

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

bill, we can give American businesses and inventors a helping hand to stay innovative.

Mr. LEAHY. Mr. President, I am pleased that the Senate has acted quickly and in a bipartisan way to ensure that fees collected by United States Patent and Trademark Office, USPTO, are not diverted for other purposes this fiscal year.

The Director of the USPTO has done a remarkable job in his short tenure dealing with a massive backlog of patent applications and a serious budget shortfall. The action that Congress has taken today will at least provide short term financial help to the agency by ensuring that the USPTO is not penalized for having done more work this fiscal year than it had anticipated.

More needs to be done to modernize and improve our patent system, which is a crucial component of our economic recovery. Bipartisan patent reform legislation is ready for Senate action. This bill will provide the legal structure we need to allow our inventors to flourish. It will improve our economy and create jobs without adding a penny to the deficit.

While I strongly support the action the Senate has taken today, we cannot fix our overburdened and outdated patent system simply through additional appropriations. Congress must act on meaningful patent reform legislation this year.

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the bill be read three times, passed, and the motion to reconsider be laid upon the table, and that any statements relating to the measure be printed in the RECORD, without further intervening action or debate.

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

The bill (H.R. 5874) was ordered to a third reading, was read the third time, and passed.

POLYCYSTIC KIDNEY DISEASE AWARENESS WEEK

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 592, and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 592) designating the week of September 13–19, 2010, as “Polycystic Kidney Disease Awareness Week,” and supporting the goals and ideals of Polycystic Kidney Disease Awareness Week to raise awareness and understanding of polycystic kidney disease and the impact the disease has on patients now and for future generations until it can be cured.

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

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the resolution

be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the resolution be printed in the RECORD.

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

The resolution (S. Res. 592) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 592

Whereas polycystic kidney disease (known as “PKD”) is one of the most prevalent life-threatening genetic diseases in the world, affecting an estimated 600,000 people in the United States, including newborn babies, children, and adults, regardless of sex, age, race, geography, income, or ethnicity;

Whereas polycystic kidney disease comes in 2 forms, autosomal dominant, which affects 1 in 500 people worldwide, and autosomal recessive, a rare form that affects 1 in 20,000 live births and frequently leads to early death;

Whereas polycystic kidney disease causes multiple cysts to form on both kidneys, leading to an increase in kidney size and weight;

Whereas the cysts caused by polycystic kidney disease can be as small as the head of a pin or as large as a grapefruit;

Whereas polycystic kidney disease is a systemic disease that damages the kidneys and the cardiovascular, endocrine, hepatic, and gastrointestinal systems;

Whereas patients with polycystic kidney disease often experience no symptoms during the early stages of the disease, and many patients do not realize they have PKD until the disease affects other organs;

Whereas the symptoms of polycystic kidney disease can include high blood pressure, chronic pain in the back, sides or abdomen, blood in the urine, urinary tract infections, heart disease, and kidney stones;

Whereas polycystic kidney disease is the leading genetic cause of kidney failure in the United States;

Whereas more than half of patients suffering from polycystic kidney disease will reach kidney failure, requiring dialysis or a kidney transplant to survive, thus placing an extra strain on dialysis and kidney transplantation resources;

Whereas polycystic kidney disease has no treatment or cure;

Whereas polycystic kidney disease instills in patients the fear of an unknown future with a life-threatening genetic disease, and of possible genetic discrimination;

Whereas polycystic kidney disease is an example of how collaboration, technological innovation, scientific momentum, and public-private partnerships can—

(1) generate therapeutic interventions that directly benefit the people suffering from polycystic kidney disease;

(2) save billions of Federal dollars paid by Medicare, Medicaid, and other programs for dialysis, kidney transplants, immunosuppressant drugs, and related therapies; and

(3) open several thousand spots on the kidney transplant waiting list;

Whereas improvements in diagnostic technology and the expansion of scientific knowledge about polycystic kidney disease have led to—

(1) the discovery of the 3 primary genes that cause polycystic kidney disease and the 3 primary protein products of the genes; and

(2) the understanding of cell structures and signaling pathways that cause cyst growth, which has produced multiple polycystic kidney disease clinical drug trials; and

Whereas thousands of volunteers throughout the United States are dedicated to expanding essential research, fostering public awareness and understanding, educating patients and their families about polycystic kidney disease to improve treatment and care, providing appropriate moral support, and encouraging people to become organ donors: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of September 13–19, 2010, as “Polycystic Kidney Disease Awareness Week”;

(2) supports the goals and ideals of a national week to raise public awareness and understanding of polycystic kidney disease;

(3) recognizes the need for additional research into a treatment and a cure for polycystic kidney disease; and

(4) encourages the people of the United States and interested groups to—

(A) support Polycystic Kidney Disease Awareness Week through appropriate ceremonies and activities;

(B) promote public awareness of polycystic kidney disease; and

(C) foster understanding of the impact of the disease on patients and their families.

AUTHORIZING TESTIMONY OF SENATE EMPLOYEES

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 601, submitted earlier today.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 601) to authorize testimony of Senate employees in a grand jury proceeding in the District of Columbia.

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

Mr. REID. Mr. President, this resolution would authorize employees in the office of Senator JOHN ENSIGN to respond to subpoenas or requests for testimony by a Federal grand jury convened in the District of Columbia to investigate matters relating to Senator ENSIGN. The Senator would like to cooperate with this request. This resolution would authorize the Senator's staff to testify in these or related proceedings, except where a privilege should be asserted.

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the resolution be printed in the RECORD.

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

The resolution (S. Res. 601) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 601

Whereas, in a proceeding before a grand jury of the United States District Court for the District of Columbia testimony has been sought from employees of the office of Senator John Ensign;