

credit for is the fact that he has advanced forward dramatic education reform within his proposals. Unfortunately, the House bill will cut \$5 billion from the Department of Education and over \$1 billion from the Head Start Program.

When we are trying to look at our kids competing against kids from India and China, does it make sense, if we are going to grow our economy, to slash education programs, if we are going to have that well-trained workforce?

So I do believe the House proposal is shortsighted. I believe it does not do anything to take on the structural deficit our country is facing. I will continue to work with the Presiding Officer and I think a growing number of Members from both sides of the aisle. Our suggestion is to go ahead and take the good work that was put forward by the Presidential debt and deficit commission as at least a starting point and put in place as consequences if we do not act; that we will not solve this issue—which, I believe, is the issue of the day, which as Chairman Mike Mullin said is the No. 1 national security issue for this country, to get our deficit and debt under control—unless we can broaden this debate from the 12 percent of domestic discretionary to include, yes, defense spending, entitlement spending, tax reform, trying to make sure everything is on the table.

The House approach does not do that. The House approach is shortsighted. The House approach will not allow us to grow our economy in a way we need. I will be voting against that proposal when it comes to the floor. But I look forward to working again with all my colleagues to make sure we get a true comprehensive deficit and debt reduction plan that this Congress can vote on and put into action.

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. UDALL of Colorado. 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 President, I ask unanimous consent that the order for the quorum call be rescinded.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. UDALL of Colorado. Mr. President, I wished to rise to speak on the legislation that is currently before the Senate, the America Invents Act of 2011. I wish to applaud the work of Judiciary Committee Chairman LEAHY and Ranking Member GRASSLEY for working so hard to bring this complex, bipartisan legislation to the Senate floor.

As we work to rebuild our economy, get Americans back to work, and win the global economic race, we should all appreciate this effort to spur innovation and create jobs. Patent reform is an important issue for Colorado's economy and, of course, our national economy. High-tech innovators represent over 12,000 jobs in Colorado, and they

are an important part of our economic recovery.

In addition, Colorado has a vibrant biotech, clean energy, and aerospace set of industries. That is why I believe getting patent reform right and achieving consensus on provisions such as inter partes reexamination is so important.

Inter partes reexamines a proceeding at the Patent Office that allows for the validity of a patent to be challenged in an administrative proceeding. These proceedings are intended to serve as a less-expensive alternative to courtroom litigation and provide additional access to the expertise of the Patent Office on questions of patentability.

Inter partes reexam is often the preferred method of examination because a panel of experts is more likely to reach the correct decision on a technical question compared to a jury composed of laypeople. The inter partes process is not frequently used today because of procedural restrictions in the existing law. Rather than expanding the opportunities to use the inter partes reexamination process, the America Invents Act before us today imposes standards that are more restrictive than current law and are not supported by top high-tech innovators.

We need a patent reform bill that is fair to America's innovative technology companies and all users of the patent system.

By failing to provide any relief from the huge burden abusive patent lawsuits impose on technology companies and instead reducing the protections in current law, I fear this legislation will force these companies to spend hundreds of millions of dollars on frivolous lawsuits. These are dollars that otherwise would be used to employ engineers, produce and market new goods and services, and help Colorado and America win the global economic race.

As this legislation moves to the House, we must work to achieve consensus on inter partes reexamination. While I do not believe we have the right balance quite yet, I do believe this bill is a good faith effort to improve our patent system, and I am going to support moving it forward because we cannot let job-creating patents languish any longer.

As we all know, the Patent Office has an enormous backlog of nearly 700,000 applications, in addition to a half million new applications every year. Each of these pending applications will create on average 3 to 10 jobs. But while these applications collect dust in America, other countries are getting a head start on technologies that can revolutionize the way we live. I am very pleased the America Invents Act will address the funding challenges faced by the Patent Office. This legislation will allow the Director of the Patent Office to set fees as necessary, but it will also ensure that those fees stay at the Patent Office—all without any cost to taxpayers. This legislation will allow the Director to finally clear

the backlog and create needed jobs through innovation. It is my hope that the funding provisions in the America Invents Act stay in this legislation as it moves to the House.

I am also pleased that this legislation includes an amendment I cosponsored with Senator BENNET to establish additional satellite patent offices around the country. It is no secret that we believe Colorado is well situated to house a regional satellite patent office because of the combination of our rich and diverse innovative economy, our strong research universities and the fact that Colorado is a great place to live. I am confident that Colorado will be competitive in the process of selecting these new satellite patent offices.

