

wounded warriors. I am concerned about the \$17 trillion in debt and what it will do to the future of our children and this country, and this amendment would reduce the deficit as well.

I would ask for a vote on my amendment, amendment No. 2603, but in order for the Senate to consider my important amendment and amendments that my colleagues have talked about—and I hope amendments on the other side that we should be voting on—I move to table the pending Reid motion to commit with instructions, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The question is on agreeing to the motion.

The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

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

Mr. DURBIN. I announce that the Senator from Pennsylvania (Mr. CASEY) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. COBURN), the Senator from Kansas (Mr. MORAN), and the Senator from Kentucky (Mr. PAUL).

The result was announced—yeas 42, nays 54, as follows:

[Rollcall Vote No. 3 Leg.]

YEAS—42

Alexander	Enzi	McCain
Ayotte	Fischer	McConnell
Barrasso	Flake	Murkowski
Blunt	Graham	Portman
Boozman	Grassley	Risch
Burr	Hatch	Roberts
Chambliss	Hoeven	Rubio
Coats	Inhofe	Scott
Cochran	Isakson	Sessions
Collins	Johanns	Shelby
Corker	Johnson (WI)	Thune
Cornyn	Kirk	Toomey
Crapo	Lee	Vitter
Cruz	Manchin	Wicker

NAYS—54

Baldwin	Harkin	Murray
Baucus	Heinrich	Nelson
Begich	Heitkamp	Pryor
Bennet	Heller	Reed
Blumenthal	Hirono	Reid
Booker	Johnson (SD)	Rockefeller
Boxer	Kaine	Sanders
Brown	King	Schatz
Cantwell	Klobuchar	Schumer
Cardin	Landrieu	Shaheen
Carper	Leahy	Stabenow
Coons	Levin	Tester
Donnelly	Markey	Udall (CO)
Durbin	McCaskill	Udall (NM)
Feinstein	Menendez	Warner
Franken	Merkley	Warren
Gillibrand	Mikulski	Whitehouse
Hagan	Murphy	Wyden

NOT VOTING—4

Casey	Moran
Coburn	Paul

The motion was rejected.

NOMINATION OF ROBERT LEON WILKINS TO BE U.S. CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA—MOTION TO PROCEED

Mr. REID. I now move to proceed to the motion to reconsider the vote by which cloture was not invoked on the nomination of Robert Leon Wilkins to be a U.S. Circuit Judge for the District of Columbia.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. MCCONNELL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Pennsylvania (Mr. CASEY) and the Senator from California (Mrs. BOXER) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. COBURN), the Senator from Oklahoma (Mr. INHOFE), the Senator from Kansas (Mr. MORAN), and the Senator from Kentucky (Mr. PAUL).

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

The result was announced—yeas 53, nays 41, as follows:

[Rollcall Vote No. 4 Leg.]

YEAS—53

Baldwin	Heinrich	Nelson
Baucus	Heitkamp	Pryor
Begich	Hirono	Reed
Bennet	Johnson (SD)	Reid
Blumenthal	Kaine	Rockefeller
Booker	King	Sanders
Brown	Klobuchar	Schatz
Cantwell	Landrieu	Schumer
Cardin	Leahy	Shaheen
Carper	Levin	Stabenow
Coons	Manchin	Tester
Donnelly	Markey	Udall (CO)
Durbin	McCaskill	Udall (NM)
Feinstein	Menendez	Warner
Franken	Merkley	Warren
Gillibrand	Mikulski	Whitehouse
Hagan	Murphy	Wyden
Harkin	Murray	

NAYS—41

Alexander	Enzi	McConnell
Ayotte	Fischer	Murkowski
Barrasso	Flake	Portman
Blunt	Graham	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rubio
Chambliss	Heller	Scott
Coats	Hoeven	Sessions
Cochran	Isakson	Shelby
Collins	Johanns	Thune
Corker	Johnson (WI)	Toomey
Cornyn	Kirk	Vitter
Crapo	Lee	Wicker
Cruz	McCain	

NOT VOTING—6

Boxer	Coburn	Moran
Casey	Inhofe	Paul

The motion was agreed to.

Mr. PRYOR. Mr. President, I move to reconsider the vote.

Mr. LEVIN. Mr. President, I move to lay that motion upon the table.

The motion to lay upon the table was agreed to.

The PRESIDING OFFICER. The majority leader.

EXECUTIVE SESSION

Mr. REID. Mr. President, I move to reconsider the vote by which cloture was not invoked on the Wilkins nomination.

I ask unanimous consent that the next votes be 10 minutes in duration.

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

The question is on agreeing to the motion.

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) and the Senator from Pennsylvania (Mr. CASEY) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. COBURN), the Senator from Oklahoma (Mr. INHOFE), the Senator from Kansas (Mr. MORAN), and the Senator from Kentucky (Mr. PAUL).

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

The result was announced—yeas 54, nays 40, as follows:

[Rollcall Vote No. 5 Ex.]

YEAS—54

Baldwin	Heinrich	Murray
Baucus	Heitkamp	Nelson
Begich	Hirono	Pryor
Bennet	Johnson (SD)	Reed
Blumenthal	Kaine	Reid
Booker	King	Rockefeller
Brown	Klobuchar	Sanders
Cantwell	Landrieu	Schatz
Cardin	Leahy	Schumer
Carper	Levin	Shaheen
Coons	Manchin	Stabenow
Donnelly	Markey	Tester
Durbin	McCaskill	Udall (CO)
Feinstein	Menendez	Udall (NM)
Franken	Merkley	Warner
Gillibrand	Mikulski	Warren
Hagan	Murkowski	Whitehouse
Harkin	Murphy	Wyden

NAYS—40

Alexander	Enzi	McConnell
Ayotte	Fischer	Portman
Barrasso	Flake	Risch
Blunt	Graham	Roberts
Boozman	Grassley	Rubio
Burr	Hatch	Scott
Chambliss	Heller	Sessions
Coats	Hoeven	Shelby
Cochran	Isakson	Thune
Collins	Johanns	Toomey
Corker	Johnson (WI)	Vitter
Cornyn	Kirk	Wicker
Crapo	Lee	
Cruz	McCain	

NOT VOTING—6

Boxer	Coburn	Moran
Casey	Inhofe	Paul

The motion was agreed to.

The PRESIDING OFFICER. The majority leader.

Mr. REID. This will be the last vote today. The next vote will be Monday, January 13, 2014, at 5:30 p.m.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion.

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 Robert Leon Wilkins, of the District of Columbia, to be United States Circuit Judge for the District of Columbia Circuit.

Harry Reid, Patrick J. Leahy, Tom Udall, Mark Begich, Brian Schatz, Al Franken, Barbara Boxer, Richard J. Durbin, Christopher A. Coons, Tammy Baldwin, Debbie Stabenow, Benjamin L. Cardin, Sheldon Whitehouse, Patty Murray, Barbara A. Mikulski, Kirsten E. Gillibrand, Tom Harkin.

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 Robert Leon Wilkins, of the District of Columbia, to be United States Circuit Judge for the District of Columbia Circuit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. HATCH (when his name was called). "Present."

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) and the Senator from Pennsylvania (Mr. CASEY) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. COBURN), the Senator from Oklahoma (Mr. INHOFE), the Senator from Kansas (Mr. MORAN), and the Senator from Kentucky (Mr. PAUL).

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

The yeas and nays resulted—yeas 55, nays 38, as follows:

[Rollcall Vote No. 6 Ex.]

YEAS—55

Baldwin	Heinrich	Nelson
Baucus	Heitkamp	Pryor
Begich	Hirono	Reed
Bennