

floated legislative proposals that would accomplish the same goal as the Johnson lawsuit.

Sensenbrenner went on to say:

"Senator Johnson should spend his time legislating rather than litigating as our country is facing big problems that must be addressed by Congress—not the courts. All Republicans want to repeal ObamaCare, but this politically motivated lawsuit only takes public attention away from how bad all of ObamaCare really is and focuses it on a trivial issue. Fortunately, Senator Johnson's suit is likely frivolous and will not achieve the result he's seeking."

As I stated in my remarks today, we have been able to get a few things done, but we have been unable to get so many important things done because the goal for the last 5 years by the Republicans in the Congress—not Republicans in the country but Republicans in the Congress—has been to do everything they could to make President Obama look bad. Remember, my counterpart said his No. 1 goal in the last Congress was to do everything he could to defeat Obama from being reelected. Well, he was elected overwhelmingly, so that was a futile effort.

We need to get back to working together, as we have always done—until this effort which has been made to disparage and damage in any way they can the President of the United States and, in the process, our country.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, if I may take one moment while the distinguished leader is here.

I wish to commend Senator REID for his cooperation. He has worked very hard to bring this together. We had a very complex and very extensive immigration bill, with 300 amendments filed in the Judiciary Committee. After it went through the committee, Senator REID worked hard to get time on the floor and then we passed it with an overwhelming bipartisan majority.

Mr. REID. Would my friend yield for a question?

Mr. LEAHY. Of course.

Mr. REID. Through the Chair to my friend, the President pro tempore of the Senate, chairman of the Judiciary Committee, we hear the Republicans talking that they want to do everything they can to reduce the debt. I ask my friend, twofold: No. 1, the bible for how to reduce the debt was Bowles-Simpson. They set a goal of \$4 trillion. Right now we are almost at \$3 trillion. We have cut spending to reduce the debt by almost \$3 trillion.

Does my friend acknowledge that, by passing the bill reported out of the Judiciary Committee, it would reduce the debt by another \$1 trillion; we would basically reach the goal of Bowles-Simpson if they would just pass immigration reform?

Mr. LEAHY. Mr. President, addressing the majority leader through the Chair, I would note that even Grover Norquist, who is sort of the guru of many of the Republicans, testified before the Judiciary Committee that

passing this bill and putting it into law would add nearly \$1 trillion or more to the economy. All sorts of business leaders came in and said this would add to our economy. It is one of those rare cases where the AFL-CIO and the U.S. Chamber of Commerce came together because it would dramatically improve the economy, dramatically improve the wages of people, and it would lower the deficit. It is a no-brainer. That is why we came together in the Senate. With the leadership of the distinguished Senator from Nevada and others, Republicans and Democrats, we came together and we passed it.

They should take it up. If they want to make some changes, do so. I am ready to go to conference on it at a moment's notice so we can get this bill passed and on the President's desk.

We have shown we could do it before. We did it with the Violence Against Women Act, which they at first refused to take up in the House. Even the White House was backing off some of the parts we added to it here because they were afraid it might not go through. But Senator CRAPO and I stuck together. A bipartisan group in the House stuck together, and they passed it in the House. We passed it, and it went into law. We added sexual trafficking. It is a good bill.

We can do it, if people want to. But if we take the position that we cannot do anything, that we just want to be naysayers and nihilistic about government, then, of course, we don't do anything. But here is a way to get the economy going. Here is a way to improve our Nation.

Frankly, I just wanted to stand and compliment the distinguished majority leader for speaking of what we can do, and I hope we do.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

#### EMERGENCY UNEMPLOYMENT COMPENSATION EXTENSION ACT—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 1845, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 265, S. 1846, a bill to provide for the extension of certain unemployment benefits, and for other purposes.

The PRESIDING OFFICER. Under the previous order, Senators are permitted to speak for up to 10 minutes each.

The Senator from Rhode Island.

Mr. REED. Mr. President, I rise today to urge my colleagues to vote in favor of the Reed-Heller bill, which would extend unemployment insurance for 1.3 million Americans—very critical—for 3 months, because it is the

right thing to do for these workers, and it is the smart thing to do for our economy.

Unemployment insurance has been around since the 1930s, and it has historically received bipartisan support. Indeed, I am pleased that Senator HELLER has joined me. So this is a bipartisan bill, also. This is something we have to deal with today. It is a huge crisis. As I said, 1.3 million Americans have lost their benefits as of December 28. But we can expect through this next year approximately 3 million more to exhaust their State benefits—typically 26 weeks—and not have this Federal long-term benefit available to them.