In the end, I believe the America Invents Act goes a long way to help unleash America's innovative spirit, but we need to make sure that we don't make changes that could have unintended consequences for some of our most innovative companies. Let's get patent reform right. Let's move it forward, and let's continue working to make our patent system fair, efficient and supportive of innovators as we seek to compete in the global economy.

I thank the Presiding Officer for his attention and interest in his own State of Montana.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, at 12:33 p.m., the Senate recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. WEBB).

The PRESIDING OFFICER. The Senator from Pennsylvania.

MORNING BUSINESS

Mr. CASEY. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business until 3:30 p.m., with Senators permitted to speak therein for up to 10 minutes each.

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

Mr. CASEY. 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. CARDIN. 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. CARDIN. Mr. President, I understand we are in morning business; is that correct?

The PRESIDING OFFICER. That is correct.

THE BUDGET

Mr. CARDIN. Mr. President, I take this time to talk about the budget deficit and what we need to do in order to

bring our budget into balance to have a credible plan to deal with our future growth in this Nation.

I start off by saying the budget deficit is an extremely serious issue for this Nation. We do not have a sustainable budget. You cannot sustain a budget that creates debt at 10 percent of our gross domestic product and a gross debt that equals 100 percent of our GDP. We need to bring down our deficit in order to have the type of economic growth that our children and grandchildren will be able to enjoy a better economic circumstance than this generation.

First, before we talk about where we need to go, we have to understand how we got here. I am not going to harp on this, but I wish to make sure the people of Maryland and the Nation know how we got to these large deficits so we do not repeat the mistakes of the past.

During President Clinton's administration, we balanced the budget. I might say, we did that—the Democrats did it—without a single vote from the Republicans. We were on course to retire all of our debt, and that was just 10 years ago.

Then, under President Bush, we cut taxes twice without paying for it. We went to war in Iraq and Afghanistan and did not pay for it. To date, the war in Iraq has cost \$770 billion. That is money we had to borrow in order to fight that war in Iraq.

We had chosen, under the previous administration, that it was more important to cut taxes than it was to balance the budget, and that was a mistake. President Obama inherited a huge deficit and an economy that was hemorrhaging 700,000 jobs a month.

Well, it is time now to move forward. We have turned our economy around. It is growing, but we need to do it in a way that does not jeopardize our economic recovery. But it is absolutely essential we start to move our budget back into balance and we take aggressive steps to do it.

Today, in the Budget Committee, we heard from Erskine Bowles and Senator SIMPSON from the debt commission, and I think we were all impressed. If we are going to get a credible plan—which is critically important for our Nation—to balance the budget, we need to follow the example of the debt commission. It does not mean we have to agree to everything the debt commission did. But the debt commission recognized we could not balance the Federal budget by cutting discretionary domestic spending alone; that we need a game plan which brings all the major components of the budget together: discretionary domestic spending, military spending; we need to deal with entitlements, and we need to deal with revenues. We are only going to get this done if Democrats and Republicans work together for a credible plan. That is what we need to do in order to bring back our economy.

The only specific proposal we have had come over from the House of Rep-

resentatives to date—H.R. 1, their budget—I believe does not follow the example of the debt commission. I believe it is extremely harmful to the process of trying to work out a plan where we have a credible effort to balance the budget with shared sacrifice because the House-passed budget, the Republican budget in the House, gets all its savings from 12 percent of the Federal budget, from discretionary domestic spending, and it jeopardizes our recovery. Mark Zandi, the economist from Moody's, said we would lose 700,000 jobs if the House-passed Republican budget were enacted into law.

Let me give you some examples as to how it would affect the people of Maryland if the House budget became law.

First, let me talk a little bit about some of the budget cuts themselves.

About 10 days ago, I was at the Greater Baden Health Center in Prince George's County, MD. They are expanding that health center to include prenatal care. The reason, quite frankly, is that the infant mortality rate in Maryland is way too high. We rank 29th in the Nation. That is unacceptable. In the African-American community, the infant mortality rate is 260 percent of that of the White community. The problem is, we have too many low birthweight babies. Some die and become part of the infant mortality statistics. Others survive and have complications throughout their lives.

It is in our interest, from every perspective, to bring down that infant mortality rate and to provide prenatal care for women so we have healthier babies. I hope we would all agree to that. We are doing something about that in Maryland, using moneys that were a part of the Affordable Care Act. The Republican budget would eliminate that funding. That community would not be able to expand with prenatal care to do something about the health of our citizens.

