

Mr. Reyna's civil service is not limited to his work for the Hispanic community. He has been recognized by the Court of International Trade for his extensive pro bono work before that court. He also serves on the board of directors of the Community Services for Autistic Adults and Children Foundation.

Mr. Reyna's nomination would also bring much-needed diversity to the Federal circuit. Throughout his career, Mr. Reyna has shown a strong commitment to diversity and racial equality, not only through his service to the Hispanic community, but also through his service on the ABA Presidential Commission on Diversity in the Legal Profession, and as chair of the Williams Mullen Diversity Committee. If Mr. Reyna is confirmed, he would be the first Latino to serve on the Federal circuit in its history. With the nomination of Mr. Reyna, the Senate has another opportunity to further increase the diversity of the Federal bench.

Because of his vast qualifications, Mr. Reyna's nomination has received support from various organizations and individuals, including the HNBA and the Congressional Hispanic Caucus. Additionally, seven former chairs of the American Bar Association Section on International Law wrote a letter of endorsement for Mr. Reyna, affirming that Mr. Reyna has "the professional credentials, the experience and skills, the appropriate temperament, and the fair and sound judgment" to serve on the Federal circuit.

And, last but certainly not least, Mr. Reyna is a resident of Silver Spring, MD, and a constituent of mine.

In conclusion I urge the Senate to confirm Mr. Reyna's nomination to be a U.S. circuit judge for court of appeals for the Federal circuit.

Mr. BENNET. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER (Mr. FRANKEN). Is there a sufficient second? There is a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Jimmie V. Reyna, of Maryland, to be United States Circuit Judge for the Federal Circuit?

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from North Dakota (Mr. CONRAD), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Oregon (Mr. MERKLEY), the Senator from Rhode Island (Mr. REED), and the Senator from Michigan (Ms. STABENOW) are necessarily absent.

I further announce that, if present and voting, the Senator from Rhode Island (Mr. REED) would vote "yea."

Mr. KYL. The following Senators are necessarily absent: the Senator from South Carolina (Mr. DEMINT), the Senator from South Carolina (Mr. GRAHAM), the Senator from Texas (Mrs. HUTCHISON), the Senator from Idaho

(Mr. RISCH), the Senator from Pennsylvania (Mr. TOOMEY), the Senator from Louisiana (Mr. VITTER), the Senator from Mississippi (Mr. WICKER), and the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER (Mr. MANCHIN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 86, nays 0, as follows:

[Rollcall Vote No. 47 Ex.]

YEAS—86

Akaka	Ensign	Menendez
Alexander	Enzi	Mikulski
Ayotte	Feinstein	Moran
Barrasso	Franken	Murkowski
Baucus	Gillibrand	Murray
Begich	Grassley	Nelson (NE)
Bennet	Hagan	Nelson (FL)
Bingaman	Harkin	Paul
Blumenthal	Hatch	Portman
Blunt	Hoeven	Pryor
Boozman	Inhofe	Reid
Boxer	Inouye	Roberts
Brown (MA)	Isakson	Rockefeller
Brown (OH)	Johanns	Rubio
Burr	Johnson (SD)	Sanders
Cantwell	Johnson (WI)	Schumer
Cardin	Kerry	Sessions
Carper	Kohl	Shaheen
Casey	Kyl	Shelby
Chambliss	Landrieu	Snowe
Coats	Leahy	Tester
Coburn	Lee	Thune
Cochran	Levin	Udall (CO)
Collins	Lieberman	Udall (NM)
Coons	Lugar	Warner
Corker	Manchin	Webb
Cornyn	McCain	Whitehouse
Crapo	McCaskill	Wyden
Durbin	McConnell	

NOT VOTING—14

Conrad	Klobuchar	Stabenow
DeMint	Lautenberg	Toomey
Graham	Merkley	Vitter
Hutchison	Reed	Wicker
Kirk	Risch	

The nomination was confirmed.

