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 President, I ask unanimous consent that the order for the quorum call be rescinded.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

PATENT REFORM

Mr. GRASSLEY. Mr. President, I wanted to address the issue of patent reform because the Senate has already passed by an overwhelming margin. It is my understanding the House of Representatives is expecting to pass a patent reform bill the House wants, and in the process the House wants the Senate to agree very soon thereafter and do it without a formal conference.

I want my colleagues to understand why I hope the House-passed bill will contain a provision that was not in our Senate bill but passed unanimously out of the House Judiciary Committee.

The House committee passed a bill that recognized that the "need to modernize patent laws has found expression in the courts" but that "the courts are constrained in their decisions by the text of statutes at issue." That is from the House committee report.

The House Judiciary Committee amendment that passed unanimously resulted from a recent Federal court case that had as its genesis the difficulty that the FDA—the Food and Drug Administration—and the patent office face when deciding how to calculate Hatch-Waxman deadlines. The Hatch-Waxman law was a compromise between drug patent holders and the generic manufacturers. Under the Hatch-Waxman law, once a patent holder obtains market approval, the patent holder has 60 days to request the patent office to restore the patent term—time lost because of the FDA’s long deliberating process eating up valuable patent rights.

The question for the case I am talking about is 731 F. Supp. 2nd 470. The court case decided in favor of a patent holder. My interest in this amendment is because I opposed it 2 or 3 years ago when it was first brought up. Because of the court decision, I am convinced the different application of the 60-day rule is very unfair. As ranking member of the Senate Judiciary Committee, I want the House Judiciary Committee to make the congressional effort at patent reform more clear, more efficient.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. BOOZMAN. 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 President, I ask unanimous consent that the order for the quorum call be rescinded.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.
This starts with making changes to unfunded mandates by the Environmental Protection Agency. Unnecessary and burdensome regulations imposed on our businesses cost money and cost jobs. EPA has put a target on American industry, manufacturing, and agriculture, job creators. Clean air, clean water, and conservation are all very important, but the heavy-handed regulations coming from this EPA have little or nothing to do with clean air or clean water. We are witnessing a Federal bureaucratic power grab on behalf of a radical, job-destroying agenda. These regulations are making food more expensive, energy more expensive, and gasoline more expensive, and they are driving jobs out of our country. Our competitors are taking our jobs and emitting far more pollution into our atmosphere and oceans than we would have in the United States. Again, it is all pain and no gain. As the administration works to drive energy prices through the roof, they seem to forget that a prosperous country is a country that can invest in conservation and protect the environment.

The President still wants to blame his predecessor for our sluggish economy. The blame game won’t help the President politically, and it won’t help turn our economy around. It is true that President Obama inherited a weak economy, but he made it worse. Before President Obama was elected, the Federal government was carrying out many policies that distorted the market and contributed to the meltdown. In 2008, we were spending too much money and running severe deficits. Now our deficit is three times as big. Sadly, President Obama has made each of our economic problems worse.

I believe it is important to provide American businesses with an equal opportunity to compete and succeed while opening new markets for American products. I strongly believe that when presented with a level playing field, American businesses and workers can outperform any in the world in terms of quality and value.

With three pending trade agreements on the table waiting for approval, we are wasting precious time and resources at our disposal to open foreign markets to U.S. products. The lack of action on the Colombia, Panama, and South Korea Free Trade Agreements is concerning. I believe we need to move forward as quickly as possible to ratify these policies. American companies and their workers are losing market share and are being denied valuable business opportunities. That is why one of the first pieces of legislation I cosponsored as a Member of the Senate was S. Res. 20, legislation that urges this Chamber to consider and approve the pending free-trade agreements with these countries.

On multiple occasions, President Obama expressed support for the implementation of all of these trade agreements in order to reduce our Nation’s deficit and create American jobs for American workers. So far, there is still a failure to act on any of these agreements. Americans deserve legislation that will promote job growth, but one of President Obama’s legislative priorities is the implementation of new national permits that actually cost jobs. We were told ObamaCare would create 4 million jobs, but reality tells a different story.

According to the Congressional Budget Office, there will be 750,000 fewer jobs. This is bad for business. That is why we voted to eliminate the onerous 1099 reporting requirements included in this flawed legislation.

I will continue to fight for a full repeal of this law as we seek meaningful health care reform that provides quality, affordable access for all citizens based on free market principles.

The simple truth is there are 14 million Americans out of work and millions more who have been forced into retirement or gave up looking for a job. These 14 million Americans are calling for our help, yet the majority and the administration continue to ignore their pleas.

We have a plan that is ready to move, and the practical free market ideas it is based upon will put Americans back to work. Let’s show Linda in Mountain Home and the millions of Americans looking for a job that we are working to change the direction our country is headed and be a job creator.

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. SESSIONS. I ask that the order for the quorum call be rescinded.

THE PRESIDING OFFICER (Mr. Coons). Without objection, it is so ordered.

THE ECONOMY

Mr. SESSIONS. Mr. President, I had the opportunity this morning to catch the CNBC program that had Jack Welch, former CEO of GE on, and I thought he made a number of valuable points. He is very worried about our economy. He believes we are facing serious troubles, and we need to take action and do something about it. As a corporate leader of great renown, one of the more respected corporate leaders in America at this time, he evidenced a real frustration at the lack of leadership. This administration is showing with regard to our financial crisis.

He said a number of things. One of them was classic leadership, classic thought by a manager, a man who has managed a very large corporation worldwide with many moving parts. He said we have to have a strategy, and we have not developed a strategic plan that is correct. I do not believe the American people sense that this country is able to articulate a serious strategy to confront the difficulties with which we are now dealing.

He said everything needs to go through a screen, and in his opinion the screen should be what our strategy is and our strategy should be, in general, to create and economy that is productive, innovative, that is creating jobs, creating wealth, creating prosperity, and everything ought to be judged by that.

One of the points he mentioned was doing nothing for oil and gas in America. We have all kinds of government agencies here, all kinds of regulations and a permitorium, a blocking of the giving of permits, that has substantially reduced the ability of this Nation to produce oil and gas at home, a critical factor if we are going to be competitive and economically prosperous.

We need to quit buying so much abroad, sending wealth abroad, and keep it at home. He just threw that out as one of the things that would never do that. The President said that it would be bad for business.

Terry, his predecessor for our sluggish economy did not help turn our economy around. It is true that President Obama inherited a weak economy, but he made it worse. Before President Obama was elected and the administration managed a very large corporation, one of the most successful in the world. One of the corporate leaders of great renown, one of the most respected corporate leaders in America at this time, he evidenced a real frustration at the lack of leadership. This administration is showing with regard to our financial crisis.

I do not think the American people fully understand, but they understood enough to punish the Congress in this last election. I am afraid they are going to punish us again because no Congress can defend itself from the criticism that we have presided over a government that is borrowing 40 cents