

shopping centers and retail merchants. They get paid a lot of money to represent them in Congress. I think they are not doing a very good job if they can't convince Members of the Senate and the House that this legislation should have passed a long time ago.

Madam President, the hour of 2 o'clock is almost here. Please explain to me and the people who are watching what happens at 2 o'clock.

The PRESIDING OFFICER. Under the previous order, the time until 3 p.m. will be under the control of the majority.

The majority leader.

IMMIGRATION REFORM

Mr. REID. Madam President, today marks the 510th day as so well represented on the poster the Senator from California had on display. That is how long it has been since we passed an immigration reform bill—comprehensive immigration reform. The House of Representatives simply has refused to address this issue. They have refused to address the fact that we have a broken immigration system that needs to be fixed. All the Speaker would have to do is bring this up for a vote and it would pass. The bill that passed here 510 days ago would pass the House overwhelmingly. But he refuses to bring it up.

In this bill we passed 73 weeks ago, we were able to pass comprehensive immigration reform because Senate Democrats and Republicans recognized that our immigration laws are failing the American people. We sent that same bipartisan bill to the House 17 months ago. For the last 17 months, the House Republicans, led by a small, vocal, really radical group, has forced the Speaker, I assume, not to do anything. They have neglected to tackle the real issues affecting our immigration system.

We have talked about 510 days, we have talked about 73 weeks, and we have talked about 17 months. That is enough time for them to consider the bill the Senate considered and passed in just a few weeks, but they still refuse to do anything, even as families across the country have been ripped apart.

I have been present at meetings, meetings—I remember one of the last at the White House—where the Republican leaders of the House and Senate have said: Give us some time, give us some time. We have given them time—510 days, to be exact. And they are always saying: Let's do something. Well, something is not enough, they need to do comprehensive immigration reform, and they refuse to do that.

So in light of the fact that families are being ripped apart—and there is no question they are. The first time I saw this, where I really felt it in my heart, Bill Richardson, with whom I served in the House—he was Secretary of Energy and Ambassador to the United Nations—he came to Las Vegas, and he said: Let's go out to the Rafael Rivera

Center. It was, at the time, a new place, named after the first non-Indian to see the Las Vegas valley—Rafael Rivera. I have a painting in my office that reflects that. So we went to that center, and I can remember so clearly these mostly women crying over the fact that their husbands had lost their jobs, they were being deported, and they had little American boys and girls there with them. These were boys and girls who had been born in the United States. I thought, gee, that is terrible. I mean the suffering and the sadness. I have never forgotten that, and that is one of the main reasons I have worked so hard on immigration reform.

In light of the Republicans' inaction, and our action and our advocacy of this issue, it seems to me what the President said at his State of the Union Address is really applicable here. Here is what he said: If the Republicans continue to do nothing, I am going to be forced as the President of the United States to do something by Executive order. And I am glad. I am glad he is going, in the next couple of days for sure, to use his constitutionally established authority to fix as much of our broken immigration system as is possible. He told everybody he was going to do it in his State of the Union and he has waited and waited and nothing has happened.

Some Republicans are threatening to shut down the government. They have done it once before, so I guess we should take their threat seriously. They want to shut down the government because of what the President said he is going to do and what he is going to do. But this isn't about the Republicans and President Obama, this is about where the Republicans stand with the immigrant community.

My father-in-law, my wife's dad, was an immigrant. He was born in Russia. He came to the United States to escape the oppression in Russia. So this whole issue is about how Republicans stand with the immigrant community.

The immigrant community is what has made this country what it is. Those who will come forward under this Executive action the President is going to take are, with rare exception, hard-working immigrant dads and moms who are supporting their families. They came to America for the same reasons early immigrants came to America, just like my father-in-law, Earl Gould, did. By the way, he changed his name when he came to the United States. He came here as Israel Goldfarb, and he changed his name, as many immigrants have done.

As my father-in-law did, the people who are going to come here under this Executive order can build a better life for themselves and their families. They have deep ties in America. They work hard. As I have indicated, they have spouses and children. Under our broken immigration system, there is no line for these people to get into, no process for them to sign up for, and no way to remedy this situation. They are in

limbo. They are in the shadows. They are in darkness.

President Obama, fortunately, is going to do something to give them just that, a line to come forward, a line that he recognizes must be done to get the system started.

We can't give these people their green cards and put them on the path to citizenship immediately. Only Congress can and must finish the job in overhauling and rewriting these laws. I want to be clear that Executive action is important, but it is not a substitute for legislation, and the Speaker should understand that.

Yes, we passed a bill. The President will be happy to sign such a bill. But because Republicans have refused to legislate, President Obama is taking what steps he can to keep these families together and enforce the laws. The President is acting within his legal authority to use his Executive power to improve the immigration system.

Did he just dream this up one night meeting with his staff? Did someone suddenly come to him and say, I have a great idea. Why don't we try to do something different? He is going to do something that has been tried 39 times since Dwight Eisenhower was President. Virtually every President since Eisenhower was President has done Executive actions as relates to immigration.

I would also say to my Republican friends who are always talking about, boy, we have to do something important financially for the good of this country, why not pass this bill? It would benefit our country to the tune of \$1 trillion.

I strongly support the steps the President is going to take. I support him, and I hope he does it as soon as possible, because his Executive action will help keep families together and focus law enforcement resources on real criminals.

We have waited a long time for House Republicans. Since they won't act, the President will, and he should act.

The PRESIDING OFFICER (Mr. COONS). The Senator from New York.

Mr. SCHUMER. Mr. President, I rise today to remind my colleagues that it has been over 500 days since the Senate passed a strong bipartisan bill to fix our broken immigration system.

There is a lot of hand-wringing going on on the other side of the aisle about the President taking Executive action, as he has now announced he intends to do. Republicans are saying that anything and everything is on the table to stop the President from taking Executive action. Well, if the bounds are anything and everything, I have a suggestion. Pass our bill. It is a very simple suggestion.

If the House votes on our bipartisan bill, the discussion about Executive action would be made moot. It is the other body of Congress that has led us to the point where we are today. The only reason the administration has to take Executive action is because the

House has failed to address our broken immigration system. I think everyone on our side agrees it would be far preferable to pass the bipartisan bill that passed the Senate 68 to 32 than any Executive action.

Let me say a few things. The bill is a bipartisan bill with support from every corner of the political map—business, labor, evangelicals, Catholics—and it has been sitting on the shelf gathering dust for 500 days. So it is the absolute height of hypocrisy for House leadership to say that now Congress should be in the driver's seat on immigration reform when they refused to take the wheel.