Mr. President, 2,900 community health workers would lose their jobs in Maryland—2,900 community health workers would lose their jobs in Maryland—if the House-passed budget, H.R. 1, became law.

I have taken the floor on several occasions, and a little earlier today, to talk about the Chesapeake Bay and the Federal partnership. We have had a Federal partnership in cleaning up the bay. It is the largest estuary in North America. It is a body of global significance, and it is in danger because too many pollutants are entering the bay as a result of population growth, development, and farming practices.

Well, we have a game plan to do something about it. But the budget that passed the House would cut the Chesapeake Bay program dramatically—\$25 million—making it extremely difficult for us to move forward on our remedial efforts. Making it even worse, there is an environmental rider that was put on H.R. 1 that says none of the funds made available under this act may be used to implement the bay restoration plan now underway.

What does that mean? It means each one of the States that are in the watershed of the Chesapeake Bay—the States of Maryland; Virginia, the Presiding Officer's State; Delaware; New York; Pennsylvania; West Virginia; and the District of Columbia—they all rely on improving their wastewater treatment facility plants in order to reduce the pollutants going into the bay under the State revolving fund. Well, if that rider became law, the States could not participate in that program. They would not be able to implement one of the major features of their plan in order to reduce the pollutants going into the bay to make it a cleaner body of water.

I could talk about the watershed grants that go to schools and civic associations—eliminated under the Republican budget—or I could talk about how the State gets money to operate its water funds—eliminated under the House-passed budget.

The Environmental Protection Agency sees their budget reduced by over 30 percent. Plus, there are additional environmental riders that make it very difficult for the Environmental Protection Agency to protect the environment.

In Maryland, we would lose \$150 million toward the Federal Government's commitment to the Washington Metro system. This affects the entire area, including Virginia and the District. This is the Nation's Metro system that allows the Federal workforce to get to work. We entered into a 10-year commitment with the local jurisdictions, including Maryland, Virginia, and the District, that the Federal Government would be a partner—\$150 million a year—toward those costs. The House budget eliminates those transit funds.

The Republican House budget would cut Head Start by \$1.1 billion. Mr. President, 157,000 children would be affected, 2,300 in the State of Maryland—2,300. These are children who are getting a better start in life because of this program, and the budget passed in the House, H.R. 1, would eliminate those services for so many of our children.

Pell grants, to allow families to be able to afford a college education, are reduced by \$5.7 billion. It affects 9.4 million students. What does it mean for the people of Maryland? It means those who have Pell grants today could see their grants go down by as much as \$650. I can tell you, there are many families in Maryland who cannot afford that extra \$650. Without a college education today, it is difficult to be able to be as competitive as you need to be in order to take advantage of our economic opportunities.

The WIC Program that helps women and infants and children is cut by 10 percent under the House-passed budget. NIH funding is down \$1 billion.

Research—and not just at NIH, located in Maryland, but also at Johns Hopkins University and the University of Maryland Medical Center—would be

disrupted if the Republican-passed budget, H.R. 1, were to become law.

Our challenge, as President Obama said in the State of the Union Address, is that we have to outeducate, outinnovate, and outbuild our competitors so that America will be able to compete in the 21st century globally. That is our challenge. H.R. 1, the Republican budget, doesn't allow us to do that. There is a better way of doing it, and, as the President said, we need to do it in a fiscally responsible way. How do we do that?

We need a credible plan to balance the Federal budget—a credible plan that will bring in more deficit reduction than H.R. 1, the Republican budget, because you need to allow America to grow, yet move toward a balanced budget. The only way is to include all sectors, not just discretionary domestic spending. You need to include military spending, you need to deal with entitlements, and you need to deal with revenues. President Obama's budget starts us down that path by freezing discretionary domestic spending over 5 years. We have already gone further than that in the continuing resolution we have passed. We are going to go back to 2010 numbers or even below that.

We have already put on the table dramatic reductions in the growth rate of discretionary domestic spending, but we need to include defense. Iraq and Afghanistan need to come to an end; those savings will be dramatic. America cannot continue to have a growth economy where we spend so much more than any other nation on our national defense. We have to protect the people in this Nation, but we cannot take on the burdens of the world. There have to be adequate burdens among our allies, which will bring savings to the U.S. taxpayer.

In entitlement spending, we need to bring down costs. We took a major step forward in doing this in the Affordable Care Act. One of the areas in which I agree with some of our Republican friends who are criticizing the CBO is that their numbers are off. We are going to get more savings, not less, than what the CBO estimated.

I am convinced that when you deal with people in preventive health care and use better information technology, when you manage people's diseases, when you deal with readmissions so people understand what they need to do to stay healthy, when you put all that together, when you expand our community health centers, as I said earlier about what happened at the Greater Baden center on prenatal care, when you do all that, it will bring down the rate of health care costs.

America spends more than any other nation, any way you want to calculate it, on health care. We don't have the health care results to demonstrate that type of commitment. We can bring down the cost of health care, and when we do that, by implementing the Affordable Care Act and making sure we

get those savings, we will bring down the Medicare costs and we will bring down the Medicaid costs, which will save taxpayers even more under our entitlement spending. We can get those savings.

By the way, we are going to save middle-income families in this country by also reducing their costs for health care. That is what we need to do to make our economy stronger.

We can do something about entitlement spending, and there are other areas we need to look at. The farm subsidy programs need to be reviewed, and the debt commission made recommendations in that regard that I think are worthy of our review.

Then there is revenue. Yes, I think we need to take a look at revenues. Our current income tax structure cannot be justified, as has been pointed out frequently. We hemorrhage as much revenue in our Tax Code as we raise. If you eliminated all the special provisions, you could cut the tax rates in half. Since we had tax reform in 1986, we have added so many new loopholes and provisions and special interest provisions in the Tax Code. In 1986, we attempted to lower the rates and make sure everybody paid their fair share. Well, it is now 2011, and we are out of balance, and we need to look at tax reform.

I urge, in looking at tax reform, that we should look at consumption-based taxes. I know the criticisms of that, but I will start by saying that if we had consumption-based taxes to deal with some of our income tax revenues, we would be more competitive internationally. If you are an export company and you are choosing whether to locate in America or in another country, you pay income taxes here that cannot be taken off the price of your product when you put it in the international marketplace. If you locate in another country that uses consumption taxes at a higher level than we do—we don't use it at all—but a higher level than our income taxes, that country will allow those exporters to take the tax off when they put their products into the international marketplace. That is acceptable under the World Trade Organization, putting American producers at a disadvantage.

We need to save more as a nation. We have heard over and over the point made that America, during the height of our economic progress, had one of the lowest savings ratios in the world. We need to save more as a nation. Our Tax Code should encourage savings much more than it does today.

I want to make it clear that I am totally committed that in tax reform we should make our Tax Code more progressive. I don't believe it is progressive enough. Progressive means that it is based, at least in part, on the ability to pay. Wealthier people will pay a higher percentage of the tax than lower income people. Today, under our income tax system, many people do not have to pay income tax now. We can

design a consumption tax, so they won't have to pay a consumption tax and there is no new tax burden. There are proposals out there that can take more people off the tax rolls.

By the way, this is a zero-sum game on revenue. Let's decide how much we need and then raise it in a cost-efficient way that will allow America to grow.

That is the type of reform I hope we will be able to get. If we do, it will mean not only bringing our budget into balance by a credible plan that deals with discretionary domestic spending and military and entitlement and revenues but does it in a way that allows America to grow by investing in our future—in education, in energy, in our transportation infrastructure and transit and all those areas that we need—so that we can meet the challenges of the future but do it in a way that is fiscally responsible.

How do we get this done? We get it done by coming together and listening to each other. I don't think anybody here has a monopoly on what is right. For the sake of our Nation, let's listen to each other and try to get this done in a way where we have a credible plan. It has to be a credible plan. These are not Democratic or Republican or Independent problems; these are American issues. We have to put our Nation first.

I hope we will step back a little and listen to the debate and use the debt commission as a model of civility. Again, I am sure we will have different views on it, but at the end of the day, I hope we can achieve at least the deficit reduction of the commission. I think we can. The people of Maryland and the country want us to do this. Working together, I think we can accomplish those goals.

With that, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant editor of the Daily Digest proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. FRANKEN). Without objection, it is so ordered.

Mr. DEMINT. Mr. President, I have been sitting in my office listening to news reports about the Congress and the President arguing about the budget and the debate about what we are going to cut. It is interesting to think back over the last couple of years, because it is hard to put these things together. After 2 years of the largest expansion of government, the biggest increase in debt in our history, now suddenly we are debating what needs to be cut.

I think over the last couple of years as the President proposed a massive spending plan—which we called a stimulus—and Republicans were saying no, that is not the way to improve the economy. But the President insisted it would keep unemployment below 8 percent and get our economy going again.

Republicans said no. We were accused of being the party of no. As it turns out, we were right.

