

of Josephine Staton Tucker, of California, to be United States District Judge for the Central District of California?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider the vote on the foregoing nominations are made and laid upon the table, and the President will be notified of the Senate's action with respect to these nominations.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now resume legislative session.

The Republican leader.

#### NOMINATIONS

Mr. MCCONNELL. Madam President, the majority leader and I have been discussing, over the last few days, clearing a number of nominees, and I am prepared—although I will defer tonight—to attempt to clear a list of over 60 nominees. The President made some reference to that over the weekend. I just want to make sure everybody understands both downtown and here that we are prepared to clear over 60 nominations and have been prepared to clear them for the last week, and I am hopeful my friend, the majority leader, will be able to indicate at some point in the near future that we might be able to go forward with these nominees.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, the Republican leader is correct. He has submitted a list of names. We have exchanged those with our respective staffs. I appreciate it very much. I have had one issue I have had to work through, and he has been very considerate on not moving forward on any consent request until I get this worked out. I think we will be able to do that tonight—if not, the first thing in the morning. So I appreciate very much our being able to move forward. I think we can do it as early as tomorrow morning—at least sometime tomorrow early.

Mr. MCCONNELL. Madam President, I thank the majority leader.

Mr. REID. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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 Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### MORNING BUSINESS

Mr. BROWN of Ohio. Madam President, I ask unanimous consent that the Senate proceed to a period of morning

business, with Senators permitted to speak for up to 10 minutes each.

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

The Senator from Ohio.

#### UNEMPLOYMENT INSURANCE AND COBRA

Mr. BROWN of Ohio. Madam President, more than 57,000 Ohioans—that is about the size of Elyria, OH, or Mansfield, OH, or twice the size of Zanesville, OH—more than 57,000 Ohioans are estimated to have lost unemployment benefits since the extension ended in May 2010, a month ago.

If the Senate does not pass an extension, that number will increase dramatically. More than 90,000 Ohioans could lose their benefits by the end of June. That is more people than live in Youngstown, more people than live in Springfield, OH, more people than live in Cleveland Heights or Lakewood, OH. Madam President, 90,000 Ohioans could lose their benefits by the end of June.

Nationwide, since the beginning of June, some 900,000 workers have run out of jobless benefits. That number will surpass 1 million by next week.

Now, those are numbers, and we can stand around here and debate back and forth, and talk about 50,000 here and 100,000 here and a million there. But later in my remarks I am going to share, as I often do, Madam President—as you and I have talked about—letters from people in Crawford County, Warren County, Pickaway County, and Hamilton County, OH, where I was earlier today—letters from people, individuals who are part of those 50,000 or 90,000 Ohioans who could lose their benefits.

Senate Republicans are denying tens of thousands of Ohioans—and thousands of people in New Hampshire and hundreds of thousands of people in California and Texas and Florida—the Republicans are denying tens of thousands of Ohioans the unemployment insurance benefits they have earned during years of hard work.

This year, this Chamber spent 9 weeks on the floor struggling to extend unemployment insurance and COBRA. Over the past week, every single Republican voted again and again to block a bill just to extend unemployment insurance. They chose to vote against extending COBRA, a critical benefit for workers who not only lose their jobs but also their health insurance.

You know how this happens, Madam President. Someone is laid off from their job. They lose their income. Then they cannot afford their insurance. They lose their insurance—unless they are enrolled in COBRA. COBRA is a bit of a cruel hoax. In order to keep your insurance, you have to pay what you were paying as an employee when you had a job and full pay and you have to pay the employer side of the insurance in order to continue your insurance. That is why a year ago, in the stimulus

package, for the first time in American history, the Federal Government helped people who had lost their insurance keep their insurance by paying about two-thirds of the COBRA premium.

If you lose your job, you get a little bit of unemployment insurance, although the Republicans have blocked that. Then you lose your insurance. Then if you get sick, you are going to lose your house. When I hear my colleagues on the other side of the aisle talk the way they do about unemployment insurance, they act as if it is a welfare program. Unemployment insurance, decidedly, is not a welfare program. We do not call it unemployment welfare. We call it unemployment insurance.

What does that mean? It means when you are working—if you are an iron-worker in New Hampshire, if you are a steelworker in Ohio or you work at Burger King in Cleveland—wherever you are working, you pay into this unemployment insurance plan. When you lose your job, if you are full time, you get money back, some of the money you paid in. It is called insurance. That is why we call it insurance. Yet my Republican colleagues act as if unemployment insurance is welfare. Well, it is not. It really is insurance.

I think it is important we think about someone losing their job and not getting unemployment insurance, and then losing their health care, and then, very likely, in many cases, losing their home. We do not know many people like that because we dress like this and we make a good bit of money here and a good many of our colleagues are pretty insulated. They do not know a lot of people who have lost their job or lost their insurance or lost their home. But think about it, we should try to put ourselves in the position of someone who has lost their job, then lost their insurance, then lost their home.