And let me say this, Mr. President. I don't think anyone has any faith that if they were given another 3 months or 6 months or 9 months that they would come to any kind of real bill. They can't. They have the tea party. Such a high percentage of their primary voters strongly argue against doing a bill. In fact, many of those tea party types are saying shut down the government.

The dithering and dawdling on the House side is particularly perplexing because our bill would achieve so many goals the Republicans claim are part of their agenda. It would secure the border, create jobs, add economic growth, and cut the deficit.

The bipartisan bill that passed the Senate provides more than \$40 billion to secure our border. This would mean more than doubling the Border Patrol presence on our Southwest border, completing the border fence, setting up much more surveillance technology—sensors, drones, many of which are so good they can detect—these are the drones that surveil, not shoot—they can detect the difference when a deer or a person crosses the border. They are not on the border now.

Yes, the border needs help. Blocking our bill, not passing our bill, keeps the status quo, which nobody likes. Passing our bill solves the problem. With a Republican amendment authored by the Senator from Tennessee, Senator CORKER, and the Senator from North Dakota, Senator HOEVEN, that tightens up the border tougher than it has ever been.

The bipartisan bill also strengthens interior enforcement of our immigration laws. So many of my colleagues on the other side of the aisle keep saying E-Verify, E-Verify, E-Verify. Well, it is in the bill to crack down on unscrupulous employers requiring an entry-exit tracking system at our airports and seaports to catch people who overstay their visas, and reforming and clarifying the list of violent crimes that make an immigrant deportable so law enforcement officials have the tools they need to keep us safe.

For America to remain competitive, we must have a legal immigration system that works. Right now we have it backwards. We turn away people who would create jobs. Our bipartisan bill will change all that for farm workers, tech firms, entrepreneurs, and so many

more, while leveling the playing field for American workers. Because of internal enforcement, when someone crosses the border and doesn't have a real job available and has no family connection, they can't stay. They won't get a job.

Many of our labor friends are for this bill. The construction trades, which probably suffer more from illegal immigration than any other, are strongly for our bill. The bill clears the employment and visa backlogs so American businesses can have access to the workers they need and their families will be united, decreases family wait times at our bridges and ports of entry. It is great for the tourism industry, making it easier for foreign travelers to spend their dollars here instead of somewhere else and, finally, a tough but fair pathway to citizenship.

The other side says it is amnesty. They are listening to Rush Limbaugh—amnesty, amnesty, amnesty. Amnesty means you get away with it without paying a price. Here is the price someone has to pay if they cross the border illegally: No. 1, they have to pay all their back taxes; No. 2, they have to keep working; No. 3, they have to admit wrongdoing; No. 4, they have to pay a fine; No. 5, they have to learn English; No. 6, they have to go to the back of the line, which is what our colleagues on the other side of the aisle have always asked for.

This system was set up by none other than MARCO RUBIO in our Gang of 8, and it says: If somebody crossed the border illegally in 2008, but someone else has waited patiently at the Embassy since 2007, the 2007 person gets to come into this country before the 2008 person.

Because of all this, here is what the bill does:

First, it would grow the economy by 3.3 percent over the next 10 years and 5.5 percent over 20. No Republican tax cut, no Democratic spending program would have that effect—and without any cost to the deficit. In fact, at the same time we are growing our economy with this proposal—this is CBO, not CHUCK SCHUMER—we reduce the deficit by \$150 billion in the next 10 years and \$900 billion over the next 20 years. So \$1 trillion in savings, as we benefit America.

The bill has unprecedented support: the U.S. Chamber of Commerce, the guardian of business interests; the AFL-CIO, the protector of American workers; the faith community, evangelicals, Protestants, Mormons. The liberal and conservative religious sectors in America are for our bill, America's farmers, growers, and American farmworkers, law enforcement, the immigrant rights community.

So the historic coalition came together because again this bill strengthens our borders and national security, provides an enormous boost for the American economy, fairly and conclusively addresses the status of people here illegally, and prevents future waves of illegal immigrants.

When we got this bill passed we were almost certain the House would pass it. It is a conservative bill, and try and try and try as they might, they couldn't. So now we are up to the last hours of this Congress and there is one more chance. Just put the bill on the floor, Speaker BOEHNER. You don't have to twist a single arm. It has the votes to pass. It will do America so much good.

I love America. I want to see us stay No. 1 in every way and economically above all. This bill will do it more than anything else we could do.

I would say to my colleagues, don't be afraid of the Tea Party. They are afraid of the word "amnesty," even though the bill is not amnesty at all as I mentioned. But Rush Limbaugh says "amnesty" incessantly, and I know my Republican colleagues—I am a political guy in some ways—they are afraid primary voters that skew far right believe it is amnesty. The Tea Party may be a sliver of the American public, but they are a huge percentage of primary voters in too many Republican districts and that is what they are afraid of. Talk about courage. Talk about loving the country. Talk about doing the right thing. We have to pass the bill.

The real Republican Party position on immigration is pretend to be pro-immigration reform rhetorically but never allow immigration reform to come to a vote. That is the bad news.

The good news is there is still time to fix it. So I urge my colleagues, avoid this conundrum, avoid your dilemma that you will create. Pass the bill, and we will not even have to debate Executive action.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I have come to the floor to talk about one of the most important issues facing our Nation as we have been hearing for the past 15 minutes; that is, our long-standing, desperate need to finally fix our Nation's broken immigration system.

Too often in the debate about immigration it is difficult for some people to understand that the millions of undocumented families in our country are already an important part of our communities. Immigrants work hard and they pay their taxes, they send their children to American schools, and they make up a critical part of the fabric of our society. They are Americans in all but name.

So when we talk about immigration reform, we are not talking about some vague philosophical issue. This is an issue that impacts families, it impacts our businesses, it impacts our national security, and it impacts what we stand for as Americans.

It is not a new issue either. It is something we have been debating and arguing about for more than a decade, but it is something we have never been able to tackle, and that is not for the lack of trying.

As everyone here remembers, more than 500 days ago now the Senate did something remarkable. Members from different backgrounds and different States and different parties came together to reach an agreement, and in the Senate we passed a real bipartisan coalition of 68 Republicans and Democrats, a comprehensive immigration reform bill that would finally start to fix our broken immigration system.

As we heard from the Senator from New York, it would improve our security, provide businesses with the certainty they need, and provide a real path to citizenship for the millions of undocumented immigrants who are forced to live in the shadows.

Not only was this bill a step toward fixing our broken immigration system, it was good for our economy. The Congressional Budget Office estimated that the Senate bill would reduce the deficit by nearly \$1 trillion over the next two decades.