• Ms. KLOBUCHAR. Mr. President, I regret that a commitment in Minnesota has prevented me from being able to cast my vote in support of Mr. Jimmie V. Reyna's confirmation to be a judge on the U.S. Court of Appeals for the Federal Circuit. I believe that Mr. Reyna has the stellar qualifications, intellectual capability, temperament and integrity that are the hallmarks of our finest federal judges. Had I been present this evening, I would have cast my vote in support of Mr. Reyna.

I had the pleasure of being introduced to Mr. Reyna last year by Peter Reyes, a constituent of mine who is an intellectual property lawyer and a leader in the Minnesota Hispanic Bar Association. Upon meeting Mr. Reyna, it was easy to see what the American Bar Association later confirmed when it unanimously gave him the highest possible rating for a judicial nominee: he is well qualified. I know that Mr. Reyna's three decades of experience in private practice focusing on international trade issues will serve him well given the Federal circuit's unique jurisdiction. I congratulate Mr. Reyna on his confirmation. •

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table.

The President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

The Senator from Delaware is recognized.

MORNING BUSINESS

Mr. COONS. Mr. 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.

COLLECTIVE BARGAINING RALLIES

Mr. COONS. Mr. President, I rise today to speak about the rallies that have occurred all over this country today, and to add my voice to theirs. Today, Americans in all 50 States are gathering at hundreds of rallies and events to stand together in unity in defense of the collective bargaining rights of public employees—rights I believe are now under attack in Wisconsin, Ohio, and in other States across this country.

That those demonstrations have been held today is no mere coincidence, for on this very day, 43 years ago, the Reverend Dr. Martin Luther King was killed in Memphis, TN, while standing up for the rights of 1,300 public sanitation workers.

Working men and women gathered early today in Wilmington to declare "We Are One," and within the hour of this speech, thousands more will gather in Madison, WI, to protest what in my view is the scandalous move of Governor Walker to strip Wisconsin's longstanding collective bargaining rights from public-sector employees.

Before coming to this body, I served as the county executive of New Castle County, DE, for 6 years. And before becoming Governor of Wisconsin, Governor Scott Walker was also the county executive of Milwaukee County for 8 years. I understand the difficult choices executives face when they must adopt a balanced budget, even in the toughest of economic and fiscal times, for as county executive I too faced extremely difficult budget challenges, as did the Presiding Officer as the Governor of West Virginia.

But I rise today because I know from my experience in cutting spending and in balancing budgets that it can be done without stripping American workers of their fundamental rights to organize and to collectively bargain. I know it because I have done it through collective bargaining and without resorting to blaming and draconian anti-union legislation.

New Castle County, DE, is a mid-sized county government serving just over ½ million people and has a budget of about \$230 million. As the county executive, I confronted a real and growing budget problem. Our housing boom

had masked deepening spending deficits that were unsustainable even before the economic collapse in 2008. As our national and local economies tumbled, our government's revenue did as well. I had already spent my first few years as county executive cutting spending each and every year in simple cuts, and we had only fundamental cuts in front of us.

We had reduced library hours, ended popular public events, and made many difficult choices that many local governments and many State governments face today. But that wasn't enough. As with many State and local governments, our budget was three-quarters personnel costs, and we could not allow those costs to continue to grow as health care and pension costs boomed. We needed to cut our people cost to get our budget under control.

Now, in the case of the county I formerly served, more than 80 percent of the county workforce is represented by organized labor, mostly AFSCME, but also the FOP and IBEW as well—and we needed all groups to come together and share the sacrifice that lay ahead.

It was just 2 years ago last week that I rose before our county council and delivered the hardest budget address I had ever given, one in which I laid out that we had two paths forward; one path would involve having all the suffering focused on about 150 to 200 public employees who would have to be laid off to balance our budget, and the other was sharing that sacrifice across our entire mostly unionized workforce.

Ultimately, after many meetings, many negotiations, some very hard talk and debate—and yes, even at one point some layoffs—every bargaining unit in our county government came to the table, worked collaboratively, and helped us reach the goal of cutting 5 percent of our total personnel costs not just 1 year but, as the recession continued and deepened, a second year as well. Many of these great and dedicated public employees saw health care costs shift and benefit packages change as well. But together they were willing to share that sacrifice, to work in the best interests of our county and the public, and to acknowledge that we are one.

In some ways, seeking a legislative solution such as has been done in Wisconsin, trying to simply strip away the right to be organized, to be at the bargaining table, might have seemed easier. Working together, as you know, as labor and management is not an easy path. No one wants to hear they have to do more with less, especially when it comes to their own paychecks. And public employees—in Delaware and all across this country—are, in my view, not just the backbone of our community but the backbone of our middle class. They are the policemen, the paramedics, the 911 call-takers, the emergency sewer repairmen, the librarians, the teachers, the health service workers, and the prison guards—the folks who keep our communities safe,

healthy, and prepared for the future day in and day out.

In my view, where public employees come together to organize and seek collective representation on workplace issues, we ought to respect those choices. Collective bargaining serves as a critical check on our system and its long and storied history is an important part of American history and American values. It is that check that led to the end of child labor practices, that led to the 40-hour workweek and the weekend, to workplace safety rules, and ended legal sweatshops. It is a critical check against excesses and overreach by management and by the marketplace.

I stand here today to remind all of us that labor unions and the hundreds of thousands of public employees they represent in this country are not the enemy. We all know this country faces a significant, almost devastating national debt and annual budget deficit, and we are going to have to make shared sacrifices and tough choices to get through these next few years. But that does not require we strip the collective bargaining rights of the hundreds of thousands of public employees who serve us in the Federal Government, and the hundreds of thousands, even millions of public employees who serve our Nation at each and every level of government.

More often than not, these are the employees who do the difficult, the dirty and the dangerous jobs that keep us safe and make our communities strong. They simply, in my view, do not deserve to be demonized but, rather, to be listened to, respected, and partnered with, as together we seek solutions to the challenges facing our country now and in the future. In my view, passing new laws to eliminate their basic collective bargaining rights is wrong, and we can do it better by working together.

So today, I join with all those who are standing up for these fundamental rights of the American worker and join them in declaring “We Are One.”

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

The PRESIDING OFFICER. Will the Senator withhold his suggestion.

Mr. COONS. Yes, Mr. President.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN of Ohio. Mr. President, I came to the floor for the same reason Senator COONS did. I appreciate the comments of the Senator from Delaware in the beginning of his first term in office. He obviously understands the importance of worker rights and the importance of collective bargaining.

In my State, collective bargaining passed 30 years ago. Because of that, we no longer see the “blue flu,” where a police officer calls in sick. Because there was no ability to organize and bargain collectively, they would call in sick the same day. They had no other way of expressing themselves. We have seen significant labor peace, when we

didn't always have labor peace on a lot of these issues prior to the early 1980s in my State, where we now have collective bargaining.

My colleagues who have followed the news—I think people are very aware of this in my State—know that Governor Kasich recently signed legislation to take away those bargaining rights. That is why I have come to the floor today, in part, to celebrate We Are One, an organization that represents people of faith, people who belong to trade unions, people who care about economic justice, people who support strong community local services—the police, the firefighters, nurses, teachers—and who have come together to honor Dr. King.

As Senator COONS mentioned, Dr. King was assassinated 43 years ago today because he was standing with workers in Memphis, TN—sanitation workers. Some of those workers had been crushed to death on the job by heavy machinery and had no ability to bargain collectively, no ability to fight for themselves. Most of them African American, most had no real rights to job safety, decent wages, or benefits. Dr. King understood that worker rights is a human rights issue, and that is why he stood up.

