

I urge us to debate these important proposals immediately, well before the Thursday deadline, and come to a strong, positive resolution. I will be back on the floor soon with Senator TOOMEY to fully explain this amendment, as well as the Vitter second-degree amendment.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, I send a motion to the desk.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I understand we have a unanimous consent agreement at 4:30 p.m. to go to two judicial nominations.

The PRESIDING OFFICER. The Senator is correct.

Mr. LEAHY. I ask for the regular order.

#### EXECUTIVE SESSION

##### NOMINATION OF AMY TOTENBERG TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF GEORGIA

##### NOMINATION OF STEVE C. JONES TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF GEORGIA

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nominations, which the clerk will report.

The legislative clerk read the nominations of Amy Totenberg, of Georgia, to be United States District Judge for the Northern District of Georgia and Steve C. Jones, of Georgia, to be United States District Judge for the Northern District of Georgia.

The PRESIDING OFFICER. Under the previous order, there will now be 1 hour of debate, equally and divided and controlled in the usual form.

The Senator from Vermont.

Mr. LEAHY. There is both good news and bad news represented by today's debate. The good news is that we begin another week by considering two of President Obama's judicial nominations. With judicial vacancies remaining over 100, nearly half of them judicial emergencies, the Senate's action today on 2 outstanding nominees to fill judicial emergency vacancies in Georgia is much needed.

The bad news is that we did not consider these nominations earlier, and that we are not considering any of the other 8 judicial nominees awaiting final Senate consideration and confirmation. Two of those nominees, Sue Myerscough and James Shadid, were each nominated to fill emergency vacancies on the Central District of Illinois. Their confirmations would help relieve the chief judge of that district, who is the only active judge in the en-

tire district. Chief Judge McCuskey wrote to Senator DURBIN in November urging the Senate to take action to fill those vacancies, but we did not. Despite the desperate need in that district, neither of these nominations received final Senate votes when they were reported unanimously by the Judiciary Committee last year. Both have now been reported unanimously again, and we should not further delay taking care of this overburdened court and the hard-working Americans who depend on it.

I do thank, in particular, the majority leader for scheduling this time, and also thank the Republican leader for his cooperation. I also commend our ranking Republican on the Judiciary Committee. Senator GRASSLEY has worked with me on each of the judicial nominations that President Obama renominated this January.

All 13 of the judicial nominations that were unanimously reported last year have now been unanimously reported, again, this year. To date, five of those nominations have been confirmed and with the confirmation of Amy Totenberg and Steve Jones, we will have reconsidered and confirmed 7 of those 13 unanimously reported judicial nominees.

The Judiciary Committee has also now considered the renomination of Susan Carney of Connecticut to the Second Circuit and Michael Simon to be a district court judge in Oregon. More than half of the Republicans on the Judiciary Committee voted in favor of those nominations. They should be debated and confirmed without delay, as well.

Working with Senator GRASSLEY, I also expect to be able to move forward with Judiciary Committee consideration of the renominations of two district court nominees, Edward Chen of California and Jack McConnell of Rhode Island, in the next few weeks. The renomination of Goodwin Liu of California to the Ninth Circuit will be reexamined at a Judiciary Committee hearing this week, at the request of our Republican members, and then reconsidered by the committee, as well.

We will be holding our third confirmation hearing of the year this week. It will include Professor Liu and four other judicial nominees from Tennessee, Florida, and New Jersey. At the earlier two hearings we considered eight additional judicial nominees who now await committee approval and Senate consideration. We are holding hearings every 2 weeks and hope finally to begin to bend the curve and start to lower judicial vacancies across the country.

I also commend the Senator from Iowa for his statement on February 14 during which he urged the Senate to turn the page and not revisit the re-terminations from administrations past. I agree.

The nominees we consider today are both from Georgia. They were both reported unanimously by the Judiciary

Committee this year. Actually, they were also reported unanimously by the Judiciary Committee last year. They were among the 19 judicial nominees who were ready to be confirmed by the Senate last year but were not. When there was objection to proceeding last year, the vacancies persisted, the President had to renominate them and the Judiciary Committee had to reconsider their nominations. I expect the Senate will confirm them both tonight. I hope we do so unanimously. Both have the support of their home State Senators. Senators ISAKSON and Senator CHAMBLISS worked with me and with President Obama in connection with these nominations.

While I am encouraged that the Senate is proceeding today, I am disappointed that we did not consider these nominees and other nominees from California, North Carolina, and the District of Columbia before the Presidents Day recess. We used to be able to clear the calendar of nominations before a recess. All six of these judicial nominees were approved unanimously by every Republican and every Democrat on the Judiciary Committee weeks before the recess. When they are considered, I fully expect they will be confirmed unanimously by the Senate. With persistently high judicial vacancies around the country, the Senate should be considering judicial nominations without unnecessary delays. Litigants all over the country are having a hard time getting their cases heard in court because of the high number of vacancies. There are nominees pending on the calendar with unanimous support by both Republicans and Democrats on the Senate Judiciary Committee. We ought to at least vote on these nominations to fill the vacancies.

In fact, when these 2 nominations are confirmed, there will still be nearly 100 Federal judicial vacancies around the country. That is too many and they have persisted for too long. That is why Chief Justice Roberts, Attorney General Holder, White House Counsel Bob Bauer, and many others, including the President of the United States, have spoken out and urged the Senate to act.

Nearly one out of every eight Federal judgeships is vacant. That puts at serious risk the ability of Americans all over the country to have a fair hearing in court. The real price being paid for these unnecessary delays is that the judges who remain are overburdened and the American people who depend on them are being denied hearings and justice in a timely fashion. These delays affect everyone; whether you are a plaintiff, a prosecutor, or a defendant.

Regrettably, the progress we made during the first 2 years of the Bush administration has not been duplicated, and the progress we made over the 8 years from 2001 to 2009 to reduce judicial vacancies from 110 to a low of 34 was reversed. The vacancy rate we reported from 10 percent at the end of

President Clinton's term to less than 4 percent in 2008 has now risen back to over 10 percent.

In contrast to the sharp reduction in vacancies we made during President Bush's first 2 years when the Democratically controlled Senate confirmed 100 of his judicial nominations, only 60 of President Obama's judicial nominations were allowed to be considered and confirmed during his first 2 years. We have not kept up with the rate of attrition, let alone brought the vacancies down. By now they should have been cut in half. Instead, they continue to hover around 100.

The Senate must do better. The Nation cannot afford further delays by the Senate in taking action on the nominations pending before it. Judicial vacancies on courts throughout the country hinder the Federal judiciary's ability to fulfill its constitutional role. They create a backlog of cases that prevents people from having their day in court. This is unacceptable.

We can consider and confirm this President's nominations to the Federal bench in a timely manner. President Obama has worked with both Democratic and Republican home State Senators to identify superbly qualified consensus nominations.

None of the nominations on the Executive Calendar are controversial. They all have the support of their home State Senators, Republicans and Democrats. All have a strong commitment to the rule of law. All have demonstrated faithfulness to the Constitution.

During President Bush's first term, his first 4 tumultuous years in office, we proceeded to confirm 205 of his judicial nominations. This was after 60 of President Clinton's nominations had been pocket-filibustered by those on the other side of the aisle. I decided not to continue that trend and we showed good faith in moving 100 of President Bush's nominees in the 17 months that I was chairman. During the remaining 31 months under Republican control, the Senate confirmed another 105 judicial nominations. So far in President Obama's third year in office, the Senate has only been allowed to consider 67 of his Federal circuit and district court nominees.

We remain well short of the benchmark we set during the Bush administration. When we approach it, we can reduce vacancies from the historically high levels at which they have remained throughout the first 3 years of the Obama administration to the historically low level we reached toward the end of the Bush administration.

I have often said that the 100 of us in the Senate stand in the shoes of over 300 million Americans. We owe it to them to do our constitutional duty of voting on the President's nominations to be Federal judges. We owe it to them to make sure that hard-working Americans are able to have their cases heard in our Federal courts.

I know the distinguished Senator from Iowa is going to want to speak

and time has been reserved for him. I first yield to the Senator from Pennsylvania on my time.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I rise to ask unanimous consent to speak as in morning business.

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

(The remarks of Mr. CASEY are printed in today's RECORD under "Morning Business.")

Mr. CASEY. Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. CHAMBLISS. Mr. President, I rise today, along with my colleague from Georgia, Senator ISAKSON, to commend to this body the confirmation of two judges who have been nominated by President Obama for the Northern District of Georgia.

First of all, Amy Totenberg is an Atlanta lawyer who certainly has the academic credentials that have prepared her well—a graduate of both Radcliffe College and Harvard and also Harvard Law School. She began law practice in Atlanta in 1977 with the Law Project and then went out on her own for 20 years. During her time as a solo practitioner, she specialized in constitutional rights litigation and also became a well-known arbitrator and mediator, particularly in employment and civil rights cases. She served as a court-appointed monitor and mediator for the U.S. District Court for the District of Columbia and has served as a special master for the U.S. District Court in Maryland on an institutional education reform case. Ms. Totenberg has a wealth of experience on that issue, having served as general counsel to the city of Atlanta's Board of Education from 1994 to 1998 and also having served as a part-time municipal court judge in Atlanta for several years. She also has been an adjunct professor at Emory University Law School.

She has been deeply involved in her community. In addition to her legal activities, Ms. Totenberg has been a member of the State Personnel Boards, served as a member of the Governor's Education Reform Commission, and given her time to Hands On Atlanta, the city's largest volunteer service program.

I commend Ms. Totenberg for confirmation today as her name comes before this body.

Steve Jones has been a friend for a long time. He is a guy who, if you had to pick a jurist, you would want to go before whether you are a lawyer, a defendant, or a plaintiff in a civil lawsuit.

Steve Jones is a native of Athens, GA, and attended the University of Georgia both as an undergraduate and as a graduate of the law school. He began his legal career as assistant district attorney before becoming a municipal court judge. In 1995, he was appointed to the superior court bench for the Western Judicial Circuit, which covers both Clarke and Oconee Counties, two of the fastest growing counties in our State. In his capacity as a superior court judge, Steve presided over both criminal and civil cases. He has also supervised the circuit's felony drug court for 6 years.

His list of honors and awards is truly too numerous to mention here for this body, but he has been awarded the State Bar of Georgia's Distinguished Judicial Service Award, Georgia Legal Services Program's Georgia Justice Builder Award, the University of Georgia President's Fulfilling the Dream Award, the Boy Scouts of America Distinguished Citizen Award, the Chief Justice Robert Benham Award for community service beyond official work, and the Julian Bond Humanitarian Award.

He has been very active in the Athens and Clark County communities. Steve is a wonderful person, a great family man, a great community citizen, and an outstanding jurist. He is going to make a truly outstanding district court judge on the northern district court in Atlanta.

I yield to my colleague, Senator ISAKSON.

Mr. ISAKSON. Mr. President, I rise to second the statements made by Senator CHAMBLISS on these two nominees to the northern district of Georgia court, Amy Totenberg and Steve Jones. Amy Totenberg is an attorney, in practice for many years, a judge, an arbitrator, a mediator, and an educator. She brings a wealth of experience to the bench in many areas, not the least of which is personnel law. In fact, during her term of service to the Atlanta Board of Education in the mid-1990s, I was chairman of the State Board of Education and dealt with the major litigation pieces that went through the system of education in Georgia. I know of her competence, her ability, and the trust her colleagues have in her, and I think she will be an excellent appointee to the northern district of Georgia bench.

Steve Jones is the real deal. He is a terrific individual, one of those people who is so active in trying to make the community better. One example is Clark County in Athens where Steve has been a superior court judge for many years, which is one of the leading and founding drug courts in America, an intervention court that intervenes in those first drug cases when young people are caught for the first time, works with them as an advocate and as a mentor to see to it they never return to drugs and therefore never return to crime. That is just one example of his intensity in trying to make his community better.

He is respected by lawyers throughout the circuit, he is respected by his fellow judges, and he is deeply respected by me as an individual who brings great credit to the State and great credit to the bench.

I urge all our colleagues tonight on the vote for Steve Jones and Amy Totenberg to unanimously support both of those nominees to the northern district of Georgia bench.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, we are continuing in our cooperative effort to fill vacancies in the Federal judiciary that have been designated as judicial emergencies. Today, the Senate will confirm two more of President Obama's judicial nominees. I am pleased we are moving forward on consensus nominees who will lessen the burden on our overworked courts.

My Republican colleagues and I continue to demonstrate our ability and desire to work with the President and the Democratic majority. We will have confirmed 7 judicial nominees in just 17 short days the Senate has been in session this Congress. We have reported out of committee a total of 15 judicial nominees, or 29 percent of the total nominees submitted. We have already held two hearings in committee on eight judicial nominees, with additional nominees scheduled for a hearing later this week. With this quick and productive pace, we have taken positive action on 55 percent of the judicial nominations sent to the committee this year.

I continue to work with the chairman to ensure all nominees are afforded a fair but thorough process, in a timely manner. I have appreciated the chairman's courtesy as we work together to set schedules and agendas. It is imperative that the administration work with us, as well, to fill vacancies. I am particularly concerned about those seats designated as judicial emergencies.

We continue to hear about the high judicial vacancy rate. I think the record is clear that the Senate is addressing that issue in vigorous manner. However, I continue to note that the President has failed to submit a nomination for over half of the vacancies. For judicial emergencies, over 57 percent of those seats have no nominee.

The two vacancies we are filling today took some time for a nomination to be sent to the Senate. Both seats became vacant in December 2008, at the end of the Bush administration. It took President Obama over a year to name a nominee for one seat, and nearly a year and a half to nominate for the other seat. So those who are concerned about a high vacancy rate in the Federal judiciary should pay attention to the nomination process, not just Senate confirmations.

I will say a few words about the nominees who are scheduled to have votes today. I thank our leadership for

the reasonable arrangement that was reached to consider these nominations.

First, Amy Totenberg is nominated to be a U.S. district court judge for the Northern District of Georgia. She received her A.B., magna cum laude, and her J.D. from Harvard University. Upon graduation, she joined the Law Project as a partner, where she focused on Federal constitutional and employment law. She left the Law Project to become a solo practitioner where she maintained a general civil practice. Ms. Totenberg also served as municipal court judge for Atlanta, and was appointed by the Atlanta Board of Education as the first in-house general counsel for the Atlanta Public School District.

Over the past decade, while maintaining a solo practice, Ms. Totenberg has spent the majority of her time as a special master, monitor, and arbitrator/monitor for the U.S. district courts in Maryland and Washington, DC. The American Bar Association Standing Committee on the Federal Judiciary unanimously rated her "Well-Qualified."

Our second nominee, Steve C. Jones, is also nominated to be a U.S. district judge for the Northern District of Georgia. Judge Jones received his B.B.A. and his J.D. from the University of Georgia.

An experienced jurist, he began his legal career as an assistant district attorney for the Western Judicial District of Georgia. In 1993, Judge Jones began service as a municipal court judge for Athens-Clarke County, GA. He was appointed by Governor Zell Miller, in 1995, to serve as a superior court judge for the Western Judicial Circuit. He was subsequently re-elected four times and is the presiding judge for the Felony Drug Court. Aside from his daily duties to the bench, Judge Jones was appointed by the Georgia Supreme Court to serve on the Judicial Qualifications Commission. He also functioned as its chairman from 2002 to 2006. On and off the bench, Judge Jones has contributed to his community. He has invested time to help Georgia Legal Services, as well as a local anti-poverty initiative, Partners for a Prosperous Athens/OneAthens. The American Bar Association Standing Committee on the Federal Judiciary unanimously rated him "Well-Qualified."

I support these two nominees, and congratulate them for their achievement and public service. I will continue to work with the chairman to move forward on consensus nominees, as we have done with these two nominations.

I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Under the previous order, the nomination of Amy Totenberg, of Georgia, to be United States District Judge for the Northern District of Georgia is confirmed.

The question is, Will the Senate advise and consent to the nomination of Steve C. Jones, of Georgia, to be United States District Judge for the Northern District of Georgia?

Mr. LEAHY. Mr. President, I understand there has been a request for a rollcall vote on Judge Jones, although I would recommend if we have such it be unanimous. I see the distinguished Senator from Georgia, Mr. ISAKSON, on the floor. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant editor of the Daily Digest called the roll.

Mr. DURBIN. I announce that the Senator from Hawaii (Mr. AKAKA), the Senator from New York (Mrs. GILLIBRAND), the Senator from Connecticut (Mr. LIEBERMAN), and the Senator from West Virginia (Mr. ROCKEFELLER) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from New Hampshire (Ms. AYOTTE), the Senator from Arkansas (Mr. BOOZMAN), the Senator from Oklahoma (Mr. INHOFE), the Senator from Arizona (Mr. MCCAIN), the Senator from Kentucky (Mr. PAUL), and the Senator from Pennsylvania (Mr. TOOMEY).

The PRESIDING OFFICER (Mr. MANCHIN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 90, nays 0, as follows:

[Rollcall Vote No. 26 Ex.]

YEAS—90

|            |              |             |
|------------|--------------|-------------|
| Alexander  | Feinstein    | Mikulski    |
| Barrasso   | Franken      | Moran       |
| Baucus     | Graham       | Murkowski   |
| Begich     | Grassley     | Murray      |
| Bennet     | Hagan        | Nelson (NE) |
| Bingaman   | Harkin       | Nelson (FL) |
| Blumenthal | Hatch        | Portman     |
| Blunt      | Hoeben       | Pryor       |
| Boxer      | Hutchison    | Reed        |
| Brown (MA) | Inouye       | Reid        |
| Brown (OH) | Isakson      | Risch       |
| Burr       | Johanns      | Roberts     |
| Cantwell   | Johnson (SD) | Rubio       |
| Cardin     | Johnson (WI) | Sanders     |
| Carper     | Kerry        | Schumer     |
| Casey      | Kirk         | Sessions    |
| Chambliss  | Klobuchar    | Shaheen     |
| Coats      | Kohl         | Shelby      |
| Coburn     | Kyl          | Snowe       |
| Cochran    | Landrieu     | Stabenow    |
| Collins    | Lautenberg   | Tester      |
| Conrad     | Leahy        | Thune       |
| Coons      | Lee          | Udall (CO)  |
| Corker     | Levin        | Udall (NM)  |
| Cornyn     | Lugar        | Vitter      |
| Crapo      | Manchin      | Warner      |
| DeMint     | McCaskill    | Webb        |
| Durbin     | McConnell    | Whitehouse  |
| Ensign     | Menendez     | Wicker      |
| Enzi       | Merkley      | Wyden       |

## NOT VOTING—10

|            |           |             |
|------------|-----------|-------------|
| Akaka      | Inhofe    | Rockefeller |
| Ayotte     | Lieberman | Toomey      |
| Boozman    | McCain    |             |
| Gillibrand | Paul      |             |

The nomination was confirmed.

The PRESIDING OFFICER. The motions to reconsider are laid on the table. The President will be immediately notified of the Senate's action.

## LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

PATENT REFORM ACT OF 2011—  
Resumed

Mr. LEAHY. Mr. President, I understand that the Senator from Colorado has an amendment that could be disposed of quickly and which is agreeable to both sides.

I yield to the Senator from Colorado. The PRESIDING OFFICER. The Senator from Colorado is recognized.

## AMENDMENT NO. 116

Mr. BENNET. Mr. President, I thank Chairman LEAHY, Senator GRASSLEY, Senator HATCH, and all of the members of the Judiciary Committee for their hard work on patent reform. Moving this bill forward has been a difficult task. I look forward to supporting the bill as we are in the process of amending it and improving it.

This legislation is critical for our economic growth if we are going to rebuild our economy and win the future. We need to make sure our patent system promotes research and development, investment, job creation, and global competitiveness.

This evening, I want to call up two amendments to this legislation that I believe address the need for efficiency and quality at the U.S. Patent and Trademark Office.

Mr. President, I call up amendment No. 116, which is at the desk.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Colorado [Mr. BENNET] proposes an amendment numbered 116.

Mr. BENNET. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To reduce the fee amounts paid by small entities requesting prioritized examination under Three-Track Examination)

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

(1) 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)".

Mr. BENNET. My first amendment, sponsored by Senator AYOTTE, can help small businesses utilize the Patent Office's Track I program by reducing their fees for participating. Track I allows applicants to get their patent processed more quickly, but the cost can be burdensome for small entities. This amendment would reduce small business costs by 50 percent.

This Track I program will give applicants the opportunity for prioritized examination of a patent within 12 months of its filing date. On average, the pendency period for first action was 25.7 months in 2010 and 35.3 months for final disposition. By moving this process along for small businesses, we will stimulate business activity and create jobs.

The 50-percent discount is in line with other small entity filing fee discounts offered by the Patent and Trademark Office and will ensure startups and smaller inventors will be at a more level playing field in order to take advantage of Track I.

I encourage my colleagues to support my small business amendment at the appropriate time.

Mr. President, I yield to the chairman.

Mr. LEAHY. Mr. President, I appreciate the amendment of the Senator from Colorado. When it comes to a vote, I think it will probably be unanimous. I suspect there will not even be a requirement for a rollcall vote. It does have this mandatory reduction in fees for small businesses at the Patent Office. I know the Senator is a strong advocate for small business in Colorado. The Patent Office has a backlog of more than 700,000 applications that haven't yet had a first response. This hits small businesses and independent ventures particularly hard because they can least afford a delay in receiving their rights. They have done a lot to reduce that backlog, but they need this legislation to finish it. They have the fast track process, where applicants pay additional fees to cover the costs and the examiners work overtime. Not all small businesses can afford the fast track application fee, and the Senator from Colorado, Mr. BENNET, wisely recognized that not all can afford that.

His amendment will ensure that small businesses and independent vendors will receive a 50-percent reduction in the fee. When the time comes for a vote, I will strongly support the amendment. I suspect both sides will strongly support it. I thank the Senator.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. BENNET. I thank the Senator from Vermont for his leadership and for his kind words about the amendment.

## AMENDMENT NO. 117

At this time, I ask unanimous consent to set aside the pending amend-

ment and call up my second amendment, which is currently at the desk.

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

The clerk will report.

The legislative clerk read as follows:

The Senator from Colorado [Mr. BENNET] proposes an amendment numbered 117.

Mr. BENNET. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To establish additional USPTO satellite offices)

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;

(3) improve recruitment of patent examiners; and

(4) decrease the number of patent applications waiting for examination and improve the quality of patent examination.

(c) REQUIRED CONSIDERATIONS.—In selecting the locale of each satellite office to be established under subsection (a), the Director shall—

(1) ensure geographic diversity among the offices, including by ensuring that such offices are established in different States and regions throughout the Nation; and

(2) rely upon any previous evaluations by the Patent and Trademark Office of potential locales for satellite offices, including any evaluations prepared as part of the Patent and Trademark Office's Nationwide Workforce Program that resulted in the 2010 selection of Detroit, Michigan as the first ever satellite office of the Patent and Trademark Office.

(d) PHASE-IN.—The Director shall satisfy the requirements of subsection (a) over the 3-year period beginning on the date of enactment of this Act.

(e) REPORT TO CONGRESS.—Not later than the end of the first fiscal year that occurs after the date of the enactment of this Act, and each fiscal year thereafter, the Director shall submit a report to Congress on—

(1) the rationale of the Director in selecting the locale of any satellite office required under subsection (a);

(2) the progress of the Director in establishing all such satellite offices; and

(3) whether the operation of existing satellite offices is achieving the purposes required under subsection (b).

(f) DEFINITIONS.—In this section, the following definitions shall apply:

(1) DIRECTOR.—The term "Director" means the Director of the United States Patent and Trademark Office.

(2) PATENT AND TRADEMARK OFFICE.—The term "Patent and Trademark Office" means the United States Patent and Trademark Office.

On page 104, line 23, strike "SEC. 18." and insert "SEC. 19.".

Mr. BENNET. Mr. President, my amendment provides for the establishment of three regional satellite PTO