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Senate

The Senate met at 10 a.m. and was called to order by the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York.

PRAYER

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

Let us pray.

Lord God, You are holy and inhabit the praises of Your people. We are thankful that those who seek You will not lack any good thing. Help us to make You our source of hope, depending on Your providence and trusting Your mighty arms to save us. As our lawmakers seek to serve You by making choices that honor You, purify their intentions that they will say what they believe and will act consistently with their speech. Keep them aware of how their words and deeds affect the good fortune of the lives of those in need.

O God, You are our hiding place. And in these challenging days, we are depending on You to protect this Nation from trouble. You are the one who puts the songs of deliverance in our hearts.

We pray in Your strong Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable KIRSTEN E. GILLIBRAND 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 legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 7, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mrs. GILLIBRAND 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 leader remarks, if any, there will be an hour of morning business, with the majority controlling the first half and the Republicans controlling the final half. Following morning business, the Senate will resume consideration of the motion to proceed to the America Invents Act.

The Senate will recess from 12:30 until 2:15 for our weekly party conferences. At 2:30, there will be 30 minutes of tribute to the late Senator Mark Hatfield of Oregon, and I would indicate that if people are unable to come during that 30 minutes, I would solicit their statements so that we can put them together, as we often do in these situations, so they are in that nice little booklet people can look through at a later time.

I would say, Madam President, that I had the good fortune of being able to serve with Mark Hatfield—a treasure of a man. We have had great leaders from Oregon, but certainly he was equal to any of them—a man of great character who was not bound by party. He was bound by what he thought was best for this country.

I had the good fortune to travel on a codel he led. It was a wonderful trip, led by this great statesman. We went into the Soviet Union—Mongolia—and saw Lake Baikal and found that the Soviets had not ruined this great Alpine glacier lake. There are only two in the world. One is in Nevada and California—we share Lake Tahoe. But Lake Baikal is one thing the Soviets didn't ruin. Anyway, it was a trip I will always remember, not only where we went but who led that trip.

I will give a more complete statement at a later time regarding Mark Hatfield, a man for whom I had great respect and admiration. He was really a role model, in my mind, for what a Senator should be.

We expect to be in consideration of the patent bill today. I hope the Republicans will let us get on that. It is too bad we had to move to proceed to it, but we did. I hope we don't have to use the full 30 hours, and I hope I don't have to file cloture again. I hope there are a couple of amendments and then we can get rid of this bill as early as possible.

We have a lot to do. We have so much to do in this work period—the highway bill, the patent bill, FEMA, and trade issues. We need to complete all those matters before we leave here in just a few weeks. We have to take a break because of the holidays coming up toward the end of this month.

MEASURE PLACED ON THE CALENDAR—H.J. Res. 66

Mr. REID. Madam President, I understand H.J. Res. 66 is at the desk and is due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the joint resolution by title for the second time.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 66) approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

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



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Mr. REID. Madam President, I object to any further proceedings with respect to this joint resolution.

The ACTING PRESIDENT pro tempore. Objection is heard. The joint resolution will be placed on the calendar in accordance with rule XIV.

NEVADA TRAGEDY

Mr. REID. Madam President, yesterday morning a man walked into a pancake house in Carson City, NV, our capital, and proceeded to—with, I am told, an AK-47—first shoot and kill some poor woman outside the pancake house, and he then walked inside and started shooting with this automatic weapon and killed three National Guardsmen and another innocent person. We have a number of people who are in the hospital, and we hope no more die. We are still learning the details of this tragedy, but we do know five are dead. The shooter then killed himself following this rampage he went on.

The National Guardsmen—as I understand, there were five of them there having breakfast prior to their duties when this madman walked in and killed them. One of the five was a woman who was an assistant to one of my outstanding employees, a colonel in the Nevada Army National Guard. He is an airman, and she was his assistant when he does his duty out there. She was killed.

It is sad, this violence around us, even in little Carson City, NV, where citizen soldiers—sacrificing their time to defend our country—are killed having pancakes at a little restaurant. My thoughts go out to the victims, and I appreciate their commitment to Nevada and this country.

What else can you say, Madam President? Your heart goes out to these people who are going through such a turmoil today, trying to figure out why this happened. It is hard to imagine such a terrible act taking place in this quiet little town. The legislature is out of session, which is when the town picks up a little bit. There is not much going on in Carson City, not as you would have with the buzz of a capital when the legislature is in session. I spent three legislative sessions in Carson City. My kids went to school in Carson City when I was the Lieutenant Governor.

I wish all the citizens of Carson City well as they begin the process of healing after this shocking event.