This has always received support on a bipartisan basis because it is not a red State and blue State issue. It is something which impacts this entire country. It impacts people who work. You cannot get this program unless you have a job and, through no fault of your own, you have lost that job. In this economy, people who lose jobs are competing with many others for very few jobs.

These 1.3 million Americans were pushed off an economic cliff just 9 days ago. This vital lifeline would help them cope. They were not let go from their jobs because of something they did. It was through no fault of their own, and they are searching for work in an economy which has nearly three job seekers for every one job opening.

Illustrative of this is a front-page story in the Washington Post today. In Maryland, they are opening up a new dairy operation, and what this story speaks to is something that is happening across this country in so many places:

When the Good Humor ice cream plant closed here two summers ago, more than 400 jobs and a stable, punch-the-clock way of life melted away, another in a string of plant closings that have battered this once-proud manufacturing town.

I would add parenthetically that in Connecticut, Rhode Island, west coast, east coast, north and south, we have seen this happen. Manufacturing plants close, move overseas, and shut down entirely.

The hulking plant sat vacant until a co-op of Virginia dairy farmers purchased it in summer 2013 to process milk and ice cream, though on a far smaller scale than the 60,000 cases of ice cream that global food giant Unilever churned out every day.

Randy Inman, the board president for Shenandoah Family Farms, said he expected the plant's revival to trigger plenty of interest in its three dozen or so initial jobs. What he did not expect: 1,600 applicants and counting—a deluge.

That is what this economy is about. Skilled people lose jobs through plant closures, many of them working for decades, and suddenly they see a possibility. But it is not one job for one applicant. It is 1,600 applicants for about 36 jobs. They are trying—they are trying awfully hard. But unless we pass this legislation this evening and begin the process, we are not trying.

On the economic side of the ledger, moving away from the human dynamic, the nonpartisan Congressional

Budget Office estimates that failure to renew unemployment insurance will cost the economy 200,000 jobs and sap 0.2 percent of economic growth by the end of the year. Why? Because these payments go to people who are really desperate. They need this extra cash. It is about \$300, maybe \$350 a week. They need it to pay rent, to buy groceries, to keep the boiler running in subzero temperatures, to keep their families together as they look for work. By the way, in order to collect, you have to keep looking for work.

So this program is not just fair to people who have worked hard. It is smart for our economy. This is one of the best fiscal tools we have available to ensure that we are creating demand, creating additional jobs. As I indicated, if we do not pass this, if these benefits lapse and go away, 200,000 jobs will be lost—at a time when every Member of this body would say one of the most important jobs is to create more jobs in America. We can do that, but we have to start today on this procedural vote.

Our bill is designed to help families who have weathered the toughest part of the great recession—2008, 2009, 2010—and many were laid off about 1 year ago. The maximum extended unemployment benefits is 72 weeks, which includes, in most cases, 26 weeks of State benefits. So they got through the hardest part of this recession, which suggests to me these are good workers. These are people who were struggling and working when unemployment was much higher, and now they need help. I believe we have to give them that help.

We should be working together to create an expanded economy so the jobs are there, so that when there is a new plant opening it is not just 36 jobs and 1,600 applicants, so it is a lot more jobs. In fact, we would like to see it the other way. We would like to see 1,600 jobs and 1,600 applicants. We have to do that.

I have heard from a lot of my colleagues who said they cannot do this because they need an offset.

This has traditionally been emergency spending. It is emergency spending up until December 28 because we extended it last year on an emergency basis, probably creating on the order of 200,000 jobs—just as we will lose 200,000 jobs if we do not extend it—and helping our economy overall. We have to do this.

We have tailored this—Senator HELLER and I—so that it is just 3 months, so it provides immediate assistance to unemployed workers. It is retroactive, so we will pick up the people who lost their benefits on December 28. But it also gives the Senate, the appropriate committees, and the House the ability to think through this program in an orderly way, to make changes if necessary, and to look for appropriate offsets if it is deemed that those offsets are necessary. But it will in these 3 months ensure that people have some-

thing to help them get by while we do our job.

By my count, colleagues have voted to move forward on these non-offset emergency benefits more than 10 times since 2008. More than ten times we have taken up this unemployment insurance program and we have passed it on an emergency basis without offsets, so this is not a new, novel approach. In fact, what is somewhat new is actually providing offsets for this emergency spending.

I wouldn't hesitate to say I venture that if we brought up a bill that had huge tax cuts, particularly for the wealthiest corporations and individuals, there would be very little discussion on the other side that it should be offset, but when we are talking about a program that helps working people, we have to have offsets? Traditionally, we have not done it, and we can have that conversation, but in order to have it appropriately and help these people, we have to move this legislation forward to give us the time to work constructively, collaboratively, and thoughtfully on the program and also on possible offsets.

