

Mrs. SHAHEEN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

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

#### EXTENSION OF MORNING BUSINESS

Mrs. SHAHEEN. Mr. President, I ask unanimous consent to extend morning business until 5:30 p.m., with Senators permitted to speak therein for up to 10 minutes each.

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

Mrs. SHAHEEN. Mr. President, we have now almost a 9-percent unemployment rate in this country. I think the good news is that unemployment dropped to 8.9 percent, but it is still way too high. We have a \$1.6 trillion deficit. Yet, despite these enormous challenges, Congress still has not passed a Federal budget for this year. Our deadline to pass a 2011 appropriations bill was September 30 of last year, but Congress still has failed to meet that deadline. Last week, we passed our fifth short-term continuing resolution to keep the Government open.

At some point soon, I think maybe this evening, we are going to be voting on the House Republicans' package of budget cuts that I believe threaten our economic recovery. After moving on from that, we will still need to pass another continuing resolution by the end of next week in order to avoid a Government shutdown.

While we are debating these short-term continuing resolutions, in China and India and Germany, they are debating long-term investments in education, energy, technology, and research. Those are the decisions with the potential to shape the global economy for many decades to come. Meanwhile, here at home, we are fighting about whether we are going to keep the Government open for 2 weeks. This kind of short-term budgeting is not just hurting our future, it is hurting our economy today.

Just last week, I heard from a company in New Hampshire about the effects of Congress's failure to pass a full-year budget. The company is called Nitro Security and it is located in Portsmouth, NH. It is a company that is at the forefront of the emerging cyber security industry. Even in a difficult economy over the last couple years, they were named one of the 600 fastest growing private companies in the Nation. Yet, despite most of their business coming from the private sector, Nitro Security also has significant contracts protecting data systems at the Department of Defense, NASA, and even the Food and Drug Administration. They should be creating jobs and helping to get our economy moving again, but because Congress cannot conduct its business on time, their stalled contracts mean they have not

been able to hire new workers. We are missing out on these jobs because Washington's budget process is broken.

Congress needs to do better. In the last 30 years, Congress has only completed the annual budget process on time twice—just two times in the last 30 years. That is a 7-percent success rate. Solving our long-term deficit problems and reinvigorating our economy is going to require tough choices, but we are never going to be able to make these choices until we change the way Washington does business. That is why I joined Senator ISAKSON in proposing the Biennial Budgeting and Appropriations Act, to bring sorely needed oversight and long-term planning to the Federal budget process. Our legislation would dedicate the first year of a Congress to appropriating Federal dollars and devote the second year to scrutinizing Federal programs to determine if they are working and deserve continued funding.

Because of annual budgeting, Members of Congress do not have the time we need to conduct careful, thorough reviews of Federal programs, and Federal agency staff are required to dedicate countless hours every year to preparing the budget and to explaining what they do, rather than accomplishing critical missions. As a result, we continue to spend money on projects that are duplicative, sometimes failing, and often no longer useful.

In fact, just last week, the Government Accountability Office released a landmark report on Government duplication and overlap. The report reveals that in as many as 34 different areas across the Federal Government, agencies are offering overlapping services to similar populations.

As we think about how we need to address our debt and deficit, we should begin by eliminating these kinds of duplicative programs. That is the type of reform we should be considering. We should be eliminating duplication and making targeted cuts and investments in our future. We should be making investments in projects such as the Memorial Bridge, which connects New Hampshire and Maine and is a critical economic engine for the seacoast region of New Hampshire and Maine and the shipyard that is so vital to making sure we can upgrade the ships in our Navy.

Even though this bridge has been recognized as a national priority and it enjoys support from the Maine and New Hampshire Senate delegations, the project to replace the bridge has been threatened by ill-considered, reckless cuts in the House of Representatives' continuing resolution. These are the consequences of short-term budgetary thinking: They are penny wise and pound foolish.

In another example we have in New Hampshire, the Bureau of Prisons has recently completed construction of a Federal prison in the north country of New Hampshire in a community called

Berlin. The cost—\$276 million. As the construction was wrapping up, the Bureau of Prisons requested activation funding for fiscal year 2011 to hire rank-and-file officers and begin getting this prison ready to open. But because we are operating on this short-term continuing resolution that fails to account for these types of situations, we now have a state-of-the-art, \$276 million prison that is sitting vacant. We have a warden who is there who is waiting to hire staff. The Bureau of Prisons needs the 1,280 inmate beds this facility will provide. The community needs the \$40 million annual economic impact from this prison and the 340 jobs this facility will provide. But none of these important objectives are being met because our budget process is not working. Instead, the Bureau of Prisons is spending \$4 million a year to maintain an empty building.