You are a family in Lima, OH, or Zanesville, OH, or Gallipolis or Dayton. First the breadwinner loses her job. Then they cannot afford the insurance. Then they get not really sick but sick enough that they have bills that have piled up. Then they cannot keep up with paying for their home mortgage. Then they get 3 or 4 months behind. Then they get a notice from the bank that they are going to lose their house. Think of what that does.

Say you have two kids. You live in Dayton, OH. You have lost your job. You have lost your insurance. Now you are about to lose your house. You have to explain to your son and daughter in Huber Heights, a suburb of Dayton: Well, little Johnny and Jane, we are going to have to move, and we are going to move to a really small, little apartment, and we don't have any place to put all this stuff, and we are going to have to sell it or give it away. I don't know where you are going to go to school next fall because I am just really unsure of things.

The son or daughter says: Well, mom, what about my friends? Where are we

going to school? She says: I don't know yet because we don't have an apartment. I don't think my colleagues, particularly my Republican colleagues—who vote no on unemployment insurance benefits, who vote no on COBRA and helping people with their insurance and are unwilling to do anything about these foreclosures—I do not think they think about these individual situations. They look at statistics, like we do. They look at numbers, like we do. They debate this stuff. But I do not think they think about what it would be like if someone they knew or they themselves had to lose their job and their health insurance and their benefits.

It is pretty simple in so many ways. As I said, employees pay into the unemployment fund when they are working. When they are laid off—they did not ask to be laid off—they receive help from that fund. But when it comes to helping middle-class Americans, Republicans too often look the other way. They start talking about deficit spending. I am empathetic with that because I think we have to get our budget house in order.

But all I can think of is where was this concern, where were my Republican colleagues, where were they when they voted for two wars—a war with Afghanistan and a war with Iraq—and did not pay for those wars? They took the cost of those wars, which is \$1 trillion, which is 1,000 billion. That is 1,000 billion. A billion is a thousand million. So it is a thousand million: a trillion dollars. I know that is a little confusing. But they are spending \$1 trillion. They are just charging it to our grandkids for the wars in Iraq and Afghanistan. They do not worry about that being added to our grandkids' tab.

Then where were these Republicans, where was the concern of the Republicans when they passed George Bush's tax cuts for the rich? That is why we have this huge budget deficit.

In 2000, as the Presiding Officer knows, we had a budget surplus in our country, and then George Bush and the Republicans took over. Two wars; did not pay for it; charged it to our grandchildren. Tax cuts for the rich; did not pay for it; charged it to our grandchildren. A giveaway to the drug and insurance companies in the name of Medicare privatization; did not pay for it; charged it to our grandchildren.

Now, when it is not giving money to the drug companies or paying for a war, or giving tax cuts to the richest people in America, now, all of a sudden, when it is unemployment insurance, a bunch of people who are laid off—or it is a bunch of people who have lost their health insurance—middle-class families, then, all of a sudden, they are concerned about the budget deficit. They did not care when it was shoveling money—hundreds of billions of dollars—for a war. They did not care when it was shoveling out money, hundreds of billions of dollars, for tax cuts for the rich. They did not care about the

budget deficit when it was just shoveling hundreds of billions of dollars to the drug companies and the insurance companies. That did not matter. They did not care about the budget deficit then.

Now, Republicans tell us: Oh, we can't extend unemployment benefits because it would add to the deficit. We cannot help with COBRA. We cannot help give some assistance to people for health care because that would add to the deficit. We cannot help the States with what is called FMAP, helping the States deal with their Medicaid costs going to many previously working families who have lost insurance. We cannot do any of that because all of a sudden the budget deficit is the most important moral question of our times. Where was this important moral question of our times when they added \$100 billion—hundreds of billions of dollars—to the deficit for a war, for tax cuts, and for the giveaway to the drug insurance companies?

I was in the House when the so-called prescription drug benefit, when they created that huge doughnut hole and gave all those subsidies to the drug companies and insurance companies. That vote took place in the dead of night while most Americans were asleep. Literally, that vote—the roll-call—started at 3 o'clock in the morning. I was down the hall working there then. The vote started at 3 o'clock in the morning. An overwhelming number of Democrats opposed it. Some Republicans who actually believed that deficit spending was a problem—a few of them—not very many voted against it. So the vote started at 3 o'clock. Usually, a vote in the House of Representatives takes 15 or 20 minutes.