So we sent the bill to the House of Representatives knowing the path forward there might not be easy, but we heard from Members of the House on both sides of the aisle that they also knew immigration reform had to happen this Congress.

Back then, in June of 2013, we knew we had time on our side. Speaker BOEHNER had a full year and a half to do one simple thing, bring the bipartisan Senate bill up for a vote. We knew then what we still know today; that if the Speaker brought that bill up for a vote, it would pass with bipartisan support and become law.

But instead of doing that, the Speaker sided with the Tea Party and refused to move our country forward. He has made it very clear that the House will refuse to act this Congress and ignore the historic opportunity we have.

For years and years millions of immigrant families who have played by the rules—paid their taxes, raised their children in the United States—have waited and waited for action. They have organized, they have hoped and they have prayed and they have trusted the system would eventually work. The system has failed. So now it is time to act.

President Obama has made it clear that because the House refuses to act—because the House refuses to act—he will take administrative action before the end of the year to improve our immigration system, and I support his decision to do that.

The President's authority to take action is well established. In fact, every President since Eisenhower, including Presidents Reagan and George H.W. Bush, has used his authority to improve the administration of our immigration system and to focus enforcement resources on serious criminals rather than on hard-working immigrants with deep roots in our communities.

When the President does act, I have encouraged him to do several things: expand the already successful imple-

mentation of deferred action for DREAMers to include people with strong ties to the United States who have not committed serious crimes; to change implementation of our laws to make immigration and border enforcement humane, nondiscriminatory, and respectful of due process; and, finally, I have asked the President to improve the legal immigration system to keep immigrant families together, to protect our workers, and to provide employers—from agricultural producers to high-tech firms—certainty in a system that has often left them without answers.

But I also want to be very clear that administrative action is not a long-term solution. Plain and simple, the only way for us to permanently and effectively fix our broken immigration laws is through comprehensive immigration reform legislation. Administrative action is a bandaid, but it is better than nothing, and nothing is what the House Republicans are offering.

So I also wish to say it has been deeply disappointing to hear that some of my Republican colleagues are now threatening to shut down the government just to keep families from getting some initial relief from the pain our broken immigration system is causing. That is the latest example of extreme Republicans creating uncertainty and threatening to hurt our economy if they don't get their way, and it is the exact opposite of the approach Congress needs to take going forward.

We all know what happens when Tea Party Republicans go down this road. We saw it just last year when we had a 16-day government shutdown that brought the day-to-day workings of the government and businesses across the country to a screeching halt. That shutdown, we all know, was bad for our economy. It hit workers' paychecks, it made families across our country question whether their elected officials could get anything done at all. It was all because of a failed Tea Party political effort to repeal the Affordable Care Act for the umpteenth time.

Look. Even children understand that flipping the table over doesn't help win the game. It just means someone has to pick up the mess they just made. When it comes to Tea Party political tactics, we have seen more than enough of that in this Congress.

As we all remember, the budget deal I reached with Chairman RYAN wasn't perfect—I know Chairman RYAN would say the same thing—but it was an important step away from brinkmanship and toward bipartisanship on the budget.

In the next week Republican leaders are going to have an important choice to make. They can choose bipartisanship and continue to push the Tea Party aside and work with Democrats on issues such as the budget and fixing our broken immigration system or they can go back to Tea Party-style governing by crisis, which hurts fami-

lies and communities and our economy and will make it much more difficult to put in place the lasting comprehensive immigration reform we need.

I urge them to take the bipartisan path. I am ready and willing to work with them if they do, and I know my Democratic colleagues are as well. I know our country will be stronger for it now and for decades to come.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I thank my colleague from Washington for her strong statement. It makes so much sense.

We have this poster here, "510 Days." That is how long ago the Senate passed the bipartisan immigration bill that Senator MURRAY talked about and Senator SCHUMER talked about. That is 17 months; 510 days is 17 months.

So here is the deal. The Republicans in the House refuse to take up the Senate bill, which strengthens the border while giving a pathway of legality to hard-working immigrants here who are undocumented.

It is pretty simple but comprehensive—common sense. Here is the thing: They will not take up the bill. So then we say: What is your idea? Where is your bill? They don't have one.

So then President Obama, knowing we have 11 million undocumented immigrants living in America, realizes he can't let this matter go on. He has waited 100 days, 200 days, 300 days, 400 days, 500 days. The country has waited for 17 months.

So the President is going to do what Presidents are supposed to do, which is look at a problem that is hurting the country and do his best to fix it. The President has said to the House he would be thrilled to sign the bipartisan immigration bill the Senate passed. Take it up and pass it.

Oh, no. Do you know what their answer is? To verbally threaten the President and, frankly, the American people by such comments as—this is one that I heard the Republican leader MITCH MCCONNELL say: If he does this, if he takes this action, if he takes action on immigration, it would be like waving a red flag in front of a bull.

No, it wouldn't be. It would be a President who understands that action is needed. Guess what. Eleven other Presidents, Republican and Democrat, have taken Executive action on immigration. I never in all my years ever heard one Republican take to task any of those other Presidents, and I will give you the list of who they are: Presidents Eisenhower, Kennedy, Johnson, Nixon, Ford, Carter, Reagan, George Bush, Sr., Bill Clinton, George W. Bush, and President Obama used his authority for the DREAMers.

The charts are being held up to show you how many actions have been taken. We have these two charts here that show a lot of Executive actions by Presidents on immigration.

What is wrong with my Republican friends? Do they not know history or

are they just blindly attacking this President because they are annoyed that he got reelected?

Step up to the plate, smell the roses, look at the reality. The reality is all these other Presidents have taken action. Look what the immigration council says, the American Immigration Council said:

Past Republican presidents have not been shy to use the White House's power to retool immigration policy. In fact, Obama could learn a lot from Presidents Ronald Reagan's and George H.W. Bush's Executive actions to preserve the unity of immigrant families and move past congressional refusal to enact immigration reform.

So, Earth to the Republicans: You refuse to take up the bipartisan Senate bill which strengthens our border while giving a legal path to citizenship or legality to our undocumented, making sure that those who commit crimes are deported. We look at what is happening in our ag community and fix that. They won't do it.

So they are stamping their foot and saying what President Obama wants to do is unconstitutional. Excuse me, unconstitutional? Presidents Reagan, Bush, Clinton, Eisenhower—I read the list. They never said that before. They never said that before. Carter, Kennedy, Johnson, Nixon, Ford, Clinton, Bush, Sr., Reagan, George W., and Obama. Now they say to the President—and I don't have the exact quote. We heard a comment from the Republican leader. What they are basically saying to the President is, If you do your job, we are going to be mad. And what the President has said to them is, Please do your job. If you do your job, I won't have to take Executive action. I would prefer to have this in legislation. And as Senator MURRAY has said, that is the preferable road. But they either won't do it or they don't want to do it or they want another confrontation with the President.

