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## Senate

The Senate met at 10 a.m. and was called to order by the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O God of time and eternity, we come to You not because we are perfect but because we trust Your mercy and kindness. By Your grace, we are able to triumph over evil, living no longer for ourselves alone but for You. Give our Senators a vision of the goals that produce righteousness, honor, justice, understanding, and peace. Empower them to serve the less fortunate, to bear the burdens of freedom, and to labor for Your glory. Lord, help them to know the constancy of Your presence, to give primacy to prayer as they work. Give them the gifts of Your light and love.

We pray in Your merciful Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable JEANNE SHAHEEN led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, March 1, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire, to perform the duties of the Chair.

DANIEL K. INOUE,  
President pro tempore.

Mrs. SHAHEEN thereupon assumed the chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### SCHEDULE

Mr. REID. Madam President, following any leader remarks, there will be a period of morning business for an hour. Senators will be permitted to speak for up to 10 minutes each during that period of time. The majority will control the first 30 minutes and the Republicans will control the final 30 minutes. Following morning business, the Senate will resume consideration of S. 23, the patent reform bill. The Senate will recess from 12:30 until 2:15 to allow for our weekly caucus meetings. Senators should expect rollcall votes in relation to amendments to the patent reform bill throughout the day.

### ORDER OF PROCEDURE

I ask unanimous consent that Senator TOOMEY of Pennsylvania be permitted to speak as in morning business at 2:15 p.m. today for up to 15 minutes in order to deliver his maiden speech in the Senate.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

### MEASURE PLACED ON THE CALENDAR—H.R. 1

Mr. REID. Madam President, I understand that H.R. 1 is due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bill for the second time.

The assistant legislative clerk read as follows:

A bill (H.R. 1) making appropriations for the Department of Defense and other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes.

Mr. REID. I object to any further proceedings on H.R. 1 at this time.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bill will be placed on the calendar.

### ISSUES OF THE DAY

Mr. REID. Madam President, we have before us today an extremely important piece of legislation. It is called the America Invents Act of 2011. The reason I emphasize 2011 is because it has been almost 60 years since we had the last meaningful reforms of the Nation's patent system. We have tried on many occasions in recent years to get this bill on the Senate floor. The Judiciary Committee has reported out a number of bills over the years, and we have taken no action here on the Senate floor for a number of reasons. But it is now on the floor. There are a couple of issues to which our attention will be directed.

I have received calls from a number of Senators who have amendments they want to offer that are in relation to this bill, only two of which I think are really meaningful, but I am sure there are others. I hope we can move through this. One of the first amendments filed is one that has nothing to do with patent reform, and we will dispose of that.

I think it is important to understand that this bill, if we do it right, will create millions of jobs. Some estimates suggest literally millions of new jobs could be created through this reform. Not every patent creates a job or generates economic value. Some are worth

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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thousands of jobs. Jack Kilby's 1959 patent for the semiconductor is an example of that, as well as Steve Wozniak's patent for a personal computer in 1979. So it is impossible to predict how many new jobs or even industries may lie buried within the Patent Office backlog, but there are thousands of backlogged patent applications there that we have to dispose of. I hope we can work toward getting this done.

We have issues the Republican leader and I have worked on to move forward, and the first issue at hand that deals with funding the government is the CR. We are looking to try to figure out a way to do the short-term CR. The President has said—and we will hear this from him rather than from us—that we can't continue to have these short-term CRs, so we are working to see if we can find a way of funding the government in the foreseeable future. The way that is going to be done is on a bipartisan basis. We hope that will be the case. No one benefits from a shutdown of the government, partial or otherwise.

I look forward to our work on this bill. Until we have something to work on—the House is going to pass a short-term CR today. Until we actually have something to work on, we need to focus our attention on this patent bill which is so very important. I have introduced a revenue measure that we could work off of. We also have—and I just rule XIV'd—a second reading on a matter for the continuing resolution. It is H.R. 1, the one that comes from the House. I think it is pretty clear that won't pass, but it shows we are trying to move forward. The House is going to act on something today. I have placed my revenue measure on the floor, indicating to the Republican leader my intentions of moving forward on that. So it is important that we work together to get this done. The current funding for the government runs out this Friday.