As Members of Congress, we are entrusted with the responsibilities of spending taxpayer dollars wisely. Our current budget and spending process makes it all too easy for waste and inefficiency to remain hidden and, at the same time, important priorities are neglected by the whims of a chaotic annual budgeting process. Switching to biennial budgeting will not solve all our problems, but it would certainly be an important step toward greater oversight, increased accountability, and a more responsible government.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, first, I thank my colleague from New Hampshire for her great leadership on the subject about which she just spoke; that is, the necessity of moving beyond our old system of having appropriations bills every year. I have advocated, for a long time, exactly what she is taking the lead on; that is, every 2 years do the appropriations and then we can do oversight. As the Senator from New Hampshire correctly pointed out, we don't do oversight because we are always wrapped up in some appropriations measure or budget measure every single year.

It is time we move and move as rapidly as possible to biennial budgeting so we can fulfill one of our most important obligations, which is to find out what is working and what is not working so we can have oversight. I thank my colleague from New Hampshire for her leadership in this area.

I yield the floor.

Mrs. SHAHEEN. I thank Senator HARKIN for his efforts over the years to try to move us to a biennial budget and a process that gets a budget done that makes a lot more sense and allows us to be a lot more thoughtful about how we are supporting programs in our Federal Government.

Mr. HARKIN. Just make sure I am on your bill, OK?

Mrs. SHAHEEN. We will.

Mr. HARKIN. Put my name in because you are right on—and Senator

ISAKSON. It is a bipartisan effort and it should be a bipartisan effort. I talked to a number of my colleagues on the other side of the aisle who believe the same way we do about this. Hopefully, we can have a good, bipartisan approach.

I wish to take a few moments to talk about the budget and what we are confronting right now in the Congress. First of all, we all agree—I think we should all agree—the deficits we have now are unsustainable. They are a drag on our economy, they jeopardize our future, and they have to be brought under control. I am committed to finding a bipartisan approach to try to get us through this and to attain this important goal of bringing the budget under control and balanced for the future.

I might just say for the last three decades, I have been proud that my party, the Democratic Party, has been the party of fiscal discipline and balanced budgets. Well, that may come as a shock to some people, but let's review the history.

When Bill Clinton became President in 1992, he inherited at that time the largest deficits in U.S. history. Well, he joined with Democrats in Congress to pass a balanced deficit reduction law that resulted in the largest surpluses in history and put us on a path, by the year 2000, to completely eliminate the national debt within a decade. I was here for that. Every single Republican voted against it, every single one.

Likewise, President Obama inherited from President Bush a deficit in excess of—are you ready for this one—\$1 trillion and a deep recession that made it even worse. Once again, we Democrats are committed to bringing this under control and to do it in a fair and balanced way.

But as a former President once said: Here we go again. In December, my friends on the other side of the aisle, the Republicans, insisted that we extend tax cuts largely benefitting the wealthy, add \$354 billion to the deficit this year, and even more next year. Then they voted to repeal the health reform law on the House side, which would add \$210 billion to the deficit over the next decade. Now these same people are shedding crocodile tears and claiming to be worried about the deficit.

Let's be clear. There is a right way to balance the budget and there is a wrong way. We can balance the budget in a way that is fair or we can do it in a way that is manifestly not fair, that will deepen the gulf between the rich and the poor and further erode the middle class in our country.

H.R. 1, which I assume we will be voting on shortly, embodies the Republican approach to reducing deficits, driven by ideology that absolutely rules out any tax increase. It kind of holds the Bush tax cuts to the wealthy to be almost sacred. Instead, they take a meat ax to the essential parts of the budget, everything from cancer re-

search to education to safety net programs for our most vulnerable citizens.

Well, we have seen this movie before—you know, give tax breaks to corporations and the wealthiest people in our society. Then balance the budget on the backs of the middle class and low-income in America. These are bad priorities, they are bad policies, and they are bad values.

The right way is a balanced approach. This must include spending cuts. We have made cuts in my own appropriations bill. But it also includes necessary revenue increases while making room for critical investments in education, job training, infrastructure, research, things that are essential to economic expansion and job creation in the future.

We know this balanced budget approach can work. As I said, that is what we did in the early 1990s under President Clinton. We did both. We cut spending and we raised revenues. As I said, every Republican voted against it. But that single act of Congress, that bill signed by the President, led to the largest budget surplus and the longest economic expansion in U.S. history and created 22 million new jobs.

Now, H.R. 1, which has come over from the House, their approach on how to bring the budget under control, will kill jobs. Mark Zandi, top economic adviser to Senator McCain's campaign in 2008, estimates H.R. 1 will kill some 700,000 jobs. Federal Reserve Chairman Bernanke estimates it will kill 200,000 jobs. Nobody knows for sure. But what they all agree on is it will kill jobs. With about 9 percent unemployment, a fragile economy—we are just now starting to increase employment in this country—why would we be asked to vote for a bill that we know, that everyone agrees, will kill hundreds of thousands of jobs?