I think it was JOHN BOEHNER, the Republican Speaker, who said if the President takes this Executive action, which as I have shown you many other Presidents have done, he will "poison the well." He is telling the President that if the President does his job—my words—as 11 Presidents have done, it will "poison the well."

And what are they going to do about it? Who knows. Are they going to try to impeach the President or sue the President? I guess they have to impeach 10 others.

And by the way, I wrote the President a letter and asked him to take Executive action. In my view, it is absolutely necessary, because if you follow the law, 11 million people could be deported—our neighbors, our friends, families would be split up.

I thought Republicans were the party of family values. Family values—I have been lectured on family values. Somehow if one supports a woman's right to choose and to get health care, it is not following family values, but one can break up families and have parents and

children separated, and that, I guess, doesn't fall under the definition.

It has been 17 months since we passed our bill and either they are too lazy to take it up or they don't want to take it up. They would rather threaten this President. I just have to tell them, we have a Congress, we have a court system, and we have a President. We don't have President McConnell, we don't have President Boehner, we don't have President Reid, we don't have President Boxer. We have President Obama, and he has to do his job. If you don't like it, that is fine. Lord knows I have served with five Presidents. I didn't agree with them half the time, but I didn't threaten to shut down the government or impeach them or sue them.

Now here is the deal: Why can't they find time to take up our bill? They have voted 50 times to repeal the Affordable Care Act—50 times—but they cannot find time to debate or pass a bill to reform our Nation's immigration laws.

I served in the House for 10 years. The rules in the House are easy. It is nothing like the Senate where you need unanimous consent to do anything, to even open up the Senate. In the House, if the majority, who are now the Republicans, wants to introduce a bill, all they have to do is introduce a bill.

They won't do it. It has been 17 months. Then the President says, oh, my God, we have got an issue here. Everyone agrees we have 11 million undocumented immigrants here. We have issues at the border. We have issues at detention facilities. We have issues in the ag industry. We have issues of families being torn apart. The President is going to do what he can do, just as 10 other Presidents have done previously. So what does he get in response from our Republican friends? Nothing that would allay our concerns. They don't say, Mr. President, we understand your frustration. Don't worry, we will get a bill done. It may not be the same as the Senate. We have other ideas. They do nothing. They are do-nothing and they want our President to be do-nothing when it comes to immigration.

Frankly, if our President did not take action, it would be a terrible mistake. I have already established that he is within his constitutional rights. He would be joining 10 other Presidents who, by the way, acted on 40 occasions over the last 60 years. So here is a group of Republicans threatening to impeach the President, sue the President, shut down the government over something that 11 Presidents have done over the past 60 years on 40 occasions. I never ever, ever heard one Republican or Democrat threaten to shut down the government when a President took action over immigration.

The Republicans won't act. So what do they think is going to happen, status quo? The status quo doesn't work. It is not working at the border. It is not working for our families. It is not working at the workplace. It is not working in our communities.

I was in the House when President Reagan signed into law a major immigration bill legalizing 3 million immigrants in 1986, and then the Congress didn't do the next step. They didn't take the next step. So he took Executive action to stop deportations that would interfere with family reunification. President Reagan—I didn't hear one Republican threaten to impeach the President, sue the President, take action, shut down the government, make life miserable for the American people. No. But they are doing it now.

In 1990, President George Herbert Walker Bush directed his Attorney General to halt deportations of an estimated 190,000 Salvadorans who were fleeing the civil war there, and he used his power to halt the deportation of up to 1.5 million spouses and children. I did not hear one Republican—not one—threaten to sue the President, threaten to take him to court, threaten to impeach him, threaten to shut down the government and make life miserable for the American people.

President Bush's family fairness policy Executive action was sweeping. It affected more than 40 percent of the undocumented population in the United States at the time. He thought big—George Bush, Sr.—he thought big, and this President should think big.

I will tell you why. If you ask economic experts what are the best measures we can do for our economy, they are clear about it. They say one measure we should implement is to raise the minimum wage. We Democrats are trying to do that and we will never give up trying to do that. Reforming immigration is another measure that is one of the best ways to stimulate our economy and create jobs, and it is all laid out in a USC study which shows that immigration reform with a path to citizenship would inject \$8 billion into my State's economy—my State of California—each year—\$8 billion each year. Nationwide it would increase our gross domestic product by \$1.5 trillion over 10 years, increase wages for workers, and lead to between 750,000 to 900,000 new jobs. That is almost a million new jobs created, according to the Center for American Progress.

So help me out here, Republicans. What is your problem? You never complained when Republican Presidents took Executive action to fix a broken immigration system. You say you are for jobs and the economy and business, and if you look at the support for immigration reform, it runs right through our society from the Chambers of Commerce to labor and everybody in between. And if we don't act, the dire situation of undocumented immigrants will only get worse. Families will continue to be torn apart. People will continue to live in the shadows. The reason our economy will be thriving once people get out of the shadows is they are not afraid to come out. They are not afraid to buy a house. They are not afraid to spend money. They are not afraid to start new businesses. They

are not afraid to hire workers. It is a no-brainer. This is one of the most important things we can do for our economy, for jobs, for prosperity, for our communities.

In closing, because I see my friend from Connecticut is here, and I want to yield the floor, there are two priorities that are at stake: a healthy economy—and I have laid that out—and family values. The American people, including the people of California, support bold and compassionate action on immigration reform. We have already established that the President has the legal authority to act just as other Presidents of both parties have in the past.

I say to the President today, as I have said to him in writing, if you act you will have my strong support and you will have the support of so many people across this country. You will keep our families together, you will strengthen our economy, and you will make our country stronger.

I say to the House again, while you are still here in Washington, if you don't want the President to fill the void for your lack of action, then take up and pass the Senate immigration bill. Get to work. If you don't like that bill, then make another bill, but take care of this problem because if you continue to be a do-nothing House when it comes to immigration, I can assure you this President will not follow your lead and be a do-nothing President when it comes to immigration. That would be terribly wrong. It would be wrong not only for our immigrant community but for every single one of us.

Mr. President, I ask unanimous consent to have two articles printed in the RECORD, along with an article in the National Journal that details the number of times Presidents have used their authority to act on immigration.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From huffingtonpost.com, Nov. 15, 2014]

REAGAN, BUSH ALSO ACTED WITHOUT CONGRESS TO SHIELD IMMIGRANTS FROM DEPORTATION

(By Andrew Taylor)

WASHINGTON (AP).—Two presidents have acted unilaterally on immigration—and both were Republican. Ronald Reagan and his successor George H.W. Bush extended amnesty to family members who were not covered by the last major overhaul of immigration law in 1986.

Neither faced the political uproar widely anticipated if and when President Barack Obama uses his executive authority to protect millions of immigrants from deportation.

Reagan's and Bush's actions were conducted in the wake of a sweeping, bipartisan immigration overhaul and at a time when "amnesty" was not a dirty word. Their actions were less controversial because there was a consensus in Washington that the 1986 law needed a few fixes and Congress was poised to act on them. Obama is acting as the country—and Washington—are bitterly divided over a broken immigration system and what to do about 11 million people living in the U.S. illegally.

Obama wants to extend protection from deportation to millions of immigrant parents

and spouses of U.S. citizens and permanent residents, and expand his 2-year-old program that shields immigrants brought illegally to this country as children.

A tea party-influenced GOP is poised to erupt, if and when Obama follows through on his promise.

"The audacity of this president to think he can completely destroy the rule of law with the stroke of a pen is unfathomable to me," said GOP Rep. Steve King of Iowa, an outspoken opponent of relaxing U.S. immigration law. "It is unconstitutional, it is cynical, and it violates the will of the American people."

Some Republicans have even raised the possibility of impeachment.

Here's a timeline of then and now:

1986. Congress and Reagan enacted a sweeping overhaul that gave legal status to up to 3 million immigrants without authorization to be in the country, if they had come to the U.S. before 1982. Spouses and children who could not meet that test did not qualify, which incited protests that the new law was breaking up families.

1987. Early efforts in Congress to amend the law to cover family members failed. Reagan's Immigration and Naturalization Service commissioner announced that minor children of parents granted amnesty by the law would get protection from deportation. Spouses and children of couples in which one parent qualified for amnesty but the other did not remained subject to deportation, leading to efforts to amend the 1986 law.

1989. By a sweeping 81-17 vote, the Senate in July voted to prohibit deportations of family members of immigrants covered by the 1986 law. The House failed to act.

1990. In February, President George H.W. Bush, acting through the Immigration and Naturalization Service, established a "family fairness" in which family members living with a legalizing immigrant and who were in the U.S. before passage of the 1986 law were granted protection from deportation and authorized to seek employment. The administration estimated up to 1.5 million people would be covered by the policy. Congress in October passed a broader immigration law that made the protections permanent.

2012. In July, the Obama administration announces a new policy curbing deportations for certain immigrants brought illegally to the country as kids. The policy, Deferred Action for Childhood Arrivals (DACA), applies to people younger than 30 who were brought to the U.S. before they turned 16 and meet other criteria such as graduating high school. It has now granted two-year deportation reprieves and work permits to nearly 600,000 people.

2013-2014 (Congress). After months of work, the Senate in June 2013 passes, 68-32, a huge immigration overhaul bill that includes a path to citizenship for immigrants who meet strict criteria. The House fails to act. In a televised interview with Telemundo, Obama says expanding the DACA program to cover the parents of children allowed to remain in the country under the program "would be ignoring the law in a way that I think would be very difficult to defend legally. So that's not an option."

2014 Frustrated by Congress' inability to act on immigration, Obama announces in June that he'll use executive powers to address other elements of the flawed immigration system. Like Bush, Obama is expected to extend deportation protections to families of U.S. citizens or permanent residents. Obama's anticipated action would not award legal status, but it would offer temporary protection from deportation to up to 5 million people, as well as the possibility of obtaining a work permit. He delayed action until after Election Day. On Monday, Demo-

cratic leaders sent a letter to Obama saying they strongly support his plans to take executive action on immigration.

[From the hill.com, Oct. 2, 2014]

WHEN REAGAN AND GHW BUSH TOOK BOLD EXECUTIVE ACTION ON IMMIGRATION

(By Mark Noferi)

Congressional Republicans are outraged that President Obama may take executive action on immigration reform after the midterm elections—perhaps by deferring deportations and providing work authorization to millions of unauthorized immigrants with strong family ties to the United States. However, past Republican presidents have not been shy to use the White House's power to retool immigration policy. In fact, Obama could learn a lot from presidents Ronald Reagan's and George H. W. Bush's executive actions to preserve the unity of immigrant families, and move past Congressional refusal to enact immigration reform.

The story begins on November 6, 1986, when Reagan signed the last comprehensive legalization bill to pass Congress. The Immigration Reform and Control Act (IRCA) gave up to 3 million unauthorized immigrants a path to legalization if they had been "continuously" present in the U.S. since January 1, 1982. But the new law excluded their spouses and children who didn't qualify. As the Senate Judiciary Committee stated at the time, "the families of legalized aliens . . . will be required to 'wait in line'."

Immediately, these split-eligibility families became the most polarizing national immigration issue. U.S. Catholic bishops criticized the government's "separation of families," especially given Reagan's other pro-family stances. In early 1987, members of Congress introduced legislation to legalize family members, but without success.

Shortly after Congress' failure, Immigration and Naturalization Service (INS) commissioner Alan Nelson announced he was "exercising the Attorney General's discretion" to assure that children would "be covered" by legalization. The administration granted a blanket deferral of deportation (logistically similar to today's Deferred Action for Childhood Arrivals program) for children under 18 who were living in a two-parent household with both parents legalizing, or with a single parent who was legalizing.

Lawmakers and advocates, however, urged Reagan to go further. Spouses and some children who had one parent able to legalize but not the other remained unprotected. A California immigrants' rights group called this "contrary to the American tradition of keeping families together." And as Rep. Howard Berman (D-Calif.) told the INS, "If you have the discretion to protect children, why not a family?"

In July 1989, the Senate moved to protect a bigger group—all spouses and children of those who legalized under IRCA. The Senate passed legislation 81-17 that prohibited the administration from deporting family members of immigrants in the process of legalizing and directed officials to grant them work authorization. The House failed to act on the Senate's bill.

George Bush Sr. then responded in February 1990 by administratively implementing the Senate bill's provisions himself. As Bush's INS Commissioner, Gene McNary, stated: "It is vital that we enforce the law against illegal entry. However, we can enforce the law humanely. To split families encourages further violations of the law as they reunite." Under Bush's "family fairness" policy, applicants had to meet certain criteria, and reapply to the INS every year for extensions.

The Bush administration anticipated its family fairness program could help enormous numbers of immigrants—up to 1.5 million family members, which amounted to over 40 percent of the 3.5 million unauthorized immigrants in the U.S. at the time.

