

Whereas the Department of the Interior has issued less than 35 new shallow water permits since the shallow water moratorium was lifted and has failed to issue any new permits for deepwater exploration; and

Whereas as a result of the de facto moratorium, at least 12 rigs (shallow and deepwater) have departed the Gulf of Mexico, and more are expected to follow: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the Nation's economy and security depends upon full and immediate restoration of shallow and deepwater drilling operations in the Gulf of Mexico;

(2) the long term economic health of the State of Alaska depends upon the responsible development of the oil and natural gas reserves of the Beaufort and Chukchi Seas; and

(3) the Secretary of the Interior should—

(A) streamline the review and appropriate approval of applications for both shallow and deepwater drilling permits in the Outer Continental Shelf;

(B) take immediate action to provide the shallow and deepwater industry with a completed sample application which meets all of the new safety and environmental regulations for use as a template;

(C) provide written guidance and clarification to applicants regarding new safety requirements; and

(D) provide permit applicants with timely and detailed explanations on any areas of a permit which do not satisfy new requirements.

SENATE RESOLUTION 78—RELATIVE TO THE DEATH OF JAMES ALBERTUS MCCLURE, FORMER UNITED STATES SENATOR FOR THE STATE OF IDAHO

Mr. CRAPO (for himself, Mr. RISCH, Mr. AKAKA, Mr. ALEXANDER, Ms. AYOTTE, Mr. BARRASSO, Mr. BAUCUS, Mr. BEGICH, Mr. BENNET, Mr. BINGAMAN, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN of Massachusetts, Mr. BROWN of Ohio, Mr. BURR, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COATS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. CONRAD, Mr. COONS, Mr. CORKER, Mr. CORNYN, Mr. DEMINT, Mr. DURBIN, Mr. ENSIGN, Mr. ENZI, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mr. HOEVEN, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUE, Mr. ISAKSON, Mr. JOHANNIS, Mr. JOHNSON of Wisconsin, Mr. JOHNSON of South Dakota, Mr. KERRY, Mr. KIRK, Ms. KLOBUCHAR, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEE, Mr. LEVIN, Mr. LIEBERMAN, Mr. LUGAR, Mr. MANCHIN, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MCCONNELL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Nebraska, Mr. NELSON of Florida, Mr. PAUL, Mr. PORTMAN, Mr. PRYOR, Mr. REED of Rhode Island, Mr. REID of Nevada, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. RUBIO, Mr. SANDERS, Mr. SCHUMER, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. SNOWE, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. TOOMEY, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. WARNER, Mr. WEBB, Mr. WHITEHOUSE,

Mr. WICKER, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 78

Whereas James A. McClure served in the United States Navy during World War II;

Whereas James A. McClure served the state of Idaho as a prosecuting attorney, a city attorney, a member of the Idaho state Senate, and as a member of the United States House of Representatives;

Whereas James A. McClure served the people of Idaho with distinction for 18 years in the United States Senate;

Whereas James A. McClure served the Senate as Chairman of the Committee on Energy and Natural Resources in the Ninety-seventh through Ninety-ninth Congresses and Chairman of the Senate Republican Conference in the Ninety-seventh and Ninety-eighth Congresses;

Whereas James A. McClure served his caucus as a founding member and Chairman of the Senate Steering Committee in the Ninety-fourth through Ninety-sixth and Ninety-ninth through One Hundredth Congresses; Now therefore be it

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable James Albertus McClure, former member of the United States Senate.

Resolved, That the Secretary of the Senate communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of the Honorable James Albertus McClure.

SENATE RESOLUTION 79—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON FOREIGN RELATIONS

Mr. KERRY submitted the following resolution; from the Committee on Foreign Relations; which was referred to the Committee on Rules and Administration:

S. RES. 79

Resolved, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Foreign Relations is authorized from March 1, 2011, through September 30, 2011; October 1, 2011, through September 30, 2012; and October 1, 2012, through February 28, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

SEC. 2. (a) The expenses of the committee for the period March 1, 2011, through September 30, 2011, under this resolution shall not exceed \$4,393,404, of which amount—

(1) not to exceed \$100,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended); and

(2) not to exceed \$20,000 may be expended for the training of the professional staff of

such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(b) For the period October 1, 2011, through September 30, 2012, expenses of the committee under this resolution shall not exceed \$7,531,549, of which amount—

(1) not to exceed \$100,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended); and