I look forward to everyone working hard on the patent bill. When we are in a position to move forward on funding the government past March 4, we will move forward on that just as rapidly as we can, and we know we have to do it this week.

#### RECOGNITION OF THE REPUBLICAN LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

#### PLAYING BY THE RULES

Mr. MCCONNELL. Madam President, later today the House of Representatives will take an important vote. At bottom, it is a vote on whether lawmakers in Washington should continue to be exempt from the rules.

Over the past 2 years, millions of Americans have lost jobs and homes. Tragically, many have stopped looking for work altogether. They think the

situation won't improve. When one considers how Democrats in Washington have responded to this historic jobs crisis, it is no wonder. For 2 years, Democrats in Washington have pushed one proposal after another that has kept the economy from growing and stifled the creation of good private sector jobs. They have tried to tax energy consumption. They have picked winners and losers in industry. They have handcuffed small business owners with a mountain of stifling regulations, including a health care bill that non-partisan experts predict could lead to hundreds of thousands of more lost jobs. Earlier this month, at a time when economists say rising gas prices could delay an economic recovery even longer, Democrats proposed—get this—a change in the current tax laws that would amount to a new tax on everyone who drives a car or truck in America—a minivan tax.

While the American people have been begging lawmakers to remove the burdens of government so they can do the work of growing the economy and creating private sector jobs, Democrats in Washington have been focused single-mindedly on growing government instead. In order to do it, they have basically exempted themselves from the rules. They have said that while the rest of the country has had to tighten its belt in a down economy, Washington can continue on its spending binge in order to grow the government. They have said that while American families have had to pay off their credit cards, Washington can continue to rack up debt. They have said that while most Americans struggle to make ends meet, they don't have to. That is what this afternoon's vote in the House is all about.

This bill should not be controversial. It has only become controversial because Democratic leaders in Congress have resisted every effort—every effort—to rein in their spending bills. This bill proposes to cut spending for the next 2 weeks by \$4 billion, and they have fought it tooth and nail. They refuse to admit that Washington has a spending problem. But the verdict is in. For 2 years, Democrats in Washington have spent trillions more than we had in the Treasury. And if expanding the size and scope of government was the goal, it was a big success. But if helping the economy and helping people find jobs was the goal, it has been a disaster. What has \$3 trillion more in debt gotten us? Three million more lost jobs.

Tonight's vote is an opportunity for House Democrats to admit the status quo isn't working. It is a chance to take a small first step toward growing the economy and helping create jobs. Then, later this week, Democrats in the Senate will have the same opportunity to show that they get it. Americans are watching. They want us to acknowledge that we need to play by the same rules they do. They want us to tighten our belts, too, and show we are in this together.

Madam President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The ACTING PRESIDENT pro tempore. The Senator from California.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half.

The Senator from California.

#### ECONOMIC RECOVERY

Mrs. BOXER. Thank you very much. Senator REID has told me I have 30 minutes, so I will start that at this time.

We are in a very difficult time right now because we are getting out of the deepest recession since the Great Depression. If we go back and look at the headlines when our President was inaugurated, we see the pace of job loss and we see what happened to credit and we see what happened to the auto industry and we see what happened to the stock market—we eventually lost about 50 percent from its highs. We are now in a situation where we have this economic recovery starting, but the jobs are not coming as fast as we want.

We don't want to do anything which threatens that economic recovery, which threatens our families and threatens the middle class. This is not the time to hurt the middle class. What we see in Wisconsin is the middle class finally saying to the Governor there: Look, be fair to us. We are willing to give up pay, we are willing to pay more for our benefits, but don't destroy our ability to have a say in our lives.

So as this economic recovery plays out, we have to deal with deficits that have come about because of this terrible recession, fewer revenues coming in to the Federal Government, more people calling on programs to help them with unemployment insurance and food stamps and things they need to stay alive. We have to deal with our deficit, there is no question about that. We have to do it like grownups. We