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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable TOM UDALL, a Senator from the State of New Mexico.

PRAYER

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

Let us pray.

Lord God, through whom we find liberty and peace, lead us in Your righteousness and make the way straight before our lawmakers. As they grapple with complex issues and feel the need for guidance, lead them to the decisions that will best glorify You. Looking to You to guide them, may they not be overwhelmed, remembering that in everything You are working for the good of those who love You.

May Your good blessings continue to be with us, and may we, in response to Your abiding love, ever seek to do justice, love mercy, and walk humbly with You.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable TOM UDALL 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. INOUYE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 8, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator

from the State of New Mexico, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

Mr. UDALL of New Mexico 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. Mr. President, following any leader remarks, there will be 1 hour of morning business, with the Republicans controlling the first half and the majority controlling the final half. Following morning business, the Senate will resume consideration of the America Invents Act. There will be four rollcall votes starting about 4 p.m. That time could move a little bit but not much. We are doing that in order to complete action on this patent bill that is so important for the country. It will be the first revision of this law in more than six decades.

Senators should gather in the Senate Chamber about 6:30 this evening to proceed as a body to the House for the joint session with President Obama. When we return this evening, there will be an additional rollcall vote on the motion to proceed to S.J. Res. 25, which is a joint resolution of disapproval regarding the debt limit increase. As I indicated to everyone last night, if the motion to proceed prevails, we will be back tomorrow to complete that work, and that could take as much as 10 hours tomorrow. If the motion to proceed fails, then we will have other things to do tomorrow but there will be no votes.

MEASURE PLACED ON THE CALENDAR—S.J. RES 26

Mr. REID. Mr. President, I am told that S.J. Res. 26 is due for a second reading.

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

The assistant legislative read as follows:

A joint resolution (S.J. Res. 26) expressing the sense of Congress that Secretary of the Treasury Timothy Geithner no longer holds the confidence of Congress or of the people of the United States.

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

The ACTING PRESIDENT pro tempore. Objection is heard. The bill will be placed on the calendar under rule XIV.

JOBS AGENDA

Mr. REID. Mr. President, tonight, before a joint session of Congress, President Obama will address the Nation on the single most important issue facing our country: the unemployment crisis we have before us. I look forward to hearing the specifics of his plan. I have spoken to him, and I have a pretty good idea of what he is going to talk about.

I support his goal to create good jobs for the 14 million people who have no jobs. This is a time of dark economic times, and it is important that we do this. I applaud the commonsense, bipartisan approach the President will unveil tonight to invest in badly needed infrastructure and to cut taxes for working families and small businesses to spur job creation.

These are ideas around which Members of both parties should rally. Republicans have always supported tax cuts. They have done it in the past, and they agree we must bring America's infrastructure up to 21st-century standards. I hope that in fact is the case. But

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



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if my Republican friends oppose these proposals now—proposals they have supported in the past—the reason will be very clear: partisan politics. Republicans seem convinced that a failing economy is good for their politics. They think that if they kill every jobs bill and stall every effort to revive the economy, President Obama will lose. My good friend the Republican leader has said so. He has said the Republican Party's No. 1 goal in this Congress is to defeat the President. But Republicans aiming at the President have caught innocent Americans in the crossfire.

This week, Republican leaders have said they want to work with the President and Democrats in Congress. They want to work on job creation in a bipartisan way, they say. I hope that in fact is the case, but their actions over the last 8 months speak much louder than their words of the last few days.

For example, Republicans opposed the reauthorization of the Small Business Innovation Research Program and the Economic Development Administration. Both have proven track records of spurring innovation, encouraging entrepreneurship, and creating jobs. Republicans were willing to put more than ½ million Americans' jobs at risk and, in fact, eliminate those jobs rather than work with us to pass that legislation.

The Senate passed much needed patent reform in March. Yet House Republicans stalled for months before sending us back their version of the bill, which we will vote on today. I am hopeful we can send it back to the House untouched.

Republicans wasted weeks threatening to shut down the economy this spring. They held our economy hostage for months this summer over a routine vote on whether to pay the Nation's bills. Congress took the same vote 18 times while President Reagan was President and 7 times while George W. Bush was President and never was the vote time-consuming or contentious. Through it all, Republicans hacked away at funding for the very programs that were helping to get this Nation's economy back on its feet.

