

without regard to the tax strategy. If those nontax related and separable claims still met the requirements for patentability, a patent would issue, but not on the tax strategy.

The provision is not intended to deny patent protection for inventions that do not comprise or include a business method. For example, an otherwise valid patent on a process to distill ethanol would not violate the rule set forth in this provision merely because a tax credit for the production of ethanol for use as a fuel may be available. Similarly, the mere fact that implementation of an otherwise patentable invention could result in reduced consumption of products subject to an excise tax would not make the invention subject to this provision.

The provision is also not intended to deny patent protection for tax return preparation software that is used solely for preparing a tax or information return or other tax filing, including one that records, transmits, transfers, or organizes data related to such filing. Similar to the review of computer-implemented strategies, such software would still be entitled to patent protection to the extent otherwise patentable. Such patents, however, could not preclude non-users of such software from implementing any tax strategy. No inference is intended as to whether any software is entitled under present law to patent protection as distinct from copyright protection. Nor is an inference intended as to whether any particular strategy for reducing, avoiding, or deferring tax liability is otherwise patentable under present law.

In general, the U.S. Patent and Trademark Office may seek advice and assistance from Treasury and the IRS to better recognize tax strategies. Such consultation should help ensure that patents do not infringe on the ability of others to interpret the tax law and that implementing such interpretations remains in the public domain, available to all taxpayers and their advisors.

The practical result of this provision is that no one can be granted an exclusive right to utilize a tax strategy. The provision is intended to provide equal access to tax strategies.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. FRANKEN). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

CLOTURE MOTION

Mr. REID. Mr. President, I have a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on S. 23, the American Invents Act.

Harry Reid, Patrick J. Leahy, Debbie Stabenow, John F. Kerry, Jeanne Shaheen, Christopher A. Coons, Tom Harkin, Mark Begich, Jeff Bingaman, Al Franken, Kay R. Hagan, Michael F. Bennet, Richard Blumenthal, Sheldon Whitehouse, Amy Klobuchar, Bill Nelson, Benjamin L. Cardin, Richard J. Durbin.

Mr. REID. Mr. President, I ask unanimous consent that the vote on the motion to invoke cloture occur immediately upon disposition of the judicial nominations in executive session on Monday, March 7; further, that the mandatory quorum under rule XXII be waived.

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

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

RECOGNIZING THE GOVERNMENT PRINTING OFFICE

Mr. REID. Mr. President, I rise today to recognize the Government Printing Office, GPO, on the occasion of its 150th anniversary. GPO opened its doors on March 4, 1861, the same day President Abraham Lincoln took the oath of office. Since then GPO has used ever changing technologies to produce and deliver government information for Congress, Federal agencies, and the public. GPO plays a vital role in providing the printed and electronic documents necessary for Congress to conduct its legislative business.

I ask my colleagues to join me in congratulating the GPO on its 150th anniversary.

REMEMBERING LEONARD TRUMAN "BUCK" FERRELL

Mrs. MCCASKILL. Mr. President, today I pay tribute to a patriot, a businessman, a loyal father, and an American hero. Though Leonard Truman Ferrell—"Buck" to his many family and friends—was laid to rest at Arlington Cemetery this morning, I know that his legacy lives on in the community that he helped build, the family that he nurtured, and the soldiers with whom he served. Today I would like to take a few moments to honor Buck's life and the contributions he made to his community.

Born and raised in southeast Missouri, Buck was imbued from an early age with those quintessential American values so prevalent among the members of the Greatest Generation:

integrity, service to others, determination, and an undying sense of patriotism. Since Buck's family didn't have much money growing up, he learned at a young age to live within his means and to place little value on worldly possessions. "My father didn't have a lot of worldly goods," Buck once said, "but he was a rich man in character." I know I speak for many when I say that Buck, first and foremost, was also a man rich in character.