Then it wasn't too long until the President insisted we needed essentially a national takeover of our health care system, and this, he promised, would lower the cost of health insurance. Republicans said no, what we need is more freedom for patients and physicians to work together, and more transparency, more competitiveness in the market. The President said no, that his way of nationalizing health care was better. Republicans were again called the party of no for saying that was not the way to go. But as it turns out, we were right. Insurance premiums are headed straight up. Even the New York Times today talked about skyrocketing insurance premiums and less health care.

Well, it wasn't long after that until the President and our Democratic majority wanted more national control of our whole banking system, with the financial reform that was supposed to loosen credit and help our economy get going again. But I have talked to too many bankers back home to believe that worked. Of course, Republicans said no, that wasn't the direction we needed to go. We were called the party of no. But as it turns out, we were right.

You might say we were the party of no, but you spell it K-N-O-W. We knew this centralization of power, of government control, was not going to stimulate our economy, that it was not going to improve our health care system, and it wasn't going to improve our banking system. It was the time to say no.

Last November, the American people decided it was time to say no. They began to put a stop to what has been going on around here, and we know what happened in the House and the elections over here. The American people were pretty clear. They instinctively knew we couldn't continue to spend more than we were bringing in. They knew when you are borrowing 40 cents on every dollar you spend that sooner or later the country is going to be bankrupt.

But it is amazing that since that election, even with the changes here, our colleagues on the other side the other day killed a proposal to balance the budget—a resolution that called for the balancing of the budget. I think most Americans know if you are not willing to balance your checkbook or balance your budget, sooner or later you are going to be bankrupt. I think that is what a lot of Americans are afraid of right now.

I think we have a different situation going on with our colleagues on the other side. From Wisconsin to here in Washington, as we look at the budget problems and the debate on how to cut spending at the Federal level, we have a party of no show. They are not showing up for the debate in Wisconsin. The Democrats headed across the State

line. And in the budget debate, the President, who had pledged to do something about our spending and our deficits and go through the budget line by line, didn't even produce a budget. And regarding the budget he proposed this year—and promised that it would keep us living within our means—even the most liberal commentator said this expands our debt nationally probably more than \$10 trillion over the next 10 years. We are over \$14 trillion in debt, we hit our debt ceiling within the next month or 2, and we are debating how much to cut.

I want to talk a little bit about this debate because it shows that even with the astounding election we had in November, very quickly Congress is back to business as usual. The deficit we are looking at this year in America—this is just 1 year—is over \$1.5 trillion. That is going to be on top of the \$14 trillion that we are already experiencing. The projections are that we will increase our debt over the next 10 years another \$1 trillion every year. Last month, in February—which was a short month—over \$220 billion of debt was incurred in that 1 month. That is a larger deficit than we have experienced in most years our country has been around. It is crazy, \$220 billion in 1 month.

We are facing \$1.5 trillion this year. It is amazing how this place can lower our expectations. Do you know what the debate is about right now? The Republican House has proposed \$61 billion in cuts against the \$1.5 trillion. The Democrats have told us this is completely unacceptable; these are Draconian cuts. The President proposed around \$6 billion. I think the Democratic leader is coming out with one that is about \$4.5 billion, which some say is too much of a cut.

As we are looking at doubling this \$14 trillion deficit over the next 10 years or close to doubling it, and the hard decisions we have to make about how to deal with Social Security and Medicare, the big decisions about how we economize even in areas like our defense, how we possibly deal with this debt, we have a Congress now that instead of addressing the issue of \$1.5 trillion is debating between \$61 billion and \$6 billion. These are fractional. You cannot even see the line here, of what is being proposed by our Democratic colleagues.

I am afraid that President Obama and Democrats, like we see in Wisconsin, are not showing up for this debate. Instead of proposing realistic ways to tighten our belts at the Federal level and look at how we can balance our checkbook, as so many Americans have to do every month in their homes, the President has decided to sit on the sidelines and criticize things that have to be trimmed or cut or changed.

It is amazing. The Democratic leader has called Republicans "mean spirited" because they are proposing to cut funding for a cowboy poetry festival. I love poetry and cowboys as much as anyone

else, but we are looking at bankrupting our Nation, destroying the future that was given to us by our predecessors, and we cannot even get close to a realistic debate on how we can stop this rampage toward bankruptcy in America. There is not enough there. Even what the House Republicans have done is not enough. I realize that politics is sometimes the art of the possible, but I am hoping it can become the promotion of the principles that make this country great and can secure our future.

