

SA 854. Mr. CASEY (for himself, Mr. ALEXANDER, Mr. BLUNT, Mrs. MCCASKILL, Ms. LANDRIEU, Ms. STABENOW, Mr. FRANKEN, and Mr. HARKIN) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 289, strike line 16 and all that follows through page 291, line 11, and insert the following:

SEC. 7005. REVISION TO THE INLAND WATERWAYS TRUST FUND FINANCING RATE.

(a) IN GENERAL.—Subparagraph (A) of section 4042(b)(2) of the Internal Revenue Code of 1986 is amended to read as follows:

“(A) The Inland Waterways Trust Fund financing rate is 29 cents per gallon.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to uses during calendar quarters beginning more than 60 days after the date of the enactment of this Act.

SA 855. Mr. KAINÉ (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:
SEC. 20. CONSIDERATION OF APPLICATIONS FOR DREDGED OR FILL MATERIAL.

Section 404(b) of the Federal Water Pollution Control Act (33 U.S.C. 1344(b)) is amended—

(1) by striking “(b) Subject to subsection (c) of this section” and inserting the following:

“(b) SPECIFICATION OF DISPOSAL SITES.—

“(1) IN GENERAL.—Subject to subsection (c)”;

(2) by striking “Secretary (1) through” and inserting the following:

“Secretary—

“(A) through”;

(3) by striking “section 403(c), and (2) in any case where such guidelines under clause (1) alone” and inserting the following:

“section 403(c); and

“(B) in any case in which the guidelines described in subparagraph (A)”;

(4) by adding at the end the following:

“(2) END-USER CONSIDERATION.—For a determination of whether to issue a permit under this section, the lack of a specified end-user for a site shall not be considered under subsection (a)(3)(iv) of section 230.12 of title 40, Code of Federal Regulations (as in effect on the date of enactment of the Water Resources Development Act of 2013), to be a lack of sufficient information to make a reasonable judgment as to whether the proposed discharge will comply with the guidelines contained in subsection (a) of that section (as in effect on that date of enactment), if the jurisdiction for which the permit application is submitted—

“(A) meets all applicable requirements of paragraph (1) and section 230.12(a) of title 40, Code of Federal Regulations (as in effect on the date of enactment of the Water Resources Development Act of 2013); and

“(B) is, or is located in, a county with a 5-year average unemployment rate of not less than 10 percent.”.

SA 856. Mr. BROWN (for himself, Mr. GRAHAM, Mr. UDALL of New Mexico, and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 6, lines 24 and 25, strike “the date of enactment of this Act” and insert “December 31, 2016”.

SA 857. Mr. LEVIN (for himself, Mr. SCHUMER, Ms. BALDWIN, and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 71, after line 22, insert the following:

SEC. 2024. OPERATION AND MAINTENANCE OF GREAT LAKES PROJECTS.

(a) FINDINGS.—Congress finds that—

(1) the Great Lakes Navigation System is a unique resource that supports waterborne commerce critical to the national economy; and

(2) in managing the Great Lakes Navigation System, the Secretary, acting through the Chief of Engineers, should recognize—

(A) the connectivity and interrelationships among the projects; and

(B) the factors that threaten safe navigation conditions throughout the Great Lakes Navigation System, including lake level fluctuations and shoaling caused by major storm events.

(b) DEFINITION OF GREAT LAKES NAVIGATION SYSTEM.—In this section, the term “Great Lakes Navigation System” has the meaning given the term in section 210(c) of the Water Resources Development Act of 1986 (as added by section 8004(a)).

(c) MANAGEMENT OF THE GREAT LAKES NAVIGATION SYSTEM.—

(1) IN GENERAL.—To sustain the most effective and efficient operation and maintenance of the Great Lakes Navigation System, the Secretary, acting through the Chief of Engineers, shall manage and allocate funding for all of the individually authorized commercial navigation projects in the Great Lakes Navigation System as components of a single, comprehensive system, recognizing the interdependence of the projects.

(2) CARGO MEASUREMENTS.—Cargo measurements for the purpose of prioritizing annual operations and maintenance budget resources for the Great Lakes Navigation System, and for any of the component projects of the System, shall aggregate the tonnage of all components of the System.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mrs. BOXER. Mr. President, I ask unanimous consent that the Com-

mittee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on May 8, 2013, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, “The Role of Immigrants in America’s Innovation Economy.”

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on May 8, 2013, at 11:30 a.m., in room 366 of the Dirksen Senate Office Building.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on May 8, 2013, at 10 a.m. in order to conduct a hearing entitled “Curbing Federal Agency Waste and Fraud: New Steps to Strengthen the Integrity of Federal Payments.”

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

COMMITTEE ON INDIAN AFFAIRS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on May 8, 2013, in room SD-628 of the Dirksen Senate Office Building, at 2:30 p.m.

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

COMMITTEE ON THE JUDICIARY

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on May 8, 2013, at 2:30 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “Nominations.”

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

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on May 8, 2013, at 10 a.m. in room 106 Dirksen Senate Office building to conduct a hearing entitled “Strengthening the Entrepreneurial Ecosystem for Minority Women.”

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

SUBCOMMITTEE ON AIRLAND

Mrs. BOXER. Mr. President, I ask unanimous consent that the Subcommittee on Airland of the Armed Services Committee be authorized to meet during the session of the Senate on May 8, 2013, at 9:30 a.m.

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

SUBCOMMITTEE ON CRIME AND TERRORISM

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Crime and Terrorism, be authorized to meet during the session of the Senate, on May 8, 2013, at 9 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Cyber Threats: Law Enforcement and Private Sector Responses."