After the Bush administration moved, the House followed. In March 1990, 33 House members introduced legislation with similar provisions to stay deportation of family members. In October, Congress then passed a combined Immigration Act of 1990, with a permanent “Family Unity” provision. The Act broadened Bush’s family fairness policy to include children under 21 and increased family immigration visas, ultimately providing more families a path to citizenship.

If voters thought Bush overstepped his authority, the midterm elections didn’t show it. In 1990, the Republicans lost a scant nine House seats and one Senate seat (out of 33 up for election)—far lower than average midterm losses by a president’s party. Bush then signed the Act in November, hailing it as continuing “support for the family as the essential unit of society” and “our tradition of family reunification.” (Bush did issue a signing statement reserving the “authority of the executive branch to exercise prosecutorial discretion in suitable immigration cases.”)

The success of the Reagan-Bush family fairness policy serves as a strikingly similar historical precedent for Obama. Bush Sr. “went big” to treat families fairly—deferring deportations for over 40 percent of unauthorized immigrants. Reportedly, Obama’s actions could be similarly broad and help up to 5 million immigrants—over 40 percent of today’s unauthorized population. Bush Sr.’s actions gave immigrants a safe haven and spurred the House to act without negative impacts in the subsequent midterms. And the Reagan-Bush fairness policy deferred deportations to protect families, compared to previous uses of presidential authority to protect war refugees or immigrants stranded by a foreign policy crisis.

We don’t know what executive action Obama will take. But we can say with certainty that presidents Ronald Reagan and George H. W. Bush led the way.

CRITICS SAY EXECUTIVE ACTION ON IMMIGRATION WOULD BE UNPRECEDENTED. THEY FORGET THEIR HISTORY

PRESIDENTS HAVE ALMOST ALWAYS ACTED FIRST TO PERMIT IMMIGRATION OR PREVENT DEPORTATION—WITH CONGRESS RATIFYING THOSE ACTIONS LATER ON.

(By Charles Kamasaki)

The president’s announcement that he would soon take executive action to “to do what he could” to fix a broken immigration system in the absence of legislation has prompted critics to assert that this would be unprecedented unless first authorized by Congress. In fact, the record demonstrates the opposite. For at least the last 70 years, presidents have routinely acted first to permit the entry of people outside normal channels or to protect large numbers of people from deportation, with legislation ratifying the executive action coming later.

During World War II, the Roosevelt administration negotiated a temporary worker arrangement with the Mexican government, later known as the Bracero program, an action Congress ratified a year later. When the authorization expired in 1947, the Truman administration continued the program until it was reauthorized in 1951. Before it ended in 1964, millions of workers entered the United States under the auspices of the Bracero program, hundreds of thousands under executive—not legislative—authority. The program was rightly criticized for numerous

labor and human-rights violations, but few questioned the executive authority it operated under.

After the war ended, President Truman used his executive authority to permit 250,000 people from Europe to enter or stay in the U.S. outside normal immigration channels. It was only three years after this exercise of discretion that Congress passed the Displaced Persons Act, permitting some 400,000 additional entries.

In April 1975, at the end of the Vietnam War, President Ford used parole authority to authorize the evacuation of 200,000 South Vietnamese to this country; it was not until a month later that the Indochina Migration and Refugee Act of 1975 was enacted, providing resettlement funding for 130,000 of those parolees. Full legislative authorization to resettle those fleeing Indochina did not come until 1980, when Congress passed the Refugee Act, resulting in permanent resettlement of 1.4 million Indochinese in the U.S.. Although most entered as bona fide refugees, hundreds of thousands were paroled into the country when statutorily authorized numbers proved inadequate.

But these broad exercises of discretion were limited to refugees fleeing wars a long time ago, right? Wrong. Presidents have exercised their discretion more than 20 times since the mid-1970s to permit people already in the U.S. from being deported. Some sought to avoid return to a Soviet bloc country. Iranians in the 1980s sought protection from the regime that overthrew the shah and occupied the American Embassy there. Afghans in the U.S. in the 1980s and 1990s were protected first from the Soviet puppet state and later from the Taliban. Others would have been returned to face civil war or natural disasters abroad. Not until 2003, several decades after the practice of country-specific relief from deportation was first deployed, did Congress codify the practice known as “temporary protected status.”

The record also shows that Congress made many executive orders of temporary relief permanent, often years after the fact. As Fidel Castro took power in Cuba in 1959, more than 900,000 Cubans fled to the United States, the vast majority paroled into the country by Presidents Eisenhower, Kennedy, and Johnson. Not until 1966, some seven years after the influx began, was the Cuban Adjustment Act passed.

In 1980, 130,000 Mariel Cubans and nearly 40,000 Haitians arrived in South Florida. Most, but not all, of the Cubans were paroled into the U.S. by President Carter. Haitians initially were protected from deportation by litigation challenging the denials of their asylum claims; most of these Haitians, and some Cubans whose entry had been challenged, eventually received discretionary “Cuban-Haitian entrant status” in the Reagan administration. Six years later, the Immigration Reform and Control Act of 1986 provided lawful permanent resident status for Cuban-Haitian entrants.

In 1987, Reagan administration Attorney General Edwin Meese directed the Immigration and Naturalization Service not to deport an estimated 200,000 Nicaraguans in the United States without authorization, including those whose asylum claims had been denied. In 1990, President George H.W. Bush instructed his attorney general to provide “deferred enforced departure” status to an estimated 190,000 Salvadorans fleeing civil war. In 1997, a decade after Meese’s initial action, Congress passed legislation permitting these groups’ adjustment to permanent residence.

In 1989, the Bush administration provided DED status to 80,000 Chinese students in the U.S. who feared returning to the strife that eventually led to the Tiananmen Square massacre and later issued an executive order

extending their status. Congress then passed the Chinese Student Protection Act in 1992, three years following the initial executive action, making the students eligible for green cards.

OK, but major exercises of prosecutorial discretion have been used only for foreign policy reasons, right? Wrong again. Executive actions have been used by every modern administration on more than a dozen occasions to further purely domestic policy objectives. After domestic emergencies—the San Francisco earthquake, the 9/11 attack, Hurricanes Katrina and Ike, and others—immigration officials relaxed enforcement efforts to advance public health and safety. Beginning with President Carter in 1980, every administration has instructed immigration officials to reduce enforcement efforts during the census.

Other exercises of discretion went beyond specific emergencies or events. In 1977, Carter administration Attorney General Griffin Bell suspended deportation of about 250,000 people unfairly denied visas by a quirk in the allocation process. It was not until nearly a decade later, via IRCA in 1986, that all of these cases were resolved.