We all have to decide today how we are going to vote. Obviously, this \$6 billion is not a serious proposal by our Democratic colleagues. But I think those of us who realize we are up against a mountain of debt—how do we deal with even the highest proposal now that is coming through Congress? My point is this: There are some hard decisions that have to be made in Washington, some very hard decisions. There is a new reality that we have to face as a Congress. We have to tell the truth. Americans just want the truth. They want fact-based budgeting. They want us to do what we need to do to save our country. Obviously, no one wants anything that is coming to them to be cut, but I have talked to too many Americans who have said: Keep fighting. Do what has to be done to leave this country as good as we found it. I think that is a reasonable request for us to consider.

What we are doing is not even within the realm of reality of what has to be done to leave America better than we found it. This is not about partisan politics anymore, this is about the survival of America. This is about avoiding bankruptcy not just for our country, but this country has been the bastion of freedom and the model for democracy and freedom for centuries. The other countries even today are looking to us and wanting to be free as violence erupts around the world. They want to overthrow authoritarian regimes so their people can live in freedom. But at the time other countries strive to be like America, America seems to be determined, at least at the political level, to push our way toward being a Third World country that is so in debt and so dependent that we can no longer determine our destiny.

Today America is literally on its knees to China and other countries for the credit we need to run our economy. We are also on our knees to the Middle East, which is very unstable right now, for the energy we need to run our country, to even take our food to market, the essentials at home. But instead of addressing the real issues, knowing this budget is in front of us, over the last couple of weeks, when we knew we just had this 2-week funding bill to get us through, instead of debating what we are really up against we have been dealing with a patent bill.

I think it is good to improve our patent system, but the party that is leading the Senate has been a no-show on

the issue that is really threatening our country. And unless they show up, it is very difficult for Republicans—who are not in the White House; they are not controlling the Senate—to actually take the steps that are needed to move our country back in the right direction.

My invitation today is to my Democratic colleagues, that after listening to them call us the party of no, I will say that we were right, and our hope is they will listen to what we are saying and show up for the debate on our budget and do what we need to do to change the role of the Federal Government, to devolve functions back to the States and back to individuals so this country can continue to survive and thrive and succeed in the future.

This is within our grasp. It is something we can do. This is not a doomsday scenario because many of the solutions are not in what the Federal Government can do but what the Federal Government can let go of. As we look at the problems we have, it is not a matter that freedom has failed. The problem is we have failed to let freedom work. We have tried to take control of education, of health care, of transportation, of energy, of retirement programs. The fact is, we have not done it well and now we are spending so much that our country is threatened with bankruptcy. There are good solutions if we are willing to look at letting things go.

As we consider this massive debt hill we have to climb, we need to realize we can and we must balance the budget. That is probably what I would consider the No. 1 goal of the Republicans right now is to produce a budget that shows within 5 years that we can balance the budget and leave America better off than before we started. I believe with real freedom solutions we can do that.

We need to go back to where we started. This political system, this Washington establishment has brought America to the brink of bankruptcy. The debt in 1 year—even 1 month—and we are talking about not even addressing for maybe a few days and we cannot even agree on this \$61 billion.

I hope the American people who were so instrumental in changing things in November will rise up and let Washington know that it is time to get serious about reforming the way we spend money in Washington. We have had reports in the last week that show over \$100 billion of outright waste that we could cut immediately if we would just address it. But when one party will not show up for the debate it is very difficult to do.

Let's make this more than partisan politics. Let's cooperate. Let's look at the real problem and let's address it. I believe we can succeed.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. LAUTENBERG. 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. LAUTENBERG. Mr. President, I inquire of the Parliamentarian: My understanding is, we are in morning business with Senators permitted to speak for 10 minutes each.

The PRESIDING OFFICER. The Senator is correct.

Mr. LAUTENBERG. Mr. President, there is a lot of talk these days about dangers posed to our national security from far away places: revolution in Libya, the war in Afghanistan. They get our full attention. But what about the dangers that lurk inside our Nation?

We have a domestic situation, a danger that is directly visible, and we are about to stoke that fire. House Republicans are going after something as fundamental as the air our children breathe.

The budget they recently passed calls for the gutting of the Clean Air Act, which is a clear and present danger, as they fail to solve a major fiscal requirement. That includes the expansion of revenues to balance the budget rather than simply the slash-and-burn policy we are now undergoing.

