

of us, by contributing to our economic recovery. There is widespread agreement that benefits such as unemployment payments give us the biggest “bang for the buck” in terms of economic stimulus. By extending these benefits, we will give continued support to an economy struggling to recover, an effort that benefits all Americans.

I encourage my colleagues to place the interests of struggling American families, and the economic recovery, clearly before us, and to pass this much-needed extension.

#### EXECUTIVE SESSION

##### NOMINATION OF LAEL BRAINARD, TO BE AN UNDER SECRETARY OF THE TREASURY

##### NOMINATION OF MARISA J. DEMEO, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

##### NOMINATION OF CHRISTOPHER H. SCHROEDER, TO BE AN ASSISTANT ATTORNEY GENERAL

##### NOMINATION OF THOMAS I. VANASKIE, TO BE UNITED STATES CIRCUIT JUDGE FOR THE THIRD CIRCUIT

##### NOMINATION OF DENNY CHIN, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SECOND CIRCUIT

Mr. REID. Mr. President, I now ask unanimous consent the Senate proceed to executive session and that it be in order to file cloture on the following nominations in the order listed: Calendar Nos. 644, 165, 699, 578, and 607.

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

Mr. REID. I ask unanimous consent that the cloture vote on Calendar No. 644 occur at 5:30 p.m., on Monday, April 19.

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

#### CLOTURE MOTIONS

The PRESIDING OFFICER. The cloture motions having been presented under rule XXII, the clerk will report the motions.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Lael Brainard, of the District of Columbia, to be an Under Secretary of the Treasury.

Harry Reid, Patrick J. Leahy, Sheldon Whitehouse, Joseph I. Lieberman, Sherrod Brown, Richard Durbin, Daniel K. Inouye, Tom Harkin, Amy Klobuchar, Roland W. Burris, John D. Rockefeller, IV, Jon Tester, Chris-

topher J. Dodd, Byron L. Dorgan, Al Franken, Claire McCaskill, Benjamin L. Cardin.

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Marisa J. Demeo, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia.

Harry Reid, Patrick J. Leahy, Sheldon Whitehouse, Joseph I. Lieberman, Sherrod Brown, Richard J. Durbin, Daniel K. Inouye, Patty Murray, Tom Harkin, Amy Klobuchar, Roland W. Burris, John D. Rockefeller, IV, Jon Tester, Christopher J. Dodd, Byron L. Dorgan, Al Franken, Claire McCaskill, Benjamin L. Cardin.

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Christopher H. Schroeder, of North Carolina, to be an Assistant Attorney General.

Harry Reid, Herb Kohl, Sheldon Whitehouse, Richard J. Durbin, Benjamin L. Cardin, Patty Murray, Mark Begich, Kirsten E. Gillibrand, Mark R. Warner, Russell D. Feingold, Al Franken, Roland W. Burris, Dianne Feinstein, Patrick J. Leahy, Barbara Boxer, Charles E. Schumer, Edward E. Kaufman.

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Thomas I. Vanaskie, of Pennsylvania, to be United States Circuit Judge for the Third Circuit.

Harry Reid, Patrick J. Leahy, Jack Reed, Russell D. Feingold, Kirsten E. Gillibrand, Daniel K. Inouye, Arlen Specter, Benjamin L. Cardin, Bernard Sanders, Robert P. Casey, Jr., Richard J. Durbin, Al Franken, Roland W. Burris, Sheldon Whitehouse, Christopher J. Dodd, Dianne Feinstein, Daniel K. Akaka.

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Denny Chin, of New York, to be United States Circuit Judge for the Second Circuit.

Harry Reid, Patrick J. Leahy, Jack Reed, Russell D. Feingold, Kirsten E. Gillibrand, Daniel K. Inouye, Benjamin L. Cardin, Bernard Sanders, Robert P. Casey, Jr., Roland W. Burris, Richard J. Durbin, Al Franken, Charles E. Schumer, Sheldon Whitehouse, Christopher J. Dodd, Dianne Feinstein, Daniel K. Akaka.

#### LEGISLATIVE SESSION

Mr. REID. I now ask unanimous consent that the Senate resume legislative session.

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

#### MORNING BUSINESS

Mr. REID. I ask unanimous consent that the Senate proceed to a period of morning business, with Senators per-

mitted to speak therein for up to 10 minutes each.