Buck was also a patriot of the highest order. Having served in the U.S. Army during the Korean war, he fought for 2 years on the Korean Peninsula and earned, among other decorations, the Combat Infantry Badge, the Presidential Unit Citation, two Silver Stars, and two Purple Hearts. Wounded multiple times, Buck never faltered and steadfastly manned his post, whether in a frontline foxhole or as a heavy weapons trainer for new recruits. In light of his outstanding service, Buck was even offered a battlefield commission. Though he chose not to accept the commission, Buck returned home and remained an active member in a number of veterans' organizations, like the American Legion and the Veterans of Foreign Wars, for the rest of his life. Never forgetting the country that he fought to protect, he raised—every morning—an American flag in his front yard.

As you can guess, Buck's dedication to others and stalwart work ethic continued long after his military service ended. For 25 years, he worked at the McCrate Equipment store in Caruthersville, MO, and retired as the general manager. As a member and former deacon at First Baptist Church, Buck helped sustain a thriving congregation, and he also took on a number of leadership roles in the local Masonic Lodge and Kiwanis Club. His extensive community involvement earned him the Pioneer Heritage Award from the Pemiscot County Historical Society and recognition by the Missouri State Legislature for his enduring impact in southeast Missouri.

But even with all of these commitments, Buck always had time for family. He and his wife Patsy Malin Ferrell raised four wonderful children, were the beloved grandparents to four grandchildren, and one great-granddaughter. In fact, I can personally attest to the great job the Ferrells did with their children—their talented daughter Christy is currently an invaluable member of my staff and is seated along with many other members of the Ferrell family, in the gallery today. My prayers are with them all in this time of loss.

Mr. President, I ask today that my fellow Senators join me in recognizing Buck Ferrell, not only because he was a great Missourian, but also because he embodied the true American values that have cemented American society for generations. Buck worked hard, served God, fought for his country, and loved his family. In short, he lived a life worth living.

100TH ANNIVERSARY OF THEODORE ROOSEVELT DAM

Mr. KYL. Mr. President, the story of human settlement in Arizona is in many respects the story of the extraordinary efforts people have made to harness water supplies for their use and benefit. Early Arizonans were keenly aware of the importance of the State's many rivers. Recognizing the immense power and unpredictability of those river flows, settlers devised an ambitious water system known as the Salt River Project, SRP. The keystone of their efforts, the Theodore Roosevelt Dam, celebrates its centennial this month.

More than a century ago, Arizonans understood that water reclamation is crucial to life in the Salt River Valley. Arizona farmers organized to lobby the U.S. Congress for a Federal reclamation law that would throw the weight of the Federal Government behind local projects. Together with the vision of President Theodore Roosevelt and the persuasive power of private citizens, Congress passed the National Reclamation Act in 1902. The Salt River Valley Water Users' Association was incorporated the following year.

SRP was the first major undertaking authorized by the National Reclamation Act, and Roosevelt Dam was a critical component of SRP's development. Upon its completion on March 18, 1911, the Roosevelt Dam was the largest masonry structure in the world. The dam captured the Salt River's flows, providing a secure water supply, flood control, and irrigation to communities in central Arizona. In addition to water management, the Roosevelt Dam generated power for mining, agriculture, and Arizona's growing population.

Today, economic growth in the region continues to depend on Roosevelt Dam and its ability to provide a reliable water storage and delivery system, as well as power. The dam is still in operation and provides 70 percent of the surface water available to SRP water shareholders and customers in and around Phoenix. While SRP's mission has evolved with Arizona's population growth, its core function has remained constant to provide a sustainable water resource for central Arizona.

As Arizona continues to develop, we will need the same foresight and entrepreneurial spirit to serve the water needs of a new generation of Arizonans. Mr. President, that is why today I honor those who made SRP and the Roosevelt Dam a reality 100 years ago.

THE CONTINUING RESOLUTION

Mr. KERRY. Mr. President, I voted in favor of the continuing resolution to keep our government and all its essential services open and operating for the next 2 weeks. I cast this vote because I believe a government shutdown is in no one's interests, but I am deeply dis-

appointed in the political process that has put us in this position and my patience is nearly exhausted with yet another short-term solution and band-aid approach. A 2-week extension that merely defers tough decisions on funding the fiscal year that started more than 5 months ago is hardly progress. A 2-week extension is preferable to a government shutdown, but it does not provide the certainty that is needed. The American people deserve better than a stalled process which delays important decisions of how we can reduce our Federal budget deficit while maintaining our important investments in infrastructure, research, education, technology, and clean energy which will result in new jobs and will bolster our long-term competitiveness.

