I also thank Senator BALDWIN for her continued support of this successful nominating process that has once again resulted in the selection of a well-qualified jurist, Judge Pamela Pepper, who will serve the N and the Wisconsin Eastern District well.

The PRESIDING OFFICER. The Senator from Wisconsin.

Ms. BALDWIN. I rise this afternoon to urge my colleagues to confirm Judge Pamela Pepper for the U.S. District Court for the Eastern District of Wisconsin. I am delighted to once again join my colleague Senator JOHNSON on the floor to discuss this nomination.

The people of Wisconsin deserve to have experienced and highly qualified judges working for them, and I am proud to have worked with my colleague Senator JOHNSON and our judicial nominating commission to put in place this process for filling the critical Federal judicial vacancies in our State. I was pleased to join Senator JOHNSON in May of this year to support the confirmation of Jim Peterson, whom the Senate confirmed to a seat for a Federal judgeship in the Western District of Wisconsin. I am pleased to stand on the floor with my colleague today to speak in support of another terrific judicial nominee who will serve the people of Wisconsin well.

Judge Pepper is an outstanding bankruptcy judge, and she will be an outstanding U.S. Federal district judge.

As President Obama noted in making the nomination, ''Judge Pepper has a long and distinguished record of service, and . . . will serve on the federal court with distinction.''

Pam Pepper has indeed dedicated her professional career to public service. She has a distinguished career as a judge, Federal prosecutor, public defender, and attorney in private practice. She has spent that career dedicated to serving her clients and the people of the United States. I am confident she will continue her outstanding service on the bench, and the people of Wisconsin will benefit from having this experienced and dedicated public servant as a U.S. district judge.

As we have heard, she has served as the chief bankruptcy judge in the Eastern District of Wisconsin since 2010, having served as a bankruptcy judge in that district since 2005. She simultaneously served the people of the Southern District of Illinois as a bankruptcy judge during that same period. Judge Pepper has contributed significantly to the field of bankruptcy law and the continuing education of bankruptcy judges and practitioners.

Prior to her time on the bench, Pamela Pepper worked both as a solo practitioner engaged in criminal defense work and as a Federal prosecutor in the U.S. Attorney's Offices in Chicago and then Milwaukee.

Before becoming a bankruptcy judge, Pam Pepper also held numerous leadership positions within the legal community, including on the boards of the Federal Defenders Service of Wisconsin, the State Bar of Wisconsin, the Eastern District of Wisconsin Bar Association, and the Milwaukee Bar Association, just to name a few.

Senator JOHNSON and I strongly support Judge Pepper's nomination to the U.S. District Court for the Eastern District of Wisconsin. Our joint support of a judicial nominee should once again send a strong message to the entire Senate that she is the right choice for this judgeship.

I urge my colleagues to confirm judge Pamela Pepper so that she can continue her distinguished service to the people of Wisconsin and the people of the United States of America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, what is the parliamentary situation?

The PRESIDING OFFICER. The Senate is in morning business until 2 p.m.

Mr. LEAHY. I thank the distinguished Presiding Officer.

IMMIGRATION

Mr. LEAHY. Madam President, as we know, tonight President Obama is going to speak to the American people about reforming our broken immigration system. I had dinner with him last night, and we talked about this. I think it is generally expected that he will announce what he can do to address some of the problems that are tearing families apart, dragging the U.S. economy down and risking our national security. For 2 years the Republican Speaker of the House of Representatives refused to even allow a vote on the Senate's bipartisan bill. Because of that, I understand and appreciate why the President is going to act.

There are currently 11 million undocumented immigrants living in the United States, but everybody knows we are not going to round up and deport 11 million people. It just can't be done. Even if it could be done, it would be totally un-American and against everything that we stand for. These are, after all, mothers and fathers, sisters and brothers, sons and daughters. They are not a number. They are real people. And the President's action will acknowledge that. It is a necessary step in an effort to bring people out of the shadows, focus scarce enforcement resources on those who actually pose a threat, and bring some stability to those who are hardworking, law-abiding members of our community. I would much rather have people who are taxpayers and know they are here legally, so we can concentrate on those who aren't. That is what the President wants to do.