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

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

#### MIDDLE-CLASS TAX RELIEF

Mr. BROWN of Ohio. Mr. President, the middle class is the backbone of our Nation. Middle-class families sustain our neighborhoods and our economy and support our public services such as our schools and police and fire departments and libraries.

Over the last 2 weeks—last week and the week before—I traveled extensively across Ohio and met with Ohioans who define the character of the American middle class.

College students at the University of Toledo described their hopes and aspirations to become our next educators and entrepreneurs, community and business leaders, and civic activists.

Workers at the 60-year-old General Motors plant in Defiance, near the Indiana border, described how they are ready to build the next generation car engines and rebuild the middle-class communities in which they work and live.

In Cincinnati, workers at GE's historic Evendale plant—a Cincinnati suburb—represent the classic American success story: people working hard, getting ahead, getting paid an honest day's wage for an honest day's work.

I met with veterans. Chairman AKAKA allowed me to set up, in Cambridge, OH—in eastern rural Appalachian Ohio—a Veterans' Committee hearing. I met with other veterans in the Chillicothe VA Center and the Cincinnati VA Center—two terrific VA facilities—to meet with and talk to and understand better the services for veterans who return from war and who represent those values of hard work and fair play.

Too many middle-class families in the Presiding Officer's State—whether it is Joliet, IL—or Mansfield, OH, too many middle-class families are still fighting to have something to show for it. They are fighting for a secure job with decent wages, a home with an affordable mortgage, and the belief that their children will have a future full of opportunity and stay close by and raise their children so they can know their grandparents.

Tax day is today, April 15, and many middle-class Americans are just trying to get by while our economy begins to recover. That is why when President Obama and this Congress—the Senate and the House—enacted the American

Recovery and Reinvestment Act last year, we made sure that one-third of those several hundred billion dollars—one-third of those dollars went to tax relief for 95 percent of working families in America.

We hear my colleagues on the other side of the aisle talk about tax cuts as if they invented them, but we don't hear them tell the truth about tax cuts because their idea of tax cuts is overwhelming tax benefits to the wealthiest people in our society—not doing what President Obama and the House and Senate did last year and this year: providing those tax breaks and tax cuts and tax relief directly to the large middle-class and working class in this country. Middle-class taxpayers, as a result, can collect on more than a dozen Recovery Act tax benefits this season. While the Recovery Act is putting Americans back to work rebuilding America, it is also honoring the dignity of work through the Making Work Pay tax credit. On average, Ohioans received \$496 through the Making Work Pay tax credit, \$496 in people's pockets. Middle-class tax relief helps make college more affordable through the American Opportunity Credit, tax savings for up to \$2,500 to pay college expenses. More homes can be energy efficient and less costly through energy efficiency and renewable energy incentives. Energy-efficient windows and doors and heating and cooling systems reduce utility bills, while increasing the value of the most important asset for many Americans—their home. The first-time home buyer tax credit has made the dream of home ownership a reality, helped create jobs, stabilized home prices, and rebuilt communities across the Nation.

These are tax breaks that have been enacted that Americans are already taking advantage of and, in many cases, celebrating on this day that people aren't particularly glad to see: April 15. It means this April 15 is a whole lot better for American taxpayers than 2 years ago, when April 15 was for people who didn't have the tax relief the Obama administration has brought them.

The Cash for Clunkers Program provided American consumers and Ohio consumers with vouchers to purchase new fuel-efficient vehicles. It was a resounding success. More Americans bought more American cars. That program stabilized the auto sector. It saved and created thousands of jobs across Ohio and the Nation. I saw these jobs being created in Defiance, OH, as I mentioned, where some 80 workers will be called back to help build the engine for the new Chevy Cruze made in Youngstown. I know those workers at GM in Parma, a Cleveland suburb, will be helping with some of the stamping and the fabrication of the Chevy Cruze, and I know that 1,100 workers are in the process of being put back to work, to work a third shift at the Lordstown GM plant to build the most energy-efficient car in the GM fleet.

