

on Lake Erie, just east of where I live—writes:

People like me are trying hard to find a job but this economy is presenting challenges for unemployed workers. To those who object to the cost of unemployment insurance—what about the cost of not helping the folks looking for a job and trying to get by? Not helping us means the loss of a strong multiplier effect—

This guy obviously gets it—spending on necessities like mortgage and rent and food and car payments, which stays in the community where we live.

That is exactly right. It is another one of the things government does sometimes. When you help one person, you are helping society. Look back at what happened in the 1940s when Franklin Roosevelt signed the GI bill. About 7 million, I believe, veterans used GI benefits. So those 7 million people were helped personally, one at a time. They got health care benefits, they got education benefits, they bought homes—whatever. But the GI bill didn't just help those millions of veterans. It created a prosperity like none the world has ever seen, postwar America, where everyone was lifted up. All of society was more prosperous because of this government program that helped one person at a time.

So is unemployment insurance. When you do unemployment insurance, you send a life preserver, if you will, to those individuals, tens of thousands in my State. But you also create prosperity so your next-door neighbor does better because the guy down the street is getting unemployment insurance because he might work at the hardware store or might work in the grocery store where the laid-off worker goes to shop for her food. He is able to keep a job because there is some prosperity created.

The last letter I would like to share for a moment is from David from Franklin county.

Many people like me who are looking for a job are well educated, white collar workers with long work histories. As we continue to look for jobs, we hope businesses will hire again. Unemployment insurance benefits have been a lifeline. I have been able to pay my mortgage, feed my family, and clothe my children. Without these benefits—

This is really key—

I will lose my home, be forced to go on welfare, and see my children go hungry and my family possibly destroyed. Please urge your colleagues to support an unemployment insurance extension. In the richest, most productive country in the world, please do the right thing and stand up for us during our time of need.

Forget about the statistics, forget about the economics of it. Think about somebody like David who knows that without these unemployment benefits—and he is not getting rich; he is barely getting along with a few hundred dollars. What it means is he can pay his mortgage. What it means is he can feed his family. What it means is he will go back, as he keeps looking for work, to being a productive member of society.

We need to act now—not tomorrow, not next week, not next month—now. We must act now.

I yield the floor.

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. 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 therein for up to 10 minutes.

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

#### KAGAN NOMINATION

Mr. LEAHY. Madam President, 3 weeks from now the Senate Judiciary Committee will hold the confirmation hearing for President Obama's nomination of Elena Kagan to succeed Justice John Paul Stevens as an Associate Justice of the Supreme Court of the United States.

Last year, after reviewing her record, a bipartisan majority of the Senate voted to confirm Elena Kagan to be the Solicitor General of the United States, actually the first woman in America's history to serve as Solicitor General. As the distinguished Presiding Officer knows, oftentimes the Solicitor General is referred to as the "Tenth Justice". Not only are we familiar with Elena Kagan from our review of her nomination last year, but we have already received an extraordinary amount of information about her in connection with this nomination.

Last week we received nearly 50,000 pages of documents from the Clinton Library related to Elena Kagan's service and her significant role in the Clinton White House. My initial review of these documents shows her to have been a pragmatic and thoughtful adviser to President Clinton as she helped him to advance the goals of his administration.

As a law clerk to Justice Thurgood Marshall, as a professor, as a policy adviser to the President, and dean of Harvard Law School, and as Solicitor General of the United States, she appeared to have a clear grasp of how to apply her abilities to meet the challenges of each of these varied positions. I point out in that regard not only is she the first woman to become Solicitor General, she was the first woman to become dean of the Harvard Law School.

I went back and I doublechecked with my staff, Bruce Cohen, Jeremy Paris, and others on my staff, and I said: How does the information we have received on this nomination compare with the Roberts or Alito nominations when

there was a Republican President? I am told the committee has received more information from the administration than was made available at this point in the confirmation process for either the Roberts or Alito nominations.

Last year we considered President Obama's nomination of Justice Sonia Sotomayor. Although she was confirmed with 68 votes, I was disappointed that so many chose to oppose her historic nomination, the first Hispanic to the Supreme Court, only the third woman.

I suspected and do suspect that many of those who voted against her confirmation will come to regret their action, if they do not already. Regrettably, many of the Senate Republicans, now that President Obama is in the White House, seem to want to apply a different standard from when they were considering President Bush's nominees to the Supreme Court.

As we begin the process of considering a new nominee to the Supreme Court, I candidly admit that after watching the unfounded opposition to the Sotomayor nomination last year, I would not be surprised if a majority of Republican Senators were to vote against Solicitor General Elena Kagan, despite her qualifications and no matter how she answers questions during the course of the hearing. I have joked that if President Obama nominated Moses, the lawgiver, or Mother Theresa, Senate Republicans would vote against the nomination. Such a willingness of many Republican Senators to heed the extreme ideological test imposed by the far right.

Indeed, were Justice Sandra Day O'Connor the nominee pending today, or Justice David Souter, or Justice John Paul Stevens, or, for that matter, Justice Anthony Kennedy, it is a sad reality that a majority of current Republican Senators would likely vote against their confirmations, as well, for failing the extreme ideological litmus test. Each of these Justices was nominated by a Republican President. I voted in favor of each of them.

Each of these Justices served or are serving now with distinction, and all still contribute to the Nation and its courts. The American people are fortunate to have had all of them serve on the Supreme Court.

Regrettably, most Senate Republicans, now that President Obama is in the White House, seem to want to apply a different standard from when they were considering President Bush's nominees to the Supreme Court. I welcome questions to Solicitor General Kagan about judicial independence. But let's be fair. Let us listen to her answers. No one should presume that this intelligent woman who has excelled during every part of her varied and distinguished career lacks the independence to serve on the U.S. Supreme Court. Indeed, many of the justices who are most revered in this country for their independence came to the Court with a background not unlike that of the nominee.