The Clean Air Act protects our children from toxic chemicals in the air and illnesses such as asthma and lung cancer. Last year alone, that law prevented 1.7 million cases of childhood asthma and more than 160,000—160,000—premature deaths, according to EPA. Those numbers are big, but they loom a lot larger when it is your child. As we often say here, what goes around can come around.

If you want to know the real value of the Clean Air Act to America's families, talk to the millions of parents who live in fear of their children's next asthma attack. It is a fear my own family knows all too well. One of my grandsons suffers from this disease. He is an athletic young man, and every time he goes to a competitive game, my daughter first checks to see where the closest emergency room is, if she hears him starting to wheeze.

The House Republican budget says to these families: We are sorry, we are here as accountants and we are not here to worry about these humanitarian things—as ridiculous as that sounds. But that is the result of the work they have done over there with their budget.

They say you cannot restrict polluters with regulations because it is too cumbersome. If you do not like regulations, get rid of traffic signals. Those red lights slow traffic down. It is a terrible inconvenience. Think of the outcome if you had no red lights. Or maybe they would get rid of the air traffic control system—pilots having to wait for some governmental bureaucrat to tell them when and where they can fly, land, or take off.

The House Republican budget does not even allow us to control mercury

emissions. Mercury is brain poisoning for children. The Centers for Disease Control has said mercury is a potent neurotoxin that can—and I quote here from their statement—“permanently damage the brain, kidneys, and developing fetus.” Yet the House Republicans want to return mercury to our Nation's air.

The House Republicans also, in their budget, prevent the EPA from strengthening air quality standards for soot pollution. Soot pollution reaches deep into the lungs and causes serious health problems, especially in the very old or the very young. As shown in this picture I have in the Chamber, you see how ugly it looks. It is much uglier when it reaches inside a child's body.

Studies have linked soot with aggravated asthma, heart attacks, and premature death. Why would we want to weaken our clean air laws and allow polluters to pump more smog, more soot, and more toxic substances into the air our children breathe?

It is pretty simple: The tea party Republicans in the House apparently do not care about protecting our children's health. They only care about one thing: cutting the budget no matter the real cost, the long-term pain that can follow by cutting these budgets.

The question we have to ask here is: Do we want our children to be able to play outside in clean air that allows them to grow and be healthy? Or should we keep them indoors all the time?

If you want to see where the House Republicans will lead us, look at China. China has no clean air act. The air is so polluted that many people wear masks when they walk outside. During the Olympics in Beijing, some U.S. athletes delayed their arrival to avoid the polluted air.

On a trip I took to China some years ago, I went to visit the Minister of the Environment, and he complained. He said: Look at how the United States fouls the air with their burning of fuel. I asked him to join me at the window. We were on the 23rd floor. You could not see the sidewalk—that is how heavy the pollution was in the air.

We do not want to be like that. We want to make sure we take care of our obligations. And the strongest obligation anybody has in America is to their children. Interestingly enough, what is happening now is: The phone calls that came to my office in New Jersey at first seemed to support these irrational budget cuts; and now they have turned around and they do not like what they see.

We would rather make sure our children are taken care of, that we try to balance the budget in more efficient ways. The one I talk about on a regular basis is revenue. I ran a pretty good-sized corporation before I came to the Senate and I know something about financial statements. I knew one thing: that we had to continually improve the revenue so we could, in that corporation, increase the profits and not cut

staff needlessly or endlessly while the company got weak. We cannot do it in this country of ours.

So we face a very difficult task because people are feeling the squeeze on their incomes, concerned about job protection, concerned about being able to stay in their houses. We still face a lot of foreclosure possibilities for homeowners. They cannot educate their children, cannot take care of their health. We cannot say to them, as we used to say, that we know our children will do better in the future in their lives than we did in ours. We cannot say it and be honest about it. We do not know that is true. If we continue along the path we are on, we are going to be looking at fairly bleak things to tell our children about as they grow, if we do not work harder to balance the budget, educate our kids, make sure their health is good, with America being what it is always thought to be: a golden opportunity to bring your families up and make sure life is acceptable or better than they otherwise might have had.

Madam President, how is the time here?

The PRESIDING OFFICER (Mrs. SHAHEEN). The Senator used 9½ minutes.

Mr. LAUTENBERG. Madam President, I will take that half minute, and I ask unanimous consent that if I go over the half minute that I get 2 more minutes.

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

Mr. LAUTENBERG. Madam President, I served in World War II a long time ago, but I have been around a long time. When I went into the Army—I enlisted when I was 18—my father was deathly ill with cancer. My mother was 37 years old. The prospects for life for our family were grim. I went to the Army. My father, with a condition, arranged with the recruiters that I would be allowed to stay home till my father passed away. He was 43 years old. My mother became a 37-year-old widow, and things were tough. Money was owed to doctors and pharmacists and hospitals.