Well, we do not reduce the deficit by increasing unemployment. That is what H.R. 1 will do. It will slow economic growth, drag us back into a recession, and make deficits even worse. H.R. 1 slashes the entire gamut of education programs that are so essential to provide a ladder of opportunity for our younger generation in this country. It slashes the safety net for our most vulnerable citizens—infants, children, seniors, and people with disabilities. So if you vote for H.R. 1, the House bill, you are voting to slash title I grants to school districts by nearly \$700 million. It means that 2,400 schools serving 1 million disadvantaged students could lose funding.

If you vote for H.R. 1, you are voting to slash community health centers by about \$1 billion. That means you eliminate funding for 127 clinics in 38 States. If you vote for H.R. 1, you are voting to slash Head Start Programs. Why would you want to take it out on kids? Why would you want to say: Oh, we have to balance the budget so we are going after Head Start kids? But that is what it does. It eliminates services for about 218,000 children and their families next

year, about a 25-percent reduction in Head Start.

If you vote for H.R. 1, you are voting to slash childcare. The child care development block grant would be cut by H.R. 1. If you vote for H.R. 1, you are voting to undermine Social Security.

Well, people say: How is that? Social Security is not involved in H.R. 1. Well, it is in this way: We know because of the recession more and more people have applied for SSI, supplemental security income. They have applied for disability. They have gone on disability or basically they have just retired.

Well, in order to take care of this huge increase in the number of people applying, we have to have people who will take the cases in, review them, make sure people are eligible, cut the checks, and get the money out. That is called the Social Security Administration. Well, H.R. 1 cuts the funding for doing this \$125 million below last year's funding level. That means every American filing for benefits this year will have to wait even longer. Right now, it is almost 400-and-some days. That is over a year. That is over a year.

Think about if you are on disability, if you are disabled and you cannot work and you filed for a disability claim. You are waiting a year and a half in order to even get your first check. Well, H.R. 1 would cut it even more and would probably increase waiting times up to 2 years or maybe even more than 2 years. So it undermines the safety net of Social Security.

If you vote for H.R. 1, you are voting to slash student aid. It cuts the maximum Pell grant by \$845. That is 15 percent below where we are now. You might say: Well, that is not that big a deal. Well, it is. I tell Senators, check two things. Check with your private not-for-profit schools in your States. They do a great job of educating low-income students because they are able to utilize Pell grants plus endowments. They put them together. They do a great job in every one of our States educating poor kids. Start taking away that Pell grant, we lower that Pell grant, that means a lot of poor kids will not be able to go to school. That means the private non-profits would have to raise the tuition on other kids. That means some of them would not be able to go, and we start an escalator effect in our colleges.

I just had the President of the University of Iowa, President Mason, in to see me today talking about one of our great universities in Iowa, the University of Iowa. She told me, President Mason said that cutting Pell grants would affect probably close to 5,000 students at the University of Iowa. Sometimes this is the difference between whether they are in school or they are not in school or it could be the difference between a Pell grant or they have to go out and borrow more money and take on more debt.

So if you vote for H.R. 1, you are cutting student aid. If you vote for H.R. 1, you are going to slash job training programs. The House bill that came over, H.R. 1, completely eliminates Federal funding for adult training, dislocated worker assistance and youth training programs, completely eliminates it. These programs provide job training and reemployment services to about 8 million Americans every year, 8 million. They just do away with it.

If you vote for H.R. 1, you are voting to slash the community services block grant. Well, they cut about \$305 million from that. That provides services to some of our lowest income people and elderly. If you vote for H.R. 1, you are voting to cut investments in infrastructure, highway funding, sewer and drinking water funds, and rural economic development funding because H.R. 1 slashes community development block grants by 62 percent.

Now, I say go out and talk to your mayors, talk to your city council, talk to your boards of supervisors in your counties. Ask them if they can take a 62-percent cut in their community development block grants and what it is going to mean to them.

Well, I cannot help but also speak to my own constituents in Iowa about what this means for my own State. If H.R. 1, the House bill which passed the House, if it were to be passed and enacted into law—well, I mentioned about the cuts that we are having in the Job Corps. It would basically kill the Denison, IA, Job Corps Center, which employs 163 people. It provides training to 450 at-risk students each year, and we have a new Job Corps Center just being built, just being opened in Ottumwa. That will probably just come to a screeching halt. It is supposed to be opening later this year.