The results of their stall tactics, obstructionism, and mindless budget cuts are beginning to show. Although the private sector created jobs for the 18th month in a row, August saw no change in the national unemployment rate. Unemployment in Nevada is still the highest in the Nation. But in spite of all this, the Republicans have refused to allow us to focus on unemployment. As Democrats introduced jobs bill after jobs bill, Republicans made it clear they were more interested in pursuing a political agenda than a jobs agenda.

We will no longer allow our Republican colleagues to put politics ahead of the American people. There are two things we must get done this work period and both will create and save jobs immediately. We need to reauthorize the Federal Aviation Administration to protect both air travelers and air-

line workers—that is 80,000 jobs—and we must pass a highway bill to fund construction projects across the Nation. These two bills combined will save about 2 million jobs, including many jobs in the struggling construction industry, and it will do it now. But we need Republican help. We can't get it done without them. This is their chance to prove they remember the meaning of the word "bipartisan." It is time for necessity to trump ideology.

Senator Robert Byrd once said, "Potholes know no parties." The challenges this Nation faces today are greater than any speed bump, but the road to recovery is the same: cooperation. Partisanship will not solve our jobs crisis, but setting aside politics in service to our country certainly will.

Mr. President, we have been able to move forward this week and get some work done. I especially appreciate very much the work of Senator KYL, who is the Republican whip. His work to put the patent bill in the position it is in so we can finish that bill today—we certainly hope to be able to do that—has been very exemplary, and I appreciate it very much.

Next week, likely, our first vote will be to do something about FEMA—the Federal Emergency Management Agency—which is broke. We have had a string of natural catastrophes that have been just awful—Irene, Lee, and tornadoes that don't have names, but the one that struck Joplin, MO, killed almost 200 people and devastated that town.

I went down to S-120 last night, and they had a number of scientists showing some of the things they have developed. One of the things they have developed—and these are things they have done at universities, handmade pieces of magnificent equipment that do many things—is something they can place in the path of a storm—they have never been able to do that before—to determine from which direction the wind is coming and how hard it blows. Without belaboring the point, one of the instruments there recorded the strongest winds ever recorded in the history of the world—more than 300 miles an hour. That is basically what we had in Joplin, MO. There is no building that can withstand that. It is devastating.

The pictures you see of Joplin, MO, look like a series of bombs hit. Every building was affected, most of them knocked down. The reason I mention that is that FEMA has stopped work in Joplin, MO. People were there working for \$9 an hour, just putting things back into some semblance of order, but that work has stopped. FEMA has had to look at the places that are impacted right now. They are still trying to get the water out of some places because of Lee and to restore some of the immediate damage done by Irene. We have to do something to replenish that money.

I was happy to see some of the statements from one of the Republican leaders in the House yesterday in effect

changing his position on how all this has to be paid for. As we speak, we are spending billions of dollars every week in Iraq and Afghanistan. I understand that. But that is all unpaid for—unpaid for.

Certainly, we have to do something to help the American people in an emergency and figure out some other way in the future to look at how to handle other disasters. We try to prefigure what we think will happen as a result of disasters, but these are acts of God—that is what we learn in law school—these hurricanes and tornadoes and floods. Along the Mississippi River, we have more than 3 million acres underwater. This is farmland. It is not just vacant land, it is farmland underwater. These people need help, and the Federal Government can help them. So we need to do that, and that is why we will have a vote, as soon as I can arrange it next week, on funding FEMA so they can continue doing the work that is so important for our country.

Mr. 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.

Mr. MCCONNELL. Mr. 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.

RECOGNITION OF THE MINORITY LEADER

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

ECONOMIC CLIMATE

Mr. MCCONNELL. Mr. President, later today both Houses of Congress will welcome President Obama to speak about a very serious crisis we face as a nation, namely, an economic climate that is making it impossible for millions of Americans to find the work they need to support themselves and their families.

In a two-party system such as ours, it shouldn't be surprising that there would be two very different points of view about how to solve this particular crisis. What is surprising is the President's apparent determination to apply the same government-driven policies that have already been tried and failed. The definition of insanity, as Albert Einstein once famously put it, is to do the same thing over and over again and to expect a different result. Frankly, I can't think of a better description of anyone who thinks the solution to this problem is another stimulus. The first stimulus didn't do it. Why would another?

This is one question the White House and a number of Democrats clearly don't want to answer. That is why some of them are out there coaching