In 1990, INS Commissioner Gene McNary issued a “Family Fairness” policy deferring the deportation of 1.5 million immediate family members of people receiving legalization under IRCA, building on a more-limited exercise of discretion in 1987 by Edwin Meese. Three years after Meese’s original executive action, Congress codified the action in the Immigration Act of 1990.

In 1997, President Clinton provided DED status to some 40,000 Haitians previously paroled into the U.S. At the end of the 105th Congress a year later, legislation passed allowing these Haitians to permanently adjust their status.

The record is clear: Presidents of both parties have used discretionary powers on multiple occasions to protect various groups from deportation for an enormously wide variety of reasons. Except for temporary conditions, Congress acted later—often years later—to ratify the president’s decisions.

Looking back now, would we reverse any of these executive actions? Should we have returned Eastern Europeans to behind the Iron Curtain, Cambodians to the killing fields, Ethiopians to a brutal civil war, Iranians to the arms of the ayatollah, or Chinese students to face the tanks in Tiananmen Square? Would we be better off without the Cubans and Haitians who revitalized South Florida over the past 40 years? Were we wrong to prevent the separation of 1.5 million people from family members getting right with the law under IRCA’s legalization?

Many of these actions were controversial when first announced. But Congress later affirmed virtually all of them—without explicitly reversing any of them—suggesting that eventually they were widely accepted. Decades from now, people looking back on President Obama’s imminent announcement of broad-scale executive action will see that he prevented the separation of families, began fixing a badly broken immigration system, and improved wages, housing, and education for those receiving legal status, thus immeasurably enriching the economy. They’ll likely see that Congress later ratified his actions, as happened so often before.

And, they’ll wonder: what was all the fuss about?

Mrs. BOXER. I say to my colleagues who have come to the floor this afternoon and are still to come to the floor, thank you.

Republicans have threatened to close down this government. They are having a temper tantrum and refuse to act

on immigration and want to paralyze the Presidency.

It is time to get behind this President. It is time to get behind the American people. It is time to take a stand for this economy and for family values.

I thank the Presiding Officer and yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I am grateful for the strong and eloquent words that were said by my colleague Senator BOXER. I am grateful to so many of my colleagues on this side of the aisle for supporting the President as he considers Executive action that would essentially enforce the law on immigration more rationally and effectively, which is what prosecutorial discretion means.

As a former U.S. attorney as well as the State attorney general in my own State for 20 years, I know about prosecutorial discretion. I know that in exercising his discretion, the President is aware that there is simply no way every undocumented person in the United States of America can be deported tomorrow, let alone this year—probably ever.

There are 11.5 million undocumented people who live in the shadows, and the question is, How do we use the resources of the Federal Government most rationally and effectively to serve the public interest and uphold the rule of law?

The question is, essentially, How should law enforcement use its resources? That question arises every day in the United States when there is a Federal or State prosecution. It arises every day on our borders when the agents of our Federal administrative law enforcement apparatus make decisions about law enforcement. As I have learned from my experience in law enforcement, it best serves citizens when it uses those resources efficiently, effectively, and humanely in a concerted effort to address a direct threat to public safety. Law enforcement has a job to do, and it can't do everything all the time everywhere.

Decisions are necessary in the real world in practical circumstances to preserve public order and protect public safety, and that is what the President is doing by issuing an Executive order which, in effect, directs Federal resources to deport undocumented immigrants who represent a threat to this country by virtue of their criminal activity or criminal background or other circumstances that justify that rational and selective approach to law enforcement.

This approach is hardly novel, and it is highly unoriginal. In fact, President Obama's authority to direct how Federal immigration resources will be marshaled in the service of protecting public safety is very much in the tradition and history of this office. Every President since Dwight Eisenhower, whether Democratic or Republican, has done exactly what President Obama is doing in this Executive order.

In 1990 President George H.W. Bush took Executive action to defer removal and grant work permits to roughly 1.5 million undocumented individuals—nearly half the undocumented population at the time. Think about that for a moment. Out of 3 million people, President Bush decided that 1.5 million of them should, in effect, not be prosecuted. He set law enforcement priorities. That was his job, and that is President Obama's job.

Many of us—and I am very much in this camp—would prefer to address this situation through legislation. I worked hard, along with the distinguished chairman of the Judiciary Committee and Members on both sides of the aisle of the Judiciary Committee and of this body, to approve legislation. It was resolved and written up after several days of detailed and painstaking markup. I was told that is the way legislation used to be routinely done in this body—Members trading ideas, exchanging views and perspectives, drilling down on facts, and arriving at a bipartisan solution that eventually was approved by 68 Members of this body from both sides of the aisle. That is a matter of history.

My hope was and still is that we have legislation along the lines of what was approved by the Senate. That legislation was far from perfect. In my view, it was way short of the ideal immigration reform I would favor, but the good cannot be the enemy of the perfect and the perfect cannot be the enemy of the good. What we need now is a practical approach to this problem through legislation. The House refused to take up the Senate bill. It didn't even consider it and never voted on it.

The President has a responsibility, and his job is to take actions that are within his legal authority to address a system that is broken and takes a toll on human lives that is intolerable. It threatens to divide families, to put people out of work—not just undocumented immigrants out of work but citizens of this country because they work for businesses that are owned and operated by those immigrants who might be deported. I have seen that firsthand in Connecticut, and I know it is true around the country.

This measure is not only good for human lives, it is good for our economy. It is essential to make sure our immigration system—a broken, failed system—is at least prepared in the short term while we work toward legislation that is absolutely necessary to comprehensively revise and reform that system.

Every day that the Federal Government fails to act on immigration reform, people in this country are forced to live in fear and the anxiety and apprehension that children suffer when they are afraid they will lose their parents and siblings. Connecticut citizens live in fear of losing their neighbors and their employers, their congregates in church, and members of their immediate and extended families. Millions of

immigrants who have lived in this country for years—5 or 10 years or longer—and are working hard, paying taxes, abiding by the law, and contributing and giving back to their communities are forced to live in fear that they will have to leave everything they have worked so hard to build and everything that means so much to them—their families, their homes, and the country they have come to love. They appreciate the freedoms of this country and the opportunities it offers in ways we routinely take for granted. For them, this country is a beacon of hope and opportunity which they appreciate so deeply and fervently that they are willing to lay down their lives for it and, in fact, sometimes do as members of our armed services.

The lack of action on immigration reform hurts everyone. When businesses employ workers under the table, our economy and our Nation are deprived of their taxes. They are often ducking regulations and taxes, which in turn drives down wages for every working American.