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

SUBCOMMITTEE ON EMERGENCY MANAGEMENT, INTERGOVERNMENTAL RELATIONS, AND THE DISTRICT OF COLUMBIA

Mrs. BOXER. Mr. President, I ask unanimous consent that the Subcommittee on Emergency Management, Intergovernmental Relations, and the District of Columbia of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on May 8, 2013, at 2:30 p.m. to conduct a hearing entitled, "The Role of the Private Sector in Preparedness and Emergency Response."

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

SUBCOMMITTEE ON SEAPOWER

Mrs. BOXER. Mr. President, I ask unanimous consent that the Subcommittee on Seapower of the Armed Services Committee be authorized to meet during the session of the Senate on May 8, 2013, at 9:30 a.m.

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

SUBCOMMITTEE ON STRATEGIC FORCES

Mrs. BOXER. Mr. President, I ask unanimous consent that the Subcommittee on Strategic Forces of the Senate Committee on Armed Services be authorized to meet during the session of the Senate on May 8, 2013, at 2:30 p.m.

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

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that at a time to be determined by the majority leader, after consultation with the Republican leader, the Senate proceed to executive session to consider the following nominations: Calendar Nos. 39 and 41; that there be 30 minutes for debate equally divided in the usual form; that upon the use or yielding back of time, the Senate proceed to vote without intervening action or debate on the nominations in the order listed; that the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to the nominations; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

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

ANIMAL DRUG AND ANIMAL GENERIC DRUG USER FEE REAUTHORIZATION ACT OF 2013

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 31, S. 622.

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

The assistant bill clerk read as follows:

A bill (S. 622) to amend the Federal Food, Drug, and Cosmetic Act to reauthorize user fee programs relating to new animal drugs and generic new animal drugs.

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

Mr. BLUMENTHAL. Mr. President, I further ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be made and laid upon the table, with no intervening action or debate.

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

The bill (S. 622) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:
S. 622

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Animal Drug and Animal Generic Drug User Fee Reauthorization Act of 2013".

SEC. 2. TABLE OF CONTENTS; REFERENCES IN ACT.

(a) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents; references in Act.

TITLE I—FEES RELATING TO ANIMAL DRUGS

Sec. 101. Short title; finding.

Sec. 102. Definitions.

Sec. 103. Authority to assess and use animal drug fees.

Sec. 104. Reauthorization; reporting requirements.

Sec. 105. Savings clause.

Sec. 106. Effective date.

Sec. 107. Sunset dates.

TITLE II—FEES RELATING TO GENERIC ANIMAL DRUGS

Sec. 201. Short title; finding.

Sec. 202. Authority to assess and use generic new animal drug fees.

Sec. 203. Reauthorization; reporting requirements.

Sec. 204. Savings clause.

Sec. 205. Effective date.

Sec. 206. Sunset dates.

(b) REFERENCES IN ACT.—Except as otherwise specified, amendments made by this Act to a section or other provision of law are amendments to such section or other provision of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.).

TITLE I—FEES RELATING TO ANIMAL DRUGS

SEC. 101. SHORT TITLE; FINDING.

(a) SHORT TITLE.—This title may be cited as the "Animal Drug User Fee Amendments of 2013".

(b) FINDING.—Congress finds that the fees authorized by the amendments made in this

title will be dedicated toward expediting the animal drug development process and the review of new and supplemental animal drug applications and investigational animal drug submissions as set forth in the goals identified, for purposes of part 4 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act, in the letters from the Secretary of Health and Human Services to the Chairman of the Committee on Energy and Commerce of the House of Representatives and the Chairman of the Committee on Health, Education, Labor, and Pensions of the Senate as set forth in the Congressional Record.

SEC. 102. DEFINITIONS.

Section 739 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j-11) is amended to read as follows:

"SEC. 739. DEFINITIONS.

"For purposes of this part:

"(1) The term 'animal drug application' means an application for approval of any new animal drug submitted under section 512(b)(1). Such term does not include either a new animal drug application submitted under section 512(b)(2) or a supplemental animal drug application.

"(2) The term 'supplemental animal drug application' means—

"(A) a request to the Secretary to approve a change in an animal drug application which has been approved; or

"(B) a request to the Secretary to approve a change to an application approved under section 512(c)(2) for which data with respect to safety or effectiveness are required.

"(3) The term 'animal drug product' means each specific strength or potency of a particular active ingredient or ingredients in final dosage form marketed by a particular manufacturer or distributor, which is uniquely identified by the labeler code and product code portions of the national drug code, and for which an animal drug application or a supplemental animal drug application has been approved.

"(4) The term 'animal drug establishment' means a foreign or domestic place of business which is at one general physical location consisting of one or more buildings all of which are within 5 miles of each other, at which one or more animal drug products are manufactured in final dosage form.

"(5) The term 'investigational animal drug submission' means—

"(A) the filing of a claim for an investigational exemption under section 512(j) for a new animal drug intended to be the subject of an animal drug application or a supplemental animal drug application; or

"(B) the submission of information for the purpose of enabling the Secretary to evaluate the safety or effectiveness of an animal drug application or supplemental animal drug application in the event of their filing.

"(6) The term 'animal drug sponsor' means either an applicant named in an animal drug application that has not been withdrawn by the applicant and for which approval has not been withdrawn by the Secretary, or a person who has submitted an investigational animal drug submission that has not been terminated or otherwise rendered inactive by the Secretary.

"(7) The term 'final dosage form' means, with respect to an animal drug product, a finished dosage form which is approved for administration to an animal without substantial further manufacturing. Such term includes animal drug products intended for mixing in animal feeds.