We should not be filibustering this measure. We should be passing it and then working collegially and cooperatively to improve the program if we can and, if we deem it appropriate, to pay for the program.

I have heard some of my colleagues say we need offsets. They are very vague about what types of offsets. There are some suggestions about Medicare, Social Security, or discretionary spending. I do not think Americans, our constituents, would want to see those types of cuts. I think they are relieved, in fact, that through the good work of Senator MURRAY and Congressman RYAN, we have a budget for 2 years and we are doing appropriations bills and we are beginning to provide certainty and support for the economy.

I do sense, though, that my constituents know there are many people out there who are struggling to find a job, who want to work and need a little help just to get by. That is what we would be doing if we pass these measures this afternoon or begin the process of passing them this afternoon.

Again, I think if we are going to seriously talk about offsets or programmatic changes or responding to different dynamics in the economy, it should not be done here on the floor with dueling amendments or dueling proposals, it should be done through regular order in the committee.

I offered a 1-year extension that was not offset, and my Republican colleagues objected, and I completely understand the privilege of doing that and the right to do that. One of the arguments was that it should go through committee. This 3-month bill does both. It helps people immediately, and it gives us the time to do our job.

A few weeks ago I also came to the floor to address an argument that has been percolating throughout this dis-

cussion that somehow this whole unemployment insurance program is just being abused, that beneficiaries would rather collect than work. The reality is that I think \$300 a week or \$350 a week is not something for which people would give up good jobs or allow themselves to be displaced from those jobs just to collect the benefit. I believe Americans really want to work and they want to get back to work as quickly as they can. They want to do the work for which they have been trained. They want to do the work in which some of them have spent decades investing not just their time but their whole selves.

One of the interesting things about work is that it is not only a form of economic remuneration, it is a way we define ourselves. Within a few minutes of meeting any stranger, I bet one question pops up: What do you do for a living? It is awfully difficult today for millions of Americans to say: I am just looking desperately for a job. But millions are.

I discussed earlier that there is academic research out there that has been bandied about suggesting that, no, this is a ruse, an abuse. But research actually supports the notion that individuals would rather work than collect unemployment insurance. Unemployment insurance benefits, as I have indicated, are a fraction of what an individual would earn in the job he had previously. These are benefits that keep people whole while they are searching for work.

There was a very eloquent editorial by Charles Blow in the New York Times that addressed some of these issues. I think his words are very thoughtful because they strike the right tone. He wrote:

Whereas I am sure that some people will abuse any form of help, I'm by no means convinced that this is the exclusive domain of the poor and put-upon. Businesses and the wealthy regularly take advantage of subsidies and tax loopholes without blinking an eye. But somehow, when some poor people, or those who unexpectedly fall on hard times, take advantage of benefits for which they are eligible, it's an indictment of the morality and character of the poor as a whole.

I don't think that is the case. I agree with Mr. Blow. These are people who want to work, but they need some help. We have given them help in the past, and we should continue to do so.

This program has been a critical, crucial safety net for families, helping them avoid poverty, helping them get back on their feet, helping them get back into the workforce. It has been with us since the Great Depression. It affects a whole spectrum of individuals. Indeed, if we look at 2012 data, about 40 percent of the households that receive these benefits had an income prior to job loss of between \$30,000 and \$75,000. These are middle-income Americans who would much rather be working and making close to what they made before they were laid off than

collecting \$300 a week. So these benefits are not the exclusive province of the very poor.

In fact, more and more they are middle-class, middle-age people who never thought they would be on unemployment insurance, who need this. They are supporting elderly parents. They have children. They have mortgages. They had a professional career—accountant, paralegal, bookkeeper. They are now looking desperately for work. They are people who used to work in dairy processing plants or people who used to work as vice presidents for sales who are so desperate—I assume some of these people, if we looked at their resumes, would be qualified to do many things other than work at a plant, but they are looking because they desperately need work.

We hear this argument, though: Oh, it is a program that doesn't work and the people are undeserving and we are not even doing them a favor by letting them have this benefit. I disagree. I think we have to pass this measure. We have to do it because it is the right thing for these families, it is the right thing for our constituents, and it is the right thing for the economy. It would be foolish, frankly, to take a program that we are confident can save 200,000 jobs, can increase GDP by .2 percent, that is one of the best forms of fiscal policy to stimulate demand and economic growth, and say we are not going to do it. I think we say we have to do it.

There is another aspect of this, too, particularly appropriate to the issue of long-term unemployment. We are seeing a remarkable number of long-term unemployed individuals in this recession. Typically, Congress has only ended these benefits when the long-term unemployment rate was 1.3 percent. Today it's double that at 2.6 percent. Again, this program is a program that takes care of the long-term unemployed.