(2) not to exceed \$20,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(c) For the period October 1, 2012, through February 28, 2013, expenses of the committee under this resolution shall not exceed \$3,138,145, of which amount—

(1) not to exceed \$100,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended); and

(2) not to exceed \$20,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

SEC. 3. The Committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2013.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee, except that vouchers shall not be required—

(1) for the disbursement of salaries of employees paid at an annual rate;

(2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate;

(3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate;

(4) for payments to the Postmaster, United States Senate;

(5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate;

(6) for the payment of Senate Recording and Photographic Services; or

(7) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

SEC. 5. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 2011, through September 30, 2011; October 1, 2011, through September 30, 2012; and October 1, 2012, through February 28, 2013, to be paid from the Appropriations account for "Expenses of Inquiries and Investigations".

SENATE CONCURRENT RESOLUTION 7—SUPPORTING THE LOCAL RADIO FREEDOM ACT

Mr. BARRASSO (for himself and Mr. NELSON of Nebraska) submitted the following concurrent resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. CON. RES. 7

Whereas the United States enjoys broadcasting and sound recording industries that are the envy of the world, due to the symbiotic relationship that has existed among these industries for many decades;

Whereas for more than 80 years, Congress has rejected repeated calls by the recording industry to impose a performance fee on local radio stations for simply playing music on the radio, as such fee would upset the mutually beneficial relationship between local radio and the recording industry;

Whereas local radio stations provide free publicity and promotion to the recording industry and performers of music in the form of radio air play, interviews with performers, introduction of new performers, concert promotions, and publicity that promotes the sale of music, concert tickets, ring tones, music videos, and associated merchandise;

Whereas committees in the Senate and House of Representatives have previously reported that “the sale of many sound recordings and the careers of many performers have benefitted considerably from airplay and other promotional activities provided by both noncommercial and advertiser-supported, free over-the-air broadcasting”;

Whereas local radio broadcasters provide tens of thousands of hours of essential local news and weather information during times of national emergencies and natural disasters, such as on September 11, 2001, and during Hurricanes Katrina and Rita, as well as public affairs programming, sports, and hundreds of millions of dollars of time for public service announcements and local fund raising efforts for worthy charitable causes, all of which are jeopardized if local radio stations are forced to divert revenues to pay for a new performance fee;

Whereas there are many thousands of local radio stations that will suffer severe economic hardship if any new performance fee is imposed, as will many other small businesses that play music including bars, restaurants, retail establishments, sports and other entertainment venues, shopping centers, and transportation facilities; and

Whereas the hardship that would result from a new performance fee would hurt businesses in the United States, and ultimately the consumers in the United States who rely on local radio for news, weather, and entertainment, and such a performance fee is not justified when the current system has produced the most prolific and innovative broadcasting, music, and sound recording industries in the world: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress should not impose any new performance fee, tax, royalty, or other charge relating to the public performance of sound recordings on a local radio station for broadcasting sound recordings over the air, or on any business for such public performance of sound recordings.

SENATE CONCURRENT RESOLUTION 8—RECOGNIZING WOMEN SERVING IN THE UNITED STATES ARMED FORCES

Mrs. BOXER (for herself, Mr. BURR, Mrs. HAGAN, Mrs. GILLIBRAND, Mr. SANDERS, Mrs. SHAHEEN, Mr. BENNET, and Mr. LAUTENBERG) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 8

Whereas women have served with distinction in the United States Armed Forces since the American Revolution and have made significant and lasting contributions to the security of the United States;

Whereas in 2011, women comprise nearly 16 percent of the United States Armed Forces and serve in positions of responsibility in the active and reserve components of the Army, Marine Corps, Navy, Air Force, and Coast

Guard, as compared with less than 5 percent in 1976 when women were first integrated into the service academies;

Whereas women serve at the highest levels in the Department of Defense and other governmental organizations contributing to the defense of the United States; and

Whereas the accomplishments of generations of women have contributed to the history of the United States Armed Forces and to the strength of the United States: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) recognizes the importance of women to national defense throughout the history of the United States; and

(2) encourages the people of the United States to honor women who have served and who continue to serve the United States in the United States Armed Forces.

AMENDMENTS SUBMITTED AND PROPOSED

SA 112. Mr. TOOMEY (for himself and Mr. VITTER) proposed an amendment to the bill S. 23, to amend title 35, United States Code, to provide for patent reform.