Three hours later, they woke up the President of the United States and had him start calling Republicans—George Bush then—to change their vote and vote yes. Finally, after 3 hours—history-making because the House of Representatives never took 3 hours ever; when my colleague from Oklahoma or my colleague from Maine, who are sitting here, were in the House of Representatives, they never saw us do anything like that—3 hours later, finally, President Bush twisted two arms—a Congressman from Idaho and a Congressman from Oklahoma—to change their votes, and they passed the bill in the middle of the night, this huge bailout. It was a bailout—there is no other word for it—a bailout to the drug companies and the insurance companies.

It was not a benefit for seniors. We could have done that much more directly and much less expensively and given seniors a prescription drug benefit. No, the Republicans wanted to do a Medicare prescription drug bill. When you give tens of billions of dollars—hundreds of billions of dollars—to the drug and insurance companies and let some trickle down to seniors, that is really the way they believe in doing government.

All of this hypocrisy must end. It is wrong. It does a disservice to the American people.

Let me share a handful of letters that say this way better than I can say it about why unemployment insurance and COBRA are so important.

Barbara from Hancock County—that is south of Toledo. Barbara writes:

I cared for my cancer-stricken father while working full-time and raising my three young children. After my father died, I went back to college. I got an associate's degree, three certificates, and a bachelor's degree. Last year I lost my job. I have been looking for work ever since. I have mouths to feed and student loans to pay back. I don't take fancy vacations. I don't buy flashy expensive clothes. I am over 50. I should be preparing for retirement. Because I can't find a job, though, my small savings is gone. Without unemployment insurance, there is no help for me. I send out dozens of resumes, but no one is hiring. Please tell me what I can do. Because the extension has not passed, I will be living on the streets with my three children.

Think about that. She is playing by the rules. She worked hard. She took care of her dying father. She has three children. She went back to school. Now she has lost her job, No. 1. No. 2, she has a mortgage; she wants to keep her house. She has children to feed. She has student debt because she did what so many of us want people to do, which is to go back to school and make something better of themselves. She lost her job. She can't get unemployment insurance because my Republican colleagues have said no to extending unemployment insurance.

This isn't a political game. This isn't playing with a bunch of facts and figures. This is people like Barbara from Hancock County, OH. We all have Barbras in every State of this country—people who have lost their jobs and need that unemployment compensation just to tread water. We don't want them to drown. They are not going to get ahead receiving unemployment benefits. They are not going to get rich.

Remember, as my Republican friends forget, unemployment insurance is not welfare; it is insurance. You pay into it when you are working, you get help when you are unemployed.

I know the Presiding Officer—whether it is in Eugene or whether it is in Portland or wherever it is in Oregon—understands these are people who are working hard. They lost their jobs. They paid into insurance. They should be eligible to receive unemployment compensation.

Rebecca is from Crawford County, just 8 or 9 miles from where I grew up in Mansfield.

Today is another day I am spending in tears and obsessed with fear. I am in the ranks of the unemployed. I was brought up with a sense of personal accountability and values. I have attempted every method I can think of to obtain a job to support myself. I won't burden you with a discussion of what it feels like to be uninsured and not be able to see a doctor when I am sick. You keep your fingers crossed. You pray you can treat

what ails you with over-the-counter remedies. My unemployment insurance was allowing me to keep a roof over my head, although incurring massive credit card debt for the remainder of my essentials—food, gasoline, eating. Most of us who are looking for work want to return to a normal life. Please pass an unemployment extension so we can continue to survive and maintain a degree of dignity. Allow us to rebuild our country and our economy. I know I am one of millions and my voice alone means very little. Please ask your fellow Senators to at least acknowledge us.

Think about what she said. She is obsessed with fear. Her future is uncertain. She has lost her unemployment. She has lost her job. She is not getting unemployment insurance now. She said she was brought up to believe in personal accountability, personal responsibility, and those values. She said: My unemployment insurance was helping me to at least get along, even though I was adding to my debt because unemployment insurance is never really enough to do all you need to do. She points out that, as most people do, she wants to work. She sends out resumes every week. You don't just get unemployment insurance by going like this. You get unemployment insurance by filing for it, showing that you are out of work. You have to show that you are searching for work, seeking work, and you can't find it in this economy.

Whether it is Rebecca in Crawford County or Barbara in Hancock County or whether it is somebody from Oregon, you don't just automatically get a job.

It is clear that it is hard to find work, and these are people who are out trying. If they are not able to find a job, they should be getting this unemployment extension.

Three more letters, briefly.

Georgetta from Warren County:

I am an unemployed single mother of two children, 10 and 14. I was laid off through no fault of my own. I have been doing what I can to secure a new job. I am about to lose my unemployment insurance. How can I feed my children? How can I keep a roof over their heads? What am I supposed to do? My savings are gone. I have no health insurance. I am trying to find a job. I can take the pain, but I can't sit by and watch my children suffer through no fault of their own. Please help me. Please pass an unemployment insurance extension.