The debate in statehouses across America—Wisconsin, Ohio, and in other places—is about collective bargaining, but it is really about rights, opportunities, and the future of the middle class. The American middle class, as Senator COONS pointed out, didn't happen by chance. Those aspiring to the middle class had to work hard and play by the rules in order to enter it. The middle class was created after people worked together to demand a minimum wage, safe workplaces, pensions, Social Security, and basic fairness. The middle class, in many ways in this country, was a direct outgrowth of the passage in this body some 70-plus years ago of collective bargaining—the right of both private-sector workers, then later public-sector workers, to organize and bargain collectively.

Last fall we heard many of the Republican winners of elections in my State, and I think across the country, talk about the loss of jobs—the job loss that began during the Bush administration. When President Obama took office, we were losing 700,000 jobs a month. We are now beginning to gain jobs, and have done that the last 12 or 13 months, especially in manufacturing. We know manufacturing jobs create a middle class. But after winning these elections last fall in my State, instead of focusing on jobs, as they did during the election, too many politicians are governing by ideology and seeking to settle old scores. At a time when the middle class is struggling more than at any time in my lifetime, when workers are seeing their productivity going up and up and up but seeing their wages flatten or even seeing their hours cut back, American

families are burdened by new attacks on their rights.

About a month and a half ago, at a roundtable held in an Episcopal church on the statehouse square in Columbus, I was listening to nurses, teachers, police officers, and other public employees. I had heard from conservative politicians who wanted to cut off collective bargaining rights, to take those rights away, and those people making accusations that these firefighters and police officers and teachers were lazy, overpaid, had too much time off, had pensions that were too big, had health care benefits that were too generous. But as I was hearing all that from critics, I was listening one on one to these public employees.

A young teacher, who had been teaching only about 10 years, told me that when she goes to the bargaining table, she doesn't just talk about wages and benefits but that she is negotiating for smaller class sizes as well. A police officer I talked to wasn't just talking about pensions and pay, he was negotiating for a bulletproof vest for him and his men and women colleagues who were also police officers.

So these negotiations are not just for more money, more public dollars spent on behalf of these police, firefighters, teachers, and nurses; they are also about helping society, improving society, expanding on the middle class.

It is clear those attacking collective bargaining are more interested in taking rights away than creating jobs. It is clear in Ohio. The bill that passed the House of Representatives would give Ohio the most restrictive voter regulation laws in the Nation that they would seek to limit our basic freedoms—restrict worker rights, restrict the right to vote, cut back on women's rights. Perhaps I am missing something, but how does that have anything to do with creating jobs and strengthening our economy?

Let me, for a couple of moments, put a human face on all of this.

I have a friend who is a firefighter named George, in Willoughby, OH. He wrote me this letter right after the Governor signed this legislation taking away his rights, taking away bargaining rights for a huge number of police officers and firefighters and teachers and health care workers and nurses and others. He said:

I joined my proud profession knowing I would never be rich. I truly joined knowing I would be helping people. I joined knowing I would be able to raise a family. I joined knowing I would have a pension in the end.

As a 21-year-old kid entering this profession, I weighed heavily on the "helping people" and the pure excitement of the job. Now, as a 41-year-old firefighter who has been beaten down both physically and emotionally, I will admit my pension now plays a role, is my driving force to go to work every day.

I have always been the firefighter who the bosses look to when a task needs doing.

I will soon be a 42-year-old firefighter in my 21st year of service. I am virtually 6.5 years from being able to retire. This job has torn up my knees, requiring surgery to one of them.

This job has injured my back on several occasions, twice requiring extensive time off to rehab. I am doing everything possible to avoid surgery.

This job has caused memories that will stick with me for the rest of my life, the kind of memories that make you go home and hug your wife and kids and thank God that they are safe.

I mention all this because, as you know, we as public servants are being attacked in Ohio. We are being attacked in our profession as well as our retirement. Our fundamental rights and the foundation of our profession are being attacked. Collective bargaining is the only way we have been able to improve safety as well as maintain a quality of life for our families. This system protects both the taxpayer and the public servant from leaders on both sides who choose to rule with an iron fist.