The American people deserve a serious dialogue and adult conversation within the Congress about our fiscal situation, discretionary spending, entitlements, and revenues. We need to work towards a long-term solution to reduce both our current budget deficit and our staggering debt. We will need to reduce Federal spending and make appropriate changes to our entitlement programs to meet the fiscal challenges facing our country. To do this appropriately, everything—revenue, tax reform, spending and entitlements—needs to be on the table.

As we make these difficult decisions, we must keep in mind that this cannot be done by just eliminating programs which protect vulnerable citizens or simply by increasing taxes on our wealthiest citizens. Instead, we must find a way to share the sacrifices necessary to bring our budget into balance over the long-term while continuing to invest in scientific and medical research, education, infrastructure and energy that will help create new industries and jobs in the future.

I want to be crystal clear about what is wrong with today's dialogue. For the last months we have heard the sound bites. We have heard elected officials say they are for small government, lower taxes, and more freedom. But what do they really mean?

Do they want a government too limited to have invented the Internet, now a vital part of our commerce and communications? A government too small to give America's auto industry and all its workers a second chance to fight for their survival? Taxes too low to invest in the research that creates jobs and industries and fills the Treasury with the revenue that educates our children, cures disease, and defends our country? We have to get past slogans and sound bites, reason together, and talk in real terms about how America can do its best.

If we are going to balance the budget and create jobs, we can't pretend that we can do it by just eliminating earmarks and government waste. We have to look at the plain facts of how we did it before, and by the way, you don't have to look far. In the early 1990s, our economy was faltering because deficits

and debt were freezing capital. We had to send a signal to the market that we were capable of being fiscally responsible. We did just that and as a result we saw the longest economic expansion in history, created over 22 million jobs, and generated unprecedented wealth in America, with every income bracket rising. But we did it by making tough choices. The Clinton economic plan committed the country to a path of discipline that helped unleash the productive potential of the American people. We invested in the workforce, in research, in development. We helped new industries. Then, working with Republicans, we came up with a budget framework that put our nation on track to be debt free by 2012 for the first time since Andrew Jackson's administration.

How we got off track is a story that doesn't require retelling. But the truth of how we generated the 1990s economic boom does need to be told. We didn't just cut our way to a balanced budget; we grew our way there. The question now is, What are the tough decisions we are going to make today? What are the issues we are going to wrestle with together at a moment of enormous challenge?

This process cannot be done in two weeks, but it should have already begun—and it needs to begin today. The American people deserve no less.

THANKING THE PEOPLE OF AUSTRALIA

Mr. LIEBERMAN. Mr. President, on the morning of March 7, the Prime Minister of Australia, Julia Gillard, will take the stage in front of the Lincoln Memorial to announce a \$3 million donation on behalf of the Australian Government to the Vietnam Veterans Memorial Fund to help build the Education Center at the Vietnam Wall. This generous contribution is a testament to the strength of the United States' relationship with the Australian people and is critical to our continuing efforts to honor the men and women who served in Vietnam.

As one who strongly supported legislation to establish the Education Center, I want to recognize and commend the Prime Minister, the legislature and the Australian people for their deep commitment to helping it come to fruition. Australian soldiers made terrible sacrifices during the Vietnam war. More than 500 Australian servicemen lost their lives, and some 3,000 were wounded, injured, or struck ill.

For years, Australia has been a steadfast ally and friend of the United States. Besides Vietnam, Australian soldiers fought alongside Americans during many of our struggles in the 20th century, including World War I, World War II, the Korean war, and more recently in Iraq. Currently, over 1500 Australian troops are fighting alongside our Armed Forces in Afghanistan, working to train Afghan troops.

The Vietnam Veterans Memorial bears the names of the more than 58,000