I wish my colleagues who walk down into this well and, when their name is called, vote no—I wish they would meet people like Georgetta. I wish they would sit down with the Georgettas in their State and listen to their stories. I wish they would look at the pain in her face that she has because of her children suffering, not getting the food they need, the clothes, the books they need for school, not even sure she is going to have a roof over their heads. Think about that.

Again, I think we don't know very many people—my colleagues who vote against unemployment insurance, my guess is most of them don't know anybody who lost their job, lost their insurance, lost their house. My guess is they haven't thought through the con-

versation a parent has with a son or a father has with his daughter telling them the news that they are going to have to move out of their house, maybe move into a different school district, maybe just not know about the future because they are about to lose their home they have lived in for the last 5 or 6 years. What is that like for a parent to explain that to a child?

I ask my colleagues to try to empathize and try to put themselves in that position, when that conversation takes place, when parents have lost jobs and then health insurance and then their homes.

Joe from Pickaway County, south of Columbus:

I was laid off last year after working at a company for 13 years. I am still unemployed. I have lost my house, my car, my credit rating, and my liberty. I relied on unemployment benefits to feed my family. If UI is not extended, there will be people and families starving. Please do what you can to help us.

This is in another part of the State, southern Ohio, Appalachia, OH. Joe worked at a place for 13 years. The company laid him off. He is unemployed. He has lost his house and his car and he is struggling. If we don't extend unemployment benefits—even with unemployment benefits, his life is not going to be very easy, but without it where does he turn? What does he do? He goes to food banks. He lives on the street. What does Joe do in Pickaway County if we don't extend unemployment this week? He shouldn't be waiting any longer.

The last letter is from Amy from Hamilton County. That is where I was today, near Cincinnati. Amy is writing saying:

I am among the many Ohioans who lost their job due to the economic downturn that started 2 years ago. My husband and I did not live beyond our means. We bought a modest house. We lived reasonably on what we could afford. I encourage you to continue to push through passage of the UI extension. It will help pay for basic bills like our mortgage, food and utilities. UI is crucial to my family's viability. Please do whatever you can to pass the extension. We want to restore our basic way of life.

She is saying unemployment benefits would not make her life easy, would not even make her life comfortable in any way, but unemployment insurance would give her the bridge until she can, when the economy gets better, find a job.

I conclude by just saying again that I hope my Republican colleagues, who have consistently voted no on extending unemployment benefits and helping people keep their health insurance, will open their eyes and look around their States and talk to people, look at the mail they are getting, look at what they are hearing from constituents on the Internet and e-mails and try to put themselves in the shoes of a father who lost his job and his insurance and has to explain to his kids they lost their house or a single mother who was renting and can't even pay the rent because she has lost her insurance and she is

going to have to figure out how to explain to her children they will be in a different school district and they don't even know what it will be yet.

As people without jobs often do, they change from one school district to another one, and their kids fall farther and farther behind.

I ask my Republican colleagues who consistently vote no to try to empathize with those who have less privileges than we do, who don't have huge staffs and don't have a good salary and don't have good insurance and don't have a secure place to live, what their lives would be like if any one of us lost all of those privileges. I think it would make a difference in how they vote.

Mr. President, I yield the floor.

(Mr. MERKLEY assumed the Chair.)

#### 2009 METRO ACCIDENT

Mr. WARNER. Mr. President, I rise today to mark a sad day for the National Capital region. On the eve of the 1 year anniversary of the deadliest accident in Metro's history, I would like to extend my deepest condolences to the families of the nine victims who perished on June 22, 2009. On that day around 5 p.m., a Red Line train collided with another train that sat stopped between the Takoma and Fort Totten stops as it waited for the Fort Totten station to clear. The first car of the moving train, an outdated model over 30 years old, sustained tremendous structural damage which resulted in significant casualties. As Virginian, this issue is especially important to me because 1 of the 9 victims who died—the train's operator—as well as 15 of the 80 people injured were fellow Virginians.

The unfortunate events of that day shed light on some glaring problems with our Nation's public transportation systems, and should provide us with a sense of urgency to accomplish the task of ensuring the safety of public transportation users.

Metro itself and its oversight agency—the Tri-State Oversight Committee—TOC—are both in dire need of reform. While it has taken steps towards addressing the problem, Metro needs to continue to make safety its top priority. Full analysis of potential hazards and safety concerns needs to be done, and Metro must start regimented data collection efforts so that safety problems can be tracked and prioritized. Top Metro executives—those with decisionmaking authority—need to be involved in critical safety conversations, and need to have the relevant information in their hands when making important safety decisions.

I am proud that we have been able to provide \$1.5 billion in Federal funds over 10 years to make capital improvements to Metro, but this cannot be a blank check. Replacing the outdated 1000 series railcars is a huge priority, and Metro is poised to sign the contract that will enable them to phase