I am now one of our beat-up senior firefighters who is rapidly approaching retirement age. Where do threats of pension changes leave me or the many others like me if I am unable to finish my years of service due to injury? Where do those threats of pension changes leave me if my employer decides it is "fiscally responsible" to lay off higher-paid beat-up senior firefighters to keep lower-paid younger fighters?

I will get back to the letter in a second, but my understanding is, under the legislation that Governor Kasich signed, management, then, would be able to say: This firefighter is more likely to get hurt. He is older and gets paid more, so we will lay off five of them in their forties and keep the younger ones. It is just too bad they are not going to have enough years to retire.

That is what taking away collective bargaining rights, that is what busting the union for these firefighters or police officers or teachers or nurses can do.

Back to the letter:

In Willoughby, due to economic conditions, we have not replaced firefighters who have died or retired. In 1990 we ran 2,100 incidents per year. In 2010 we ran just under 5,000 incidents.

In 20 years it went from 2,100 runs to 5,000 runs.

I am sure we are not the only city that continues to operate understaffed with higher volumes.

I consider myself a moderate when it comes to politics. I have always voted for those who support me as a public servant. That is what true public servants do.

That was George, a firefighter in Lake County, OH, in Willoughby, just east of Cleveland.

Again, this is not just about collective bargaining. It is what we want our country to be. Dr. King, whom we honor, who was assassinated 43 years ago today—Dr. King delivered the 1965 commencement address at Antioch College, in Yellow Springs, OH, where Coretta Scott attended many years before. On the moral question of confronting poverty, Dr. King said:

There is no deficit in human resources. The deficit is in human will.

Yes, we all care about budget deficits. We know we need to move toward a balanced budget. We know our first focus needs to be creating jobs. We

want to invest smartly and cut wisely, but we also care about the education deficit. We care about the infrastructure deficit. We care about disparities in education and health care based on class and race and gender. We care about the lack of economic mobility for millions of Americans in underserved urban areas and underserved rural Appalachian areas, like much of the Presiding Officer's State which borders an underserved rural area in my State. We care about these deficits in our Nation. But what is greater is our deficit in the lack of will to close them.

The question becomes, then, Do we have the will to do what is right? Do we have the will to fight back in Ohio when the Governor and legislature have eliminated collective bargaining, now effective in 90 days? Do we have the will to fight for the middle class? Do we have the will to strengthen our country as we cut the budget to move toward a balanced budget but not cut what matters for a productive, strong middle class, for middle-class Americans, and for all those people in Ohio and West Virginia and around this country who aspire to join the middle class?

I yield the floor.

ROCKCASTLE HIGH SCHOOL LADY ROCKETS

Mr. McCONNELL. Mr. President, I rise to recognize the remarkable accomplishments of one of Kentucky's most impressive athletic teams, the Rockcastle High School Lady Rockets basketball team. This March 12, the Lady Rockets triumphed over the DuPont Manual Lady Crimsons in overtime, 62 to 60, to win the school's first Kentucky High School Athletic Association Sweet 16 girls basketball championship.

It has been an unforgettable season for the Lady Rockets, who finished the year 36-1, on a 27-game winning streak, and undefeated by any fellow Kentucky team. They entered the final tournament game knowing they faced an experienced and competitive opponent, but that their raw talent and determination would show the people of the Bluegrass State that they had something to prove. Well, prove something they did: After clawing their way back from a nine-point deficit to tie it and send the game into overtime, the Lady Rockets never trailed during the extra minutes.

Senior Sara Hammond, named the tournament's Most Valuable Player, the State's first McDonald's All American, and Kentucky's Miss Basketball 2011, posted 26 points and 11 rebounds during the game. It all came down to the final seconds of overtime when Lady Rockets head coach Chrysti Noble decided not to call a time out and trusted her players to finish the game with the right shot. Senior Angie Lawrence took a buzzer-beating jumper to give the Lady Rockets the title.