Existing tax credits, such as the earned income tax credit which rewards work for people making \$20,000 to \$40,000 a year—this is not welfare; it rewards people who are working hard, playing by the rules, not making a lot of money—or the child tax credit, these existing tax credits were expanded to ensure more eligible Americans received the tax credits they earned. Nationwide, the average tax refund is up 10 percent—\$266 for a record average. The average tax refund is \$3,036 so far. Those numbers will slightly change as people file today, before midnight.

The IRS says this increase is largely due to the Recovery Act. Ninety-nine percent of working families and individuals in Ohio benefited from at least one of the tax cuts signed into law by President Obama. Working Ohioans received \$1,046 on average as a result of these critical middle-class tax relief programs. That means because of what this Congress did, the Senate and the House, what President Obama did, middle-class Ohio families save over \$1,000. That is \$1,000 in their pockets that wouldn't have been there 2 years ago, before President Obama took office, would not have been available under the Bush tax policies because those tax policies benefited the richest people but didn't benefit the middle class.

So under the Bush tax policies, wealthier people were particularly happy, but the middle class was left out. Under Obama tax policies, wealthier people might not be quite so happy, but the broad middle class will have more than \$1,000 extra in their pockets as a result of this middle-class tax relief. It is a critical part of the economic recovery.

That is why the President and the Congress passed just last month the largest health-related, middle-class tax cut in the last two decades when it passed the historic health care reform, insurance reform legislation. We know there is much work ahead. I would add the first thing that came out of that legislation on health care was already in place and is now already in place; that is, significant tax incentives for small businesses, for employers to provide health insurance for their employees. When they couldn't afford it in the past, with these tax incentives, many employers will be able to afford providing health insurance for their employees.

We know there is much work ahead to ensure the interests of the middle class are protected in our Tax Code over the corporate special interests. I know many Republicans, including those running for office in my State—for Governor and Senate and attorney general—many Republicans want to repeal the health care bill. But understand when they repeal the health care bill, they are doing what they have done in the past. They are taking from the middle class and giving to the wealthy. That is the class warfare I have heard on this floor for the last 3 years. It is the class warfare I heard in

the House of Representatives when Republicans continued to do more and more for the richest people in this country and less and less for the middle class and less and less for low-income people. That is the kind of class warfare they have waged for years. I hope they aren't successful in doing that on the health care bill. I don't think they will be, but it is important to guard against that.

Senate Democrats are not just looking back with what we were able to do, we are looking forward to what we are going to do to make taxes work better for America. Senate Democrats are working on further tax relief to help middle-class families whose daycare costs for a young child or an elderly parent undercut their pay and their savings. We will continue to fight for middle-class tax relief that will rebuild our economy in Dayton and Springfield and Zanesville and Mansfield and Ravenna and Girard and Lima and restore prosperity for all Ohioans. We will continue to fight for college students in Toledo, the GM workers in Defiance, the GM workers in Evendale, and veterans and all middle-class families across the Ohio and the country. America's middle class, as a result, will pay less and save more because this President and this Congress are actually doing something about it.

I yield the floor.

#### BUDGET SCOREKEEPING REPORT

Mr. CONRAD. Mr. President, I rise to submit to the Senate the fifth budget scorekeeping report for the 2010 budget resolution. The report, which covers fiscal year 2010, was prepared by the Congressional Budget Office pursuant to Section 308(b) and in aid of Section 311 of the Congressional Budget Act of 1974, as amended.

The report shows the effects of Congressional action through April 9, 2010, and includes the effects of legislation since I filed my last report for fiscal year 2010 on January 28, 2010. The new legislation includes: P.L. 111-127, the Emergency Aid to American Survivors of the Haiti Earthquake Act; P.L. 111-142, the Social Security Disability Applicants' Access to Professional Representation Act of 2010; P.L. 111-145, the United States Capitol Police Administrative Technical Corrections Act of 2009; P.L. 111-147, the Hiring Incentives to Restore Employment Act; P.L. 111-148, the Patient Protection and Affordable Care Act; P.L. 111-151, the Satellite Television Extension Act of 2010; and P.L. 111-152, the Health Care and Education Reconciliation Act of 2010.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of S. Con. Res. 13, the 2010 budget resolution.

The estimates show that for fiscal year 2010 current level spending is above the levels provided in the budget resolution by \$3.1 billion for budget authority and \$5.8 billion above for outlays. For revenues, current level shows