It would shut down at least the community health center in Centerville, IA. That is H.R. 1. H.R. 1 would be cutting down the community services block grant and would shut down the Red Rock Community Action Agency serving Boone, Jasper, Warren, Marion, and rural Polk County.

H.R. 1, as I mentioned, would completely eliminate funding for job training programs, which assisted more than 35,000 Iowans in the last year. As I mentioned, it would slash Pell grants for our kids who go to all of our colleges in Iowa, the private not-for-profits and our Regents institutions. Two thousand low-income Iowa kids who now attend Head Start would be cut off.

Lastly, it is not only just the cuts and the slashes to these vital programs which will increase unemployment and send us back into another recession, there are riders in this bill, what we call legislative riders, that are pernicious. They do terrible damage to our country.

For example—just one—there is a rider in the bill that says no money can be used or spent to continue the implementation of the health reform

bill that we passed last year. Well, what does that mean? Well, that means right now, in law, because of the Affordable Care Act we passed last year, kids can stay on their parents' policy until they are age 26. That would be gone. The question would be, the ones who got on before this, will they be able to stay on? But I can tell you, no new kids would ever be allowed to stay on their parents' policy until they are age 26.

We put in—and as you know, it is in law right now—that an insurance company cannot impose a lifetime limit on individuals. That was in the bill last year. That would be gone. They can start reinstituting lifetime limits and annual limits.

Also we had a provision in the bill that provided for a medical loss provision. Let me try to explain that.

In our bill we said insurers and health insurance companies have to pay at least 80 cents of every dollar of premium they collect on health care rather than profits, bonuses, overhead, fancy buildings, and corporate jets and all of that. They had to pay—80 cents of every premium dollar has to go for health care. It is done away with under H.R. 1. We cannot enforce that at all.

So, again, for those who have seen benefits to themselves from the health care bill we passed, whether it is keeping their kids on their policy or elderly people now who get free mammograms and free colonoscopies and a free health checkup every year with no copays, no deductibles, that ends. That ends with H.R. 1.

So the bill passed by the House is just, as I said, bad policy, and it is bad values. It is not the values of our country, and I hope the Senate will resoundingly—resoundingly—defeat H.R. 1, consign it to the scrap heap of history, the history of ill-advised ideas, of ill-advised programs. There have been a lot of them that have come along in the history of this country.

Fortunately, I think the Congress in most instances has turned them down, and we moved ahead. We can't afford to go backward. H.R. 1 would do that. It would take this country back. We would lose jobs. It would cut kids out of getting an education, close down Head Start centers. It would widen that gulf between the rich and the poor. We can't continue to go down that road. We don't want to wind up another Third World country where we have a few at the top and everybody at the bottom and nobody in between. The middle class built this country, and we cannot continue to erode the middle class. That is what H.R. 1 would do, erode the middle class and widen the gulf between the rich and poor.

I hope the Senate will recognize H.R. 1 for what it is, a detriment, a body blow to our recovery efforts. I hope the Senate will resoundingly defeat it.

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

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

## CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

## PATENT REFORM ACT OF 2011—Continued

Mr. LEAHY. Mr. President, since the Senate began this debate on the American Invents Act more than a week ago, I have talked about American ingenuity and innovation. As this debate comes to a close, I want to emphasize that this is legislation that should promote innovation, help create jobs, and help energize the economy as we continue our recovery. This legislation can be a key part of a jobs agenda. We can help unleash innovation and promote American invention, all without adding a penny to the deficit. This is common-sense, bipartisan legislation.

Innovation has been a cornerstone of the American economy from the time Thomas Jefferson examined the first patent to today. The Founders recognized the importance of promoting innovation. A number were themselves inventors. The Constitution explicitly grants Congress the power to “promote the progress of science and useful arts, by securing for limited times to . . . inventors the exclusive right to their respective . . . discoveries.” The discoveries made by American inventors and research institutions, commercialized by American companies, and protected and promoted by American patent laws have made our system the envy of the world. The President has spoken all year about the need to win the future by out innovating our competition. This bill can play a key role in that effort.

Yesterday, I commended Austan Goolsbee, the chair of the President's Council of Economic Advisers, for his white board presentation this week on the importance of patent reform to help America win the global competition and create jobs. The creation of more than 220,000 jobs in the private sector last month, the creation of 1.5 million jobs over the last 12 months, and the unemployment rate finally being reduced to 8.9 percent are all signs that the efforts we have made over the last 2 years to stave off the worst recession since the Great Depression are paying off and the economic recovery is taking hold. The almost full percent point drop in the unemployment rate over the last 3 months is the largest decline in unemployment since 1983. Despite interruptions of economic activity in many parts of the country caused by winter weather over the last months and in recent days, despite the extraordinary rise in oil