

SENATE RESOLUTION 90—SUP-
PORTING THE GOALS OF “INTER-
NATIONAL WOMEN’S DAY” AND
RECOGNIZING THIS YEAR’S CEN-
TENNIAL ANNIVERSARY OF
INTERNATIONAL WOMEN’S DAY

Mrs. SHAHEEN (for herself, Mr. CARDIN, Ms. SNOWE, Ms. COLLINS, Mr. DURBIN, Ms. MIKULSKI, Mr. LAUTENBERG, Mrs. BOXER, Mr. BEGICH, Mr. WHITEHOUSE, and Mrs. MURRAY) submitted the following resolution; which was considered and agreed to:

S. RES. 90

Whereas there are more than 3,300,000,000 women in the world today;

Whereas women around the world participate in the political, social, and economic life of their communities, play a critical role in providing and caring for their families, contribute substantially to the growth of economies, and, as both farmers and caregivers, play an important role in advancing food security for their communities;

Whereas President Barack Obama said, “[o]ur common prosperity will be advanced by allowing all humanity – men and women – to reach their full potential”;

Whereas Secretary of State Hillary Rodham Clinton said, “Put simply, we have much less hope of addressing the complex challenges we face in this new century without the full participation of women. Whether the economic crisis, the spread of terrorism, regional conflicts that threaten families and communities, and climate change and the dangers it presents to the world’s health and security, we will not solve these challenges through half measures. Yet too often, on these issues and many more, half the world is left behind.”;

Whereas the ability of women to realize their full potential is critical to the ability of a nation to achieve strong and lasting economic growth and political and social stability;

Whereas according to the 2010 World Economic Forum Global Gender Gap Report, “reducing gender inequality enhances productivity and economic growth”;

Whereas according to the International Monetary Fund, “focusing on the needs and empowerment of women is one of the keys to human development”;

Whereas despite some achievements made by individual women leaders, women around the globe are still vastly underrepresented in high level positions and in national and local legislatures and governments and, according to the Inter-Parliamentary Union, women account for only 19.2 percent of national parliamentarians;

Whereas although strides have been made in recent decades, women around the world continue to face significant obstacles in all aspects of their lives including denial of basic human rights, discrimination, and gender-based violence;

Whereas according to the World Bank, women account for approximately 70 percent of individuals living in poverty worldwide;

Whereas according to UNESCO, women account for 64 percent of the 796,000,000 adults worldwide who lack basic literacy skills;

Whereas according to the International Center for Research on Women, there are more than 60,000,000 child brides in developing countries, some of whom are as young as 7 years old;

Whereas according to the Food and Agriculture Organization, the majority of women living in rural areas of the developing world are heavily engaged in agricultural labor, yet they receive less credit, land, agricultural inputs, and training than their male counterparts;

Whereas according to the International Union for Conservation of Nature, women in developing countries are disproportionately affected by changes in climate because of their need to secure water, food, and fuel for their livelihood;

Whereas according to the World Health Organization, as many as 1 in 5 women report being sexually abused before the age of 15;

Whereas March 8 is recognized each year as International Women’s Day, a global day to celebrate the economic, political, and social achievements of women past, present, and future and a day to recognize the obstacles that women still face in the struggle for equal rights and opportunities; and

Whereas the milestone 100th anniversary of International Women’s Day is a testament to the dedication and determination of women and men around the world to address gender inequality: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals of “International Women’s Day”;

(2) recognizes the significance of the 100th anniversary of International Women’s Day;

(3) recognizes that the empowerment of women is inextricably linked to the potential of nations to generate economic growth and sustainable democracy;

(4) recognizes and honors the women in the United States and around the world who have worked throughout history to ensure that women are guaranteed equality and basic human rights;

(5) reaffirms its commitment to ending discrimination and violence against women and girls, to ensuring the safety and welfare of women and girls, and to pursuing policies that guarantee the basic human rights of women and girls worldwide; and

(6) encourages the people of the United States to observe International Women’s Day with appropriate programs and activities.

SENATE RESOLUTION 91—SUP-
PORTING THE GOALS AND
IDEALS OF MULTIPLE SCLE-
ROSIS AWARENESS WEEK

Mr. CASEY (for himself, Ms. SNOWE, and Mrs. HAGAN) submitted the following resolution; which was considered and agreed to:

S. RES. 91

Whereas multiple sclerosis can impact men and women of all ages, races, and ethnicities;

Whereas more than 400,000 Americans live with multiple sclerosis;

Whereas approximately 2,100,000 people worldwide have been diagnosed with multiple sclerosis;

Whereas every hour of every day, someone is newly diagnosed with multiple sclerosis;

Whereas an estimated 8,000 to 10,000 children and adolescents are living with multiple sclerosis;

Whereas the exact cause of multiple sclerosis is still unknown;

Whereas the symptoms of multiple sclerosis are unpredictable and vary from person to person;

Whereas there is no laboratory test available that definitively diagnoses a case of multiple sclerosis;

Whereas multiple sclerosis is not genetic, contagious, or directly inherited, but studies show that there are genetic factors that indicate that certain individuals may be susceptible to the disease;

Whereas multiple sclerosis symptoms occur when an immune system attack affects the myelin in nerve fibers of the central nervous system, damaging or destroying the myelin and replacing the myelin with scar

tissue, thereby interfering with or preventing the transmission of nerve signals;

Whereas in rare cases, multiple sclerosis is so progressive that the disease is fatal;

Whereas there is no known cure for multiple sclerosis;

Whereas the Multiple Sclerosis Coalition, an affiliation of multiple sclerosis organizations dedicated to the enhancement of the quality of life for all those affected by multiple sclerosis, recognizes and celebrates Multiple Sclerosis Awareness Week;

Whereas the mission of the Multiple Sclerosis Coalition is to increase opportunities for cooperation and provide greater opportunity to leverage the effective use of resources for the benefit of the multiple sclerosis community;

Whereas the Multiple Sclerosis Coalition recognizes and celebrates Multiple Sclerosis Awareness Week for 1 week in March of each year;

Whereas the goals of Multiple Sclerosis Awareness Week are—

(1) to invite people to join the movement to end multiple sclerosis;

(2) to encourage each individual in the United States to do something that demonstrates a commitment to moving toward a world free of multiple sclerosis; and

(3) to acknowledge those individuals who have dedicated their time and talent to helping to promote multiple sclerosis research and programs; and

Whereas in 2011, the week of March 14, 2011, through March 20, 2011, has been designated as Multiple Sclerosis Awareness Week: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of Multiple Sclerosis Awareness Week;

(2) encourages the States, territories, possessions, and localities of the United States to support the goals and ideals of Multiple Sclerosis Awareness Week by issuing proclamations designating Multiple Sclerosis Awareness Week;

(3) encourages media organizations to participate in Multiple Sclerosis Awareness Week by helping to educate the public about multiple sclerosis;

(4) commends the efforts of the States, territories, possessions, and localities of the United States that support the goals and ideals of Multiple Sclerosis Awareness Week;

(5) recognizes and reaffirms the commitment of the United States to creating a world free of multiple sclerosis by—

(A) promoting awareness about people who are living with multiple sclerosis; and

(B) promoting new education programs, supporting research, and expanding access to medical treatment;

(6) recognizes all people in the United States living with multiple sclerosis and expresses gratitude to their family members and friends who are a source of love and encouragement to those individuals; and

(7) salutes the health care professionals and medical researchers who—

(A) provide assistance to those individuals in the United States living with multiple sclerosis; and

(B) continue to work to find ways to stop the progression of the disease, restore nerve function, and end multiple sclerosis forever.

SENATE RESOLUTION 92—TO AU-
THORIZE THE PAYMENT OF
LEGAL EXPENSES OF SENATE
EMPLOYEES OUT OF THE CON-
TINGENT FUND OF THE SENATE

Mr. SCHUMER (for himself and Mr. ALEXANDER) submitted the following resolution; which was considered and agreed to:

S. RES. 92

*Resolved,***SECTION 1. AUTHORIZATION OF THE PAYMENT OF LEGAL EXPENSES.**

(a) IN GENERAL.—The Committee on Rules and Administration is authorized to pay out of the contingent fund of the Senate the legal expenses incurred by Jean Manning and Erica Watkins for the employment of private counsel to represent them with respect to official actions and responsibilities before the grand jury in the United States District Court for the District of Columbia.

(b) DETERMINATION.—The amount of expenses paid pursuant to subsection (a) shall be determined by the Committee on Rules and Administration.

SENATE CONCURRENT RESOLUTION 10—AUTHORIZING THE REMAINS OF FRANK W. BUCKLES, THE LAST SURVIVING UNITED STATES VETERAN OF THE FIRST WORLD WAR, TO LIE IN HONOR IN THE ROTUNDA OF THE CAPITOL

Mr. ROCKEFELLER (for himself, Mr. BURR, Mr. MANCHIN, Mr. UDALL of Colorado, Mr. BEGICH, Mrs. McCASKILL, Mr. MENENDEZ, Mr. BROWN of Ohio, Mr. LIEBERMAN, Mr. NELSON of Florida, Mr. KERRY, Mr. WYDEN, Ms. LANDRIEU, Mr. BROWN of Massachusetts, and Mr. MCCAIN) submitted the following concurrent resolution; which was referred to the Committee on Rules and Administration:

S. CON. RES. 10

*Resolved by the Senate (the House of Representatives concurring),***SECTION 1. HONORING VETERANS OF THE FIRST WORLD WAR.**

(a) IN GENERAL.—In recognition of the historic contributions of United States veterans who served in the First World War, the remains of Frank W. Buckles, the last surviving United States veteran of the First World War, shall be permitted to lie in honor in the rotunda of the Capitol from March 14, 2011 to March 15, 2011, so that the citizens of the United States may pay their last respects to those great Americans.

(b) IMPLEMENTATION.—The Architect of the Capitol, under the direction and supervision of the President pro tempore of the Senate and the Speaker of the House of Representatives shall take the necessary steps to implement subsection (a).

AMENDMENTS SUBMITTED AND PROPOSED

SA 141. Mr. BAUCUS (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him 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.

SA 142. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill S. 23, supra.

SA 143. Mr. REID of Nevada (for himself and Mr. ENSIGN) submitted an amendment intended to be proposed by him to the bill S. 23, supra; which was ordered to lie on the table.

SA 144. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 23, supra; which was ordered to lie on the table.

SA 145. Mr. CARDIN submitted an amendment intended to be proposed by him to the

bill S. 23, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 141. Mr. BAUCUS (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him 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:

On page 94, between lines 22 and 23, insert the following:

(e) EXCLUSION.—This section shall not apply to that part of an invention that is a method, apparatus, computer program product or system 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.

SA 142. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill S. 23, to amend title 35, United States Code, to provide for patent reform; as follows:

On page 50, between lines 2 and 3, insert the following:

“(c) DATA ON LENGTH OF REVIEW.—The Patent and Trademark Office shall make available to the public data describing the length of time between the commencement of each inter partes review and the conclusion of that review.”.

On page 65, between lines 9 and 10, insert the following:

“(c) DATA ON LENGTH OF REVIEW.—The Patent and Trademark Office shall make available to the public data describing the length of time between the commencement of each post-grant review and the conclusion of that review.”.

SA 143. Mr. REID of Nevada (for himself and Mr. ENSIGN) submitted an amendment intended to be proposed by him 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:

On page 93, before line 18, insert the following:

“(d) EPSCOR.—For purposes of this section, a micro entity shall include an applicant who certifies that—

“(1) the applicant’s employer, from which the applicant obtains the majority of the applicant’s income, is a State public institution of higher education, as defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002), in a jurisdiction that is eligible to qualify under the Research Infrastructure Improvement Grant Program administered by the Office of Experimental Program to Stimulate Competitive Research (EPSCoR); or

“(2) the applicant has assigned, granted, conveyed, or is under an obligation by contract or law to assign, grant, or convey, a license or other ownership interest in the particular application to such State public institution, which is in a jurisdiction that is eligible to qualify under the Research Infrastructure Improvement Grant Program administered by the Office of Experimental Program to Stimulate Competitive Research (EPSCoR).”.

SA 144. Ms. CANTWELL submitted an amendment intended to be proposed by her 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 appropriate place, insert the following:

SEC. ____ DAMAGES.

Section 284 of title 35, United States Code, is amended—

(1) by striking “Upon finding” and inserting the following: “(a) IN GENERAL.—Upon finding”;

(2) by striking “fixed by the court” and all that follows through “When the damages” and inserting the following: “fixed by the court. When the damages”;

(3) by striking “shall assess them.” and all that follows through “The court may receive” and inserting the following: “shall assess them. In either event the court may increase the damages up to 3 times the amount found or assessed. Increased damages under this subsection shall not apply to provisional rights under section 154(d) of this title. The court may receive”;

(4) by adding at the end the following: “(b) PROCEDURE FOR DETERMINING DAMAGES.—

“(1) IN GENERAL.—The court shall identify the methodologies and factors that are relevant to the determination of damages, and the court or jury shall consider only those methodologies and factors relevant to making such determination.

“(2) DISCLOSURE OF CLAIMS.—By no later than the entry of the final pretrial order, unless otherwise ordered by the court, the parties shall state, in writing and with particularity, the methodologies and factors the parties propose for instruction to the jury in determining damages under this section, specifying the relevant underlying legal and factual bases for their assertions.

“(3) SUFFICIENCY OF EVIDENCE.—Prior to the introduction of any evidence concerning the determination of damages, upon motion of either party or sua sponte, the court shall consider whether one or more of a party’s damages contentions lacks a legally sufficient evidentiary basis. After providing a nonmovant the opportunity to be heard, and after any further proffer of evidence, briefing, or argument that the court may deem appropriate, the court shall identify on the record those methodologies and factors as to which there is a legally sufficient evidentiary basis, and the court or jury shall consider only those methodologies and factors in making the determination of damages under this section. The court shall only permit the introduction of evidence relating to the determination of damages that is relevant to the methodologies and factors that the court determines may be considered in making the damages determination.

“(c) SEQUENCING.—Any party may request that a patent-infringement trial be sequenced so that the trier of fact decides questions of the patent’s infringement and validity before the issues of damages and willful infringement are tried to the court or the jury. The court shall grant such a request absent good cause to reject the request, such as the absence of issues of significant damages or infringement and validity. The sequencing of a trial pursuant to this subsection shall not affect other matters, such as the timing of discovery. This subsection does not authorize a party to request that the issues of damages and willful infringement be tried to a jury different than the one that will decide questions of the patent’s infringement and validity.”.

SA 145. Mr. CARDIN submitted an amendment intended to be proposed by him 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:

On page 83, between lines 6 and 7, insert the following: