

(B) to create fora for individuals working or conducting research in science, technology, engineering, and mathematics in the host country to discuss their work and the cooperation with the institutions and people of the United States and those of the host country; and

(C) to encourage future cooperation and relationships with students around the world in science, technology, engineering, and mathematics.

SENATE RESOLUTION 661—TO AUTHORIZE REPRESENTATION BY THE SENATE LEGAL COUNSEL IN THE CASE OF MCCARTHY V. BYRD, ET AL

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

S. RES. 661

Whereas, in the case of *McCarthy v. Byrd, et al.*, Case No. 1:10-CV-03317, pending in the United States District Court for the District of New Jersey, plaintiff has named as a defendant the President Pro Tempore of the Senate; and

Whereas, pursuant to sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(1), the Senate may direct its counsel to defend Members and officers of the Senate in civil actions relating to their official responsibilities: Now therefore, be it

Resolved, That the Senate Legal Counsel is authorized to represent Senator Inouye, the President Pro Tempore of the Senate, in the case of *McCarthy v. Byrd, et al.*

SENATE RESOLUTION 662—TO AMEND THE STANDING RULES OF THE SENATE TO REFORM THE FILIBUSTER RULES TO IMPROVE THE DAILY PROCESS OF THE SENATE

Mr. UDALL of Colorado submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 662

Whereas the Senate has operated under the cloture rules for many decades;

Whereas there has been a marked increase in the use of the filibuster in recent years;

Whereas sweeping, monumental legislation affecting economic recovery, reform of the healthcare system, reform of the financial regulatory system, and many other initiatives all were enacted in the 111th Congress after overcoming filibusters;

Whereas both parties have used the filibuster to prevent the passage of controversial legislation;

Whereas the Senate rules regarding cloture serve the legitimate purpose of protecting the rights of the minority;

Whereas there are many areas where the rules of the Senate have been abused, and can make way for changes that will improve the daily process of the Senate; and

Whereas bipartisan cooperation can overcome nearly any obstacle in the United States Senate, changing the Senate rules must also be done with bipartisan cooperation: Now, therefore, be it

Resolved,

SECTION 1. CHANGING VOTE THRESHOLD TO PRESENT AND VOTING.

The second undesignated subparagraph of paragraph 2 of rule XXII of the Standing

Rules of the Senate is amended by striking “duly chosen and sworn” and inserting “present and voting”.

SEC. 2. MOTIONS TO PROCEED.

Paragraph 2 of rule VIII of the Standing Rules of the Senate is amended to read as follows

“2. Debate on a motion to proceed to the consideration of any matter, and any debatable motion or appeal in connection therewith, shall be limited to not more than 4 hours, to be equally divided between, and controlled by, the majority leader and the minority leader or their designees except for—

“(1) a motion to proceed to a proposal to change the Standing Rules which shall be debatable; and

“(2) a motion to go into executive session to consider a specified item of executive business and a motion to proceed to consider any privileged matter which shall not be debatable.”.

SEC. 3. NO FILIBUSTER AFTER COMPLETE SUBSTITUTE IS AGREED TO.

Paragraph 2 of rule XXII of the Standing Rules of the Senate is amended by inserting at the end the following:

“If a complete substitute amendment for a measure is agreed to after consideration under cloture, the Senate shall proceed to a final disposition of the measure without intervening action or debate except one quorum call if requested.”.

SEC. 4. NO FILIBUSTER RELATED TO COMMITTEES ON CONFERENCE.

Rule XXVIII of the Standing Rules of the Senate is amended by inserting at the end the following:

“10.(a) Upon the Majority Leader making a motion to disagree with a House amendment or amendments or insist on a Senate amendment or amendments, request a conference with the House, or agree to the conference requested by the House on the disagreeing votes of the two Houses, and that the chair be authorized to appoint conferees on the part of the Senate, debate on the motion, and any debatable motion or appeal in connection therewith, shall be limited to not more than 4 hours, to be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

“(b) A motion made by the majority leader pursuant to subparagraph (a) shall not be divisible and shall not be subject to amendment.”.

SEC. 5. TIME PRECLOTURE.

Paragraph 2 of rule XXII of the Standing Rules of the Senate is amended—

(1) in the first subparagraph of paragraph 2, by striking “one hour after the Senate meets on the following calendar day but one” and inserting “24 hours after the filing of the motion”; and

(2) in the third undesignated paragraph, by striking the second sentence and inserting “Except by unanimous consent, no amendment shall be proposed after the vote to bring the debate to a close, unless it had been submitted in writing to the Journal Clerk 12 hours following the filing of the cloture motion if an amendment in the first degree, and unless it had been so submitted at least 1 hour prior to the beginning of the cloture vote if an amendment in the second degree.”.

SEC. 6. DIVISION OF TIME POSTCLOTURE.

The fourth undesignated subparagraph of paragraph 2 of rule XXII of the Standing Rules of the Senate is amended by inserting “(to be equally divided between the majority and the minority)” after “thirty hours of consideration”.

SEC. 7. ALLOWING COMMITTEES TO MEET WITHOUT CONSENT.

Paragraph 5 of rule XXVI of the Standing Rules of the Senate is amended by—

(1) striking subparagraph (a); and

(2) redesignating subparagraphs (b) through (e) as subparagraphs (a) through (d), respectively.

SEC. 8. READING OF AMENDMENTS.

Paragraph 1 of rule XV of the Standing Rules of the Senate is amended by inserting at the end the following:

“(c) The reading of an amendment may be waived by a nondebateable motion if the amendment has been printed in the Congressional Record and available for at least 24 hours before the motion.”.

SEC. 9. ALLOWING AMENDMENTS WHEN AMENDMENTS PENDING BY A LIMITED MOTION.

Rule XV of the Standing Rules of the Senate is amended by adding at the end the following:

“6.(a) If an amendment is pending and except as provided in subparagraph (b), a nondebateable motion shall be in order to set aside any pending amendments in order to offer another germane amendment. No Senator shall offer more than 1 such motion in any calendar day and the Senate shall consider not more than 5 such motions in any calendar day.

“(b)(1) A nondebateable motion shall be in order to waive the requirement of germaneness under subparagraph (a).

“(2) A waiver motion under this subparagraph shall require three-fifths of the Senators duly chosen and sworn.

“(c) An affirmative vote of three-fifths of the Senators duly chosen and sworn shall be required to sustain an appeal of a ruling by the chair on a point of order raised under this paragraph.”.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4667. Mr. WEBB (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 3454, to authorize appropriations for fiscal year 2011 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 4668. Mr. DURBIN (for Mr. KYL (for himself, Mr. MERKLEY, Mr. BURR, Mrs. FEINSTEIN, Mr. ISAKSON, Ms. COLLINS, and Mr. VITTER)) proposed an amendment to the bill H.R. 5566, to amend title 18, United States Code, to prohibit interstate commerce in animal crush videos, and for other purposes.

SA 4669. Mr. DURBIN (for Mr. BINGAMAN) proposed an amendment to the bill H.R. 3940, to amend Public Law 96-597 to clarify the authority of the Secretary of the Interior to extend grants and other assistance to facilitate political status public education programs for the peoples of the non-self-governing territories of the United States.

SA 4670. Mr. DURBIN (for Mr. BINGAMAN) proposed an amendment to the bill H.R. 3940, supra.

SA 4671. Mr. DURBIN (for Mr. AKAKA) proposed an amendment to the bill H.R. 3219, to amend title 38, United States Code, and the Servicemembers Civil Relief Act to make certain improvements in the laws administered by the Secretary of Veterans Affairs, and for other purposes.

SA 4672. Mr. DURBIN (for Mr. AKAKA) proposed an amendment to the bill H.R. 3219, supra.

TEXT OF AMENDMENTS

SA 4667. Mr. WEBB (for himself and Mr. WARNER) submitted an amendment