Why do I talk about this now? It is because I was given the benefit, as were 8 million others who were in uniform, to get my college education. I went to Columbia University. It was so far distant from my vision when I graduated from high school and enlisted in the Army. It turned out to be the greatest generation America has ever seen. It was because the government intervened at the right time and made sure that education was abundantly available for those who could learn. That is what we ought to recall about America, and not this kind of a gloomy picture that says, OK, we are growing, but so are the threats to health and well-being.

EXTENSION OF MORNING BUSINESS

Mr. LAUTENBERG. Madam President, I ask unanimous consent to extend morning business until 5 p.m., with Senators permitted to speak therein for up to 10 minutes each.

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

Mr. LAUTENBERG. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

AMERICA INVENTS ACT

Mr. HATCH. Madam President, before the Senate moves to final passage of the America Invents Act of 2011, I wish to express my unequivocal support for this bill. This is not a perfect bill, but the fact is it is going to be a very important occasion to pass this because we haven't passed a major piece of patent legislation for over 60 years or around that length of time. It has been a long time in the making, but it is well worth the effort to modernize our patent system. Despite modifications along the way, the bill retains its strength and ability to bring about true reform.

In considering our country's economic condition, the bill's passage could not come at a more opportune time. The America Invents Act is integral to creating jobs and spurring growth across all sectors of our country. After all, jobs and economic growth are crucial to maintaining our Nation's dominance in innovation and entrepreneurship.

I would like to briefly mention a few key provisions of the act that improve our outdated patent system. These include transitioning to a first-inventor-to-file system, which all the rest of the world has; allowing third parties to submit relevant prior art during patent prosecution; creating a patent quality-enhancing supplemental examination process; and instituting a post-grant review and an inter partes reexamination expansion. All of that is extremely important.

The bill provides fee-setting authority and addresses a long-felt need by the patent community and now by the majority of this body to end the practice—the obnoxious practice—of diverting fees from the U.S. Patent and Trademark Office. No wonder we have such a rough time getting things to work.

Finally, the legislation makes important clarifications to tax strategy patents and creates a pilot program to review already-issued business method patents.

This enumeration underscores a holistic approach that strikes the right

balance. I hope everyone in this Chamber recognizes what we are accomplishing. We have come together in a bipartisan fashion to invigorate some of our country's greatest strengths—our ideas and our inventive spirit.

Let me conclude my remarks by commending Senate Judiciary Committee chairman PAT LEAHY for his leadership and tenacity in moving this bill through the Senate. He deserves a lot of credit. His vision and tireless efforts have made today's vote a reality. Together, we have worked on patent reform legislation since 2006—and in reality, even earlier than that—passing the torch of leadership along the way. One time, I was chairman; he has been chairman. It is satisfying to see the time has finally come to pass this bill.

I would also like to acknowledge the hard work of our distinguished ranking member, CHUCK GRASSLEY. His unwavering support and commonsense approach have been invaluable in this process.

I wish to acknowledge the various staff members of Senator LEAHY, my staff, and Senator GRASSLEY's staff for the work they have done on this bill—very important. Likewise, contributions of the members of the Senate Judiciary Committee and other Members of this body have enriched our debate.

Finally, as I have said, I wish to thank our bill managers' staff for their sustained efforts throughout the process. Aaron Cooper, Bruce Cohen, Rita Lari Jochum, and Kolan Davis have been instrumental in getting us to this point. I also thank my own counsel, Matt Sandgren, who has done a terrific job on this bill for all these years we have been working on it, and Remy Yucel, my USPTO detailee, for her and Matt's commitment and perseverance over these many years. They have been a formidable team.

I also acknowledge the important work of Joe Matal, Sarah Beth Groshart, Tim Molino, and Curtis LeGeyt.

Madam President, passing the America Invents Act is the right thing to do, and I urge my colleagues to join in this monumental undertaking. It is the right thing to do, it will help our country, it is going to reestablish our patent laws in ways they should be, and it will stop the fee diversion that has been going on, assuming we can get help from the House as well, and I believe we will. It will be a bill that I think we will have to go to conference on and hopefully be able to perfect it even more. I am grateful for all who have been involved, and I hope and pray we can get this through both Houses of Congress and establish this monumental bill at a monumental time. It is very important in all our lives.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.