President Obama knows there is no substitute for legislation. President Reagan and President Bush used a similar type of Executive order. It is a temporary and incomplete solution because legislation has to be passed. We have to step up and fix the broken immigration system once and for all, as we did in the Senate when Republicans and Democrats came together last year. But to those who say we should wait for Congress to act, I think we have waited long enough.

We have been waiting now for 511 days since the Senate passed immigration reform. That is 511 days, during which time the Republican-controlled House of Representatives could have taken up our bill—either voted for it or voted against it. The least they could do is vote. Vote ''yes'' or vote ''no.'' I think about what my friend and the former chairman of the Senate Judiciary Committee, Senator Edward Kennedy, said in the summer of 2007. We had comprehensive immigration reform before the Senate. It was being blocked by the Republicans. He said:

> A minority in the Senate rejected a stronger economy that is fairer to our taxpayers and our workers. A minority in the senate rejected America's own extraordinary immigrant history and ignored our nation's most urgent needs. But we're in this struggle for the long haul.

Senator Kennedy was right. That is why Democrats and Republicans came together to pass an immigration bill out of the Senate. I just ask why, 511 days later, has the Republican-controlled House refused to either vote for it or vote against it? We held days of hearings and lengthy, extensive markup sessions. We worked late into the evenings debating the bill. Many of us worked weekends. I remember, because I was there. We considered hundreds of amendments. More than 300 amendments were filed. We adopted 136 of them. All but three were adopted with both Republican and Democratic votes. What was initially a proposal from the so-called Gang of 8 became, through the committee process, the product of 18 Members from both sides of the aisle. The Senate Judiciary Committee recommended this improved bipartisan bill to the full Senate. It wasn't exactly the bill that I would have written, but it was a fair and reasonable compromise. It reflected the deliberative process at its best, and I felt honored to bring the bill to the floor.

But look what happened. Sixty eight of us voted to pass it, and the Republican Speaker of the House of Representatives will not even bring it up for a vote. To this day, the Republican leadership in the House is batting zero when it comes to truly addressing the broken immigration system.

The President is not acting alone. The American people support immigration reform. Remember that. The American people support immigration reform. A bipartisan majority of the Senate has endorsed action. It is the House of Representatives that is out of step. Our system is not going to fix itself. We know this. It should be no surprise that the President has decided to use his authority to make our country safer, stronger, and more humane. If Republicans really, truly want congressional action on reform, they can

take action today and allow a vote on the Senate-passed bill. I hope that every Member of the Republican Party who says that what the President is doing is terrible will also ask when House Republicans are going to vote one way or the other on the Senate's bill. Our bill would make everything the President is doing unnecessary. Remember that.

The President has the legal authority to take this action. Every President since Eisenhower has exercised this authority. Some, such as President George H.W. Bush, did so on a sweeping scale. We make laws in Congress. The President sets enforcement policies. He clearly has the power to take the scarce resources we have given him and identify and deport those people who pose a danger to our communities, and he can limit the deportation of those who are law-abiding, tax-paying members of the community.

Madam President, I ask unanimous consent for 2 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LEAHY. Next week, millions of families in this country will gather around a table to give thanks for the many blessings they have received. I know my family and I and our children and our grandchildren will. The President's actions will be counted among those blessings for the millions of loved ones who worry that their mother, father or grandparents could be deported at any moment. The security the President's action will give these families on Thanksgiving is powerful and indispensable.

For some, it is about something even more urgent. It is about seeking safety. While I applaud the President's announcement today, I remain deeply disappointed by his decision to build a large new detention facility to hold vulnerable women and children fleeing violence in Central America. Many of these individuals are asylum seekers, not criminals, and their ongoing detention is unacceptable. I urge him to revisit this policy.