SA 113. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 112 proposed by Mr. TOOMEY (for himself and Mr. VITTER) to the bill S. 23, supra; which was ordered to lie on the table.

SA 114. Mr. LEAHY proposed an amendment to the bill S. 23, supra.

SA 115. Mr. LEE proposed an amendment to the bill S. 23, supra.

SA 116. Mr. BENNET (for himself and Ms. AYOTTE) proposed an amendment to the bill S. 23, supra.

SA 117. Mr. BENNET (for himself and Mr. UDALL of Colorado) proposed an amendment to the bill S. 23, supra.

TEXT OF AMENDMENTS

SA 112. Mr. TOOMEY (for himself and Mr. VITTER) proposed an amendment to the bill S. 23, to amend title 35, United States Code, to provide for patent reform; as follows:

At the appropriate place, insert the following:

SEC. ____ . FULL FAITH AND CREDIT ACT.

(a) SHORT TITLE.—This section may be cited as the “Full Faith and Credit Act”.

(b) PRIORITIZE OBLIGATIONS ON THE DEBT HELD BY THE PUBLIC.—In the event that the debt of the United States Government, as defined in section 3101 of title 31, United States Code, reaches the statutory limit, the authority of the Department of the Treasury provided in section 3123 of title 31, United States Code, to pay with legal tender the principal and interest on debt held by the public shall take priority over all other obligations incurred by the Government of the United States.

SA 113. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 112 proposed by Mr. TOOMEY (for himself and Mr. VITTER) 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:

At the end of the amendment, add the following:

(c) PRIORITIZE PAYMENT OF SOCIAL SECURITY BENEFITS.—Notwithstanding subsection (b), in the event that the debt of the United States Government, as so defined, reaches

the statutory limit, the authority described in subsection (b) and the authority of the Commissioner of Social Security to pay monthly old-age, survivors’, and disability insurance benefits under title II of the Social Security Act shall be given equal priority over all other obligations incurred by the Government of the United States.

SA 114. Mr. LEAHY proposed an amendment to the bill S. 23, to amend title 35, United States Code, to provide for patent reform; as follows:

On page 1, strike line 5, and insert the following: “‘America Invents Act’”.

On page 79, strike lines 1 through 17, and insert the following:

(1) IN GENERAL.—The Director shall have authority to set or adjust by rule any fee established, authorized, or charged under title 35, United States Code, and the Trademark Act of 1946 (15 U.S.C. 1051 et seq.), notwithstanding the fee amounts established, authorized, or charged thereunder, for all services performed by or materials furnished by, the Office, provided that patent and trademark fee amounts are in the aggregate set to recover the estimated cost to the Office for processing, activities, services, and materials relating to patents and trademarks, respectively, including proportionate shares of the administrative costs of the Office.

SA 115. Mr. LEE proposed an amendment to the bill S. 23, to amend title 35, United States Code, to provide for patent reform; as follows:

At the appropriate place, insert the following:

SEC. ____ . SENSE OF THE SENATE.

It is the sense of the Senate that Congress should pass and the States should agree to an amendment to the Constitution requiring a Federal balanced budget.

SA 116. Mr. BENNET (for himself and Ms. AYOTTE) proposed an amendment to the bill S. 23, to amend title 35, United States Code, to provide for patent reform; as follows:

On page 86, between lines 8 and 9, insert the following:

(i) REDUCTION IN FEES FOR SMALL ENTITY PATENTS.—The Director shall reduce fees for providing prioritized examination of utility and plant patent applications by 50 percent for small entities that qualify for reduced fees under section 41(h)(1) of title 35, United States Code, so long as the fees of the prioritized examination program are set to recover the estimated cost of the program.

On page 86, line 9, strike “(i)” and insert “(j)”.

SA 117. Mr. BENNET (for himself and Mr. UDALL or Colorado) proposed an amendment to the bill S. 23, to amend title 35, United States Code, to provide for patent reform; as follows:

On page 104, between lines 22 and 23, insert the following:

SEC. 18. SATELLITE OFFICES.

(a) ESTABLISHMENT.—Subject to available resources, the Director shall establish 3 or more satellite offices in the United States to carry out the responsibilities of the Patent and Trademark Office.

(b) PURPOSE.—The purpose of the satellite offices established under subsection (a) are to—

(1) increase outreach activities to better connect patent filers and innovators with the Patent and Trademark Office;

(2) enhance patent examiner retention;