendment be agreed to, the bill, as amended, be read the third time and passed, the motions to reconsider be laid upon the table, without any intervening action or debate, and that any statements related to the bill be printed in the RECORD.

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

The committee amendment in the nature of a substitute was agreed to.

The bill (H.R. 1454), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

UNITED STATES PATENT AND TRADEMARK OFFICES SUPPLEMENTAL APPROPRIATIONS ACT, 2010

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 5874, received from the House and is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 5874) making supplemental appropriations for the United States Patent and Trademark Office for the fiscal year ending September 30, 2010, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Ms. MIKULSKI. Mr. President, I support H.R. 5874, the U.S. Patent and Trademark Office Supplemental Appropriations Act of 2010. This bill gives the Patent and Trademark Office additional funding to tackle the patent backlog, helping innovative businesses protect new ideas faster.

The Patent and Trademark Office is the central hub of an innovation

friendly Government. It protects intellectual property in the United States and encourages invention, innovation, and investment. New patents boost America's competitiveness, increase productivity, bring new products and services to market, support entrepreneurs and small businesses, and, most importantly, help to create new jobs.

As chairwoman of the Commerce, Justice, Science Appropriations Subcommittee that funds the Patent and Trademark Office, I have been critical of this agency's performance. The Patent and Trademark Office has struggled for years to reduce patent pendency and tackle the overall patent backlog. I have heard from inventors and businesses about how long it takes the Patent and Trademark Office to protect their ideas.

I have also heard from Patent employees about their unrealistic job performance standards which have led to high turnover of patent examiners. Numerous reviews conducted by the Government Accountability Office showed that for every two examiners hired one leaves the agency.

But the good news is that Patent and Trademark Office has new direction, and within the past year, the agency has made some very positive changes. Thanks to Director Kappos, employee management has been reformed, meaning more patent examiners are staying and working. The Patent and Trademark Office has also created a better strategy for approving patents quicker and reducing the patent backlog. We are finally seeing the Patent and Trademark Office make strides in the right direction, and I want to support this momentum.

This year, the Patent and Trademark Office will collect \$129 million more fees than originally expected. These extra funds mean that Patent and Trademark Office has the potential to further reduce the backlog even faster. H.R. 5874 allows the Patent and Trademark Office to spend this additional revenue. This amendment is fully offset by rescinding unused funds from the 2010 census.

This bill has the same goals as an amendment I offered this week to H.R. 5297, the small business bill, because improving patent protection is critical to helping innovative small businesses grow. This bill also mirrors the President's request he sent Congress on July 12, 2010, asking for these exact funds for the Patent and Trademark Office, offset by the rescission from the Census.

I urge my colleagues to support H.R. 5874, the U.S. Patent and Trademark Office Supplemental Appropriations Act of 2010. The Patent and Trademark Office needs to get back on track, and funding within this bill ensures the Patent and Trademark Office has the resources it needs to process applications in a reasonable time and keep critical examiners on board to continue issuing patents. By supporting this