JOB CREATION

Mr. REID. Madam President, this fall the Democrats are hoping to find Republican allies willing to reach across the aisle for the sake of creating jobs in America, for the sake of putting people back to work. For 8 months now, Republicans have wasted our time on partisan politics regarding issues that should have been so simple, such as funding the government for last year.

We were forced to deal with that for months. Then, when we finished that, we went to do something that happens as a matter of fact around here. Not that it is unimportant, but there is no reason for our country to default on the debts we have. Extending the debt ceiling doesn't allow us to spend money on more items, it simply allows us to pay our debts.

Take, for example, Ronald Reagan. Ronald Reagan is somebody whom Republicans idolize, and I have no problem with that. He was a good President and did some good things for our country—lots of good things. I liked him very much as a person and as a President. He asked us 18 different times to raise the debt ceiling, and we did it every time—every time. But this time, no thanks. The Republicans forced us to spend months on raising the debt ceiling.

They have also used unrelated amendments and procedural stall tactics to kill good pieces of legislation that have always had the support of Democrats and Republicans. Take, for example, the Economic Development Administration. They blocked that, something that has been going on for 35 years creating jobs. This piece of legislation alone would have created 314,000 jobs. They killed it. The EDA has worked with little businesses, universities, and economically challenged areas to create jobs, as I said, for three decades. Actually, it has been 4½ decades.

For nearly 2 months, they held up efforts to reauthorize the Small Business Innovation and Research Program before finally killing it altogether. This legislation would have helped small businesses, small technology companies, which have invented everything from the electric toothbrush to how to put armor on a Bradley fighting vehicle. These small business innovation loans were terrific for bringing out the innovation and creativity of the American people, creating thousands of jobs. They forced that bill off the floor.

The fate of these two pieces of legislation alone cost more than one-half million jobs—more than 500,000 jobs. But not only did they take away these two pieces of legislation—and there are many others but speaking of these two—their obstructionistic tactics also cost us lots of time. Every moment wasted on procedural hurdles—and we have spent months on these useless amendments—was a moment we weren't creating jobs.

Republicans held up the work of Congress for months in the hope of defeating the President. And this is not something I have made up. My counterpart, the Republican leader, has said that is his No. 1 issue—making sure President Obama is not reelected. But this effort to defeat President Obama has also held up our economic recovery. We saw the toll in last month's job report, showing unemployment holding steady. For the eighth month in a row we have created private-sector jobs—

we didn't create many—last month, about 20,000.

Because of what is going on around the country, with the Republicans' austerity programs, there are lots of government jobs being cut. Each of us, from New York, Illinois, and Nevada, has had local governments really being cut to the bone—police and fire. These are the jobs that people need very much.

Madam President, I hope the Republicans have gotten the stalling tactics out of their system and really will work with us to create jobs. Hopefully, the Senate is now moving forward with this patent bill, the America Invents Act. This bill will reform the Nation's outdated patent system that has almost 1 million patents waiting to be looked at. Any one of those patents could be a new benefit—something that will create jobs and allow people who have such great ingenuity in America to put their product on line.

We are told that this reform of our Nation's outdated patent system will allow us to create almost 300,000 jobs, and it will clear up a 3-year backlog in patent applications so inventors might be able to invent the next iPod or iPad or electric car or whatever other interesting thing that makes America so great. I hope the spirit of bipartisanship comes into being now, because Congress and this country cannot afford to waste any more time.

There are two things we can do right away to create lots of jobs. First, extend the authorization of the FAA bill. Let me explain what this is all about.

We passed an FAA bill, a good bill, passed overwhelmingly, Democrats and Republicans. It went to the House and they put it in some dark hole over there, and finally they gave us a bill back. It is different than our bill, and here is how it is different. The National Mediation Board set a new rule. It is something called democracy. What it means is that in a labor election, the majority wins. Under Republican dominance in years past, if you had a group of people who were trying to be unionized, and let's say there were 1,000 and that is how many were in the work unit and there was an election held and 600 people turned out for that election, 450 voted, yes, we think we should be able to collectively bargain with our employer, under the old rules that is not enough; 450 out of 600 is not enough. You would have to get a majority of the people in the unit.

I ask my friend from New York, the Presiding Officer, and my friend from Illinois, because I have asked myself, under rules like that, none of us would have been elected. Of the millions and millions of people in New York and Illinois and the 3 million people in Nevada, I won by 5 percent last election. I got a majority of the people who were registered to vote. That is how you win in America, not a majority of everyone in the State, because no one would be elected if that in fact were the case.

But that is how the Republicans want to change the rules. They want go back