The standard program in the States is one of 26 weeks. If you have a brief episode of unemployment, if you lose a job and then 5 weeks later you get a job, you are in that first tranche of State benefits. The long-term unemployed are those who have been without work for at least 26 weeks. We have seen the number of long-term unemployed double since previous recessions—from 1.3 percent to 2.6 percent. So this program is more important now than in any previous economic downturn we have had based upon looking at these numbers. This is another reason we have to extend these benefits.

I urge my colleagues to support this procedural vote so that the full Senate can consider the measure and move toward passage. We need to move swiftly to pass this bipartisan bill to provide some certainty, some stability, and some support for families who are struggling in a very difficult market.

The answer I suggest to those who are considering voting against cloture this evening is, fine, you can come

down and tell the clerk no. What are you going to tell the 1,600 people in Hagerstown, MD, and across this country who are desperately looking for work and need some support? What are you going to tell them? No? I hope not.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Ms. HIRONO). Without objection, it is so ordered.

#### EXECUTIVE SESSION

#### NOMINATION OF JANET L. YELLEN TO BE CHAIRMAN OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The bill clerk read the nomination of Janet L. Yellen, of California, to be Chairman of the Board of Governors of the Federal Reserve System.

Ms. HIRONO. Under the previous order, the time until 5:30 p.m. will be equally divided and controlled in the usual form.

The Senator from Connecticut.

#### GUN LEGISLATION

Mr. MURPHY. Madam President, I hope we will confirm Janet Yellen later today.

I come to the floor for a few minutes to do what I have done most weeks since the failure of this Senate to pass commonsense gun legislation in the spring of 2013, to talk about the number of Americans who have lost their lives due to gun violence. That number stands today at 12,041. Over 12,000 people have died at the hands of gun violence since December 14, which of course is the day in which 20 6-year-olds and 7-year-olds and 6 teachers and professionals who were protecting them lost their lives in Newtown, CT.

This is probably the last time we will have the chance to display this particular number because the Web site which has been totalling this is going to stop doing so. It is probably a good thing in this respect: Once that 1 became a crooked number, we weren't going to have room on this poster any longer; and at some point in the middle of next year, the 1 would click up to a 2 and we would be over 20,000 people killed due to guns. Frankly, this doesn't even count the suicides. This is just the people who have died as a result of gun homicides, and the number just goes up and up at a rate which is hard to comprehend.

So I wish to speak for a few minutes about a few of the representative vic-

tims we have seen across the country in the last year, which make up just a small subset of the 12,000 people, and I hope maybe one of these days it will inspire this place to action.

I was at the swearing in of the new mayor of New Haven on New Year's Day. Toni Harp is the first female mayor of New Haven, the 50th mayor of New Haven, and she will inherit a city being absolutely ravaged by gun violence—20 gun homicides in the last year and 67 shootings. Each one of them hurts, but the last one was particularly devastating.

Javier Martinez died on December 28, 2013. Javier attended a local high school focused on learning about and protecting the environment, Common Ground High School. He was described as one of the most outstanding participants in the 20-year history of a program put on through the school whereby kids spent part of their summer on Block Island, a little island in between Connecticut and Rhode Island, where they work to eliminate invasive species and spread the environmental gospel to visitors to that small island.

He was beloved by his family and by his friends. He was thinking of becoming an arborist or environmental scientist. His community—in particular, his pretty, sleepy neighborhood in which this shooting happened—has been absolutely torn apart through the loss of Javier—Bebo, as he was called by his grandparents.

He is one of 20 people in New Haven, CT, who were lost. Twelve of the 20 were under 30 years old. Eleven of them were men; 17 of them were African American. That is the story in New Haven. It is young African American males who are dying almost every week as part of the 12,041.

Just a couple of months earlier, John Allen Read died in Texas due to a gunshot wound. What makes John Allen Reed exceptional is that he was 5 years old. He is one of dozens of accidental gun deaths happening all across this country.

He and his 6-month-old sibling were in the care of a regular baby sitter, but a baby sitter who feared for her safety so she carried a gun with her. But she left the gun on a table and fell asleep. The 5-year-old got the gun. When she woke up to try to find the kids, she found John dead with a fatal gunshot wound.

We heard the stories all throughout 2013. I don't know whether statistically there were more in 2013 than in previous years. But because we don't require much if any training before buying a gun, we have young baby sitters leaving guns unattended with these absolutely devastating results.

How about 4 months before that in Seattle, where Molly Conley, a 15-year-old, a great goalie on her high school team, a straight-A student, was killed while she was walking back with friends after celebrating her recent birthday at a sleepover. Detectives believe a shooter opened fire on Molly Conley and her group of friends.