Immigrants should be able to come out of the shadows not just for their sake but for the Nation's sake. They are a resource that can be used so much more fully to the benefit of our Nation. When they come out of the shadows, they should be forced to undergo background checks, obtain work permits and proof that they are abiding by the law. That is necessary to show they are not a threat to public safety.

When immigrants live in fear, law enforcement can't know who lives in the communities they police. Immigrants who live in fear are simply not going to be as willing to report individuals living near them and represent a real threat to public safety because they feel uncomfortable reporting crimes and cooperating with authority when they feel they may then be the object of enforcement. Getting more people who are already living in this country into the system will allow law enforcement to go after the truly bad actors—serious criminals, serious national security threats, and people who seriously should not be in this country.

As the American people wait for legislative action and wait for the House to act on the Senate bill and perhaps wait on the Senate to act again, President Obama has both the authority and the moral responsibility to institute these reforms. These reforms are crucial. He has the authority under law to exercise his discretion. He has the moral responsibility to fix this broken system as long and as well as he can using that responsibility.

I am encouraged to hear that the President intends to focus his authority on serious criminals, not law-abiding individuals. At a minimum, my hope is that he will ease the minds of children and put to rest the anxiety children feel when they fear they may lose their parents. Whether they are DREAMers or U.S. citizens, they should be spared that apprehension and

anxiety that interferes with everything they do in school or work.

My hope is that he will exercise that authority on behalf of the parents of those children—U.S. citizens, permanent residents, and DREAMers.

My hope is that he will ease some of the arbitrary restrictions that prevent the DOCA program from achieving its full purpose—restrictions like the cut-off age.

As he acts to exercise his prosecutorial discretion with respect to deportation, he should also consider his administration's policies with respect to detention. As I wrote to the President earlier this year, along with my colleague and friend Chairman LEAHY, I believe the administration's decision to dramatically expand the detention of whole families, many of whom have shown a credible fear of being returned to dangerous situations in their home countries, is counterproductive and harmful. Migrants must be given an adequate opportunity to show they have a valid claim as refugees.

The policy of indiscriminately holding families in enormous, privately run facilities leads to inhumane living conditions. Violence against women and children and simply inefficient use of resources are more the rule than the exception. Warehousing young children in complexes that are little more than jails is deeply incompatible with our national values and it serves none of the goals of an effective immigration system.

Tomorrow marks the 25th anniversary of the U.N. Convention on the Rights of the Child. Faith leaders and community members from around the country will be doing vigils and telling the stories of children and mothers who are spending this holiday season behind bars. Yes, in the greatest country in the history of the world, children and their moms will be spending Thanksgiving behind bars.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BLUMENTHAL. I ask unanimous consent for 1 additional minute.

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

Mr. BLUMENTHAL. These families are not flight risks and they are not dangerous. We owe it to them to do better. I am proud of standing with my colleagues on calling on the President to keep families together, target resources effectively, and run an immigration system that reflects America's values and builds a stronger future.

Mr. President, I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

EXECUTIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to executive session.

Under the previous order, there will be 2 minutes of debate equally divided prior to a vote on the motion to invoke cloture on the Pepper nomination.

The Senator from Connecticut.

Mr. BLUMENTHAL. I ask unanimous consent all time be yielded back.

The PRESIDING OFFICER. Is there objection?

Without objection, all time is yielded back.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

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 Pamela Pepper, of Wisconsin, to be United States District Judge for the Eastern District of Wisconsin.

Harry Reid, Patrick J. Leahy, Robert Menendez, Patty Murray, Debbie Stabenow, Benjamin L. Cardin, Amy Klobuchar, Kirsten E. Gillibrand, Christopher Murphy, Brian Schatz, Richard J. Durbin, Richard Blumenthal, Tom Harkin, Angus S. King, Jr., Tom Udall, Mazie K. Hirono, Sheldon Whitehouse.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Pamela Pepper, of Wisconsin, to be United States District Judge for the Eastern District of Wisconsin, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from North Carolina (Mrs. HAGAN) and the Senator from Louisiana (Ms. LANDRIEU) are necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Louisiana (Mr. VITTER).

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

The yeas and nays resulted—yeas 58, nays 39, as follows:

[Rollcall Vote No. 283 Ex.]

YEAS—58

Ayotte	Franken	Mikulski
Baldwin	Gillibrand	Murkowski
Begich	Harkin	Murphy
Bennet	Heinrich	Murray
Blumenthal	Heitkamp	Nelson
Booker	Hirono	Pryor
Boxer	Johnson (SD)	Reed
Brown	Johnson (WI)	Reid
Cantwell	Kaine	Rockefeller
Cardin	King	Sanders
Carper	Klobuchar	Schatz
Casey	Leahy	Schumer
Collins	Levin	Shaheen
Coons	Manchin	Stabenow
Donnelly	Markey	Tester
Durbin	McCaskill	Udall (CO)
Feinstein	Menendez	
Flake	Merkley	

Udall (NM)	Warner	Whitehouse
Walsh	Warren	Wyden

NAYS—39

Alexander	Enzi	McConnell
Barrasso	Fischer	Moran
Blunt	Graham	Paul
Boozman	Grassley	Portman
Burr	Hatch	Risch
Chambliss	Heller	Roberts
Coats	Hoeben	Rubio
Coburn	Inhofe	Scott
Cochran	Isakson	Sessions
Corker	Johanns	Shelby
Cornyn	Kirk	Thune
Crapo	Lee	Toomey
Cruz	McCain	Tommy

NOT VOTING—3

Hagan	Landrieu	Vitter
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The PRESIDING OFFICER. On this vote, the yeas are 58, the nays are 39. The motion is agreed to.

NOMINATION OF PAMELA PEPPER TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF WISCONSIN

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Pamela Pepper, of Wisconsin, to be United States District Judge for the Eastern District of Wisconsin.

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote on the motion to invoke cloture on the Sannes nomination.

The Senator from New York.

Mr. SCHUMER. I yield back all time.

The PRESIDING OFFICER. Is there objection?

Without objection, all time is yielded back.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

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 Brenda K. Sannes, of New York, to be United States District Judge for the Northern District of New York.

Harry Reid, Patrick J. Leahy, Robert Menendez, Patty Murray, Debbie Stabenow, Benjamin L. Cardin, Amy Klobuchar, Kirsten E. Gillibrand, Christopher Murphy, Brian Schatz, Richard J. Durbin, Richard Blumenthal, Tom Harkin, Angus S. King, Jr., Tom Udall, Mazie K. Hirono, Sheldon Whitehouse.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Brenda K. Sannes, of New York, to be United States District Judge for the Northern District of New York, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.