The action the President will announce today is going to draw criticism from those who sought to stop immigration reform at every turn. As a grandson of immigrants, I say that after years and years of obstruction, the President is right to take action. I am married to a woman who is the daughter of immigrants. At the heart of it all, this is about keeping America's communities strong and vibrant. We benefit from immigration. That has been our history. Let it be our future.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

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

NOMINATION OF BRENDA K. SANNES TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF NEW YORK

NOMINATION OF MADELINE COX ARLEO TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW JERSEY

NOMINATION OF WENDY BEETLESTONE TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA

NOMINATION OF VICTOR ALLEN BOLDEN TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF CONNECTICUT

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

The bill clerk read the nominations of Pamela Pepper, of Wisconsin, to be United States District Judge for the Eastern District of Wisconsin; Brenda K. Sannes, of New York, to be United States District Judge for the Northern District of New York; Madeline Cox Arleo, of New Jersey, to be United States District Judge for the District of New Jersey; Wendy Beetlestone, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania; and Victor Allen Bolden, of Connecticut, to be United States District Judge for the District of Connecticut.

Mr. LEAHY. Mr. President, today we will vote on five outstanding judicial nominees to our Federal district courts. I thank the majority leader for filing for cloture on these nominees so we can clear the backlog that still remains on our executive calendar as we move toward the end of the 113th Congress. After we vote on these nominees today, however, we will still have 21 judicial nominees pending on the executive calendar to serve on district courts, the U.S. Court of Federal Claims, and the U.S. Court of International Trade.

The five nominees the Senate will vote on today are all well-qualified lawyers and there should be no controversy about their confirmation. Four of these nominees: Pamela Pepper to the Eastern District of Wisconsin, Brenda Sannes to the Northern District of New York, Madeline Arleo to the District of New Jersey, and Wendy Beetlestone to the Eastern District of Pennsylvania were reported by the Judiciary Committee by unanimous voice vote and have the support of their home State senators.

The fifth nominee, Victor Bolden, who has been nominated to the District of Connecticut, also has the strong support of his home State Senators, Mr. BLUMENTHAL and Mr. MURPHY. Mr. Bolden's credentials are impeccable. Since 2009, he has served as corporation counsel for the city of New Haven, CT. Prior to joining city government, Mr. Bolden served as general counsel and assistant counsel for the NAACP Legal Defense & Educational Fund. He has also served in private practice as an associate and counsel at the law firm of Wiggin & Dana in New Haven, CT. After graduating from Harvard Law School, Mr. Bolden began his legal career at the American Civil Liberties Union as a staff attorney and as the Marvin Karpatkin Fellow.

During the Judiciary Committee executive business meeting where Mr. Bolden's nomination was considered, the ranking member commented that he was troubled by the nominee's views on racial classifications and his advocacy on affirmative action. The ranking member also noted that he did not agree with the nominee's criticisms of the Supreme Court's decision in Shelby County v. Holder. Finally, the ranking member criticized Mr. Bolden because he argued the nominee ''took a narrow and legally incorrect view of individual rights under the Second Amendment in an amicus brief in Heller.'' The committee voted to report Mr. Bolden's nomination favorably on a 10-to-8 party-line vote.

Let me address each of the issues raised by Ranking Member GRASSLEY. First, in cases where Mr. Bolden has advocated for a specific position in which a Senator may disagree, Mr. Bolden was representing a client and not expressing his own personal views. As chairman of the Judiciary Committee, I have stated repeatedly that attorneys should not be equated with the position of their clients. Our legal system is predicated upon zealous advocacy for both sides of an issue or matter. Without this, our justice system would not function. Victor Bolden understands the difference between the role of an advocate versus the role of a judge. In response to a question for the record from Senator GRASSLEY on applying Supreme Court and Circuit Court precedents, Mr. Bolden testified: ''I am fully committed to following the precedents of higher courts faithfully and giving them full force and effect, regardless of any personal feelings I might have.''

Second, not only has Mr. Bolden testified under oath about this distinction, but he has shown that he would apply and implement orders from a higher court. In Ricci v. DeStefano, Mr. Bolden represented the city of New Haven as corporation counsel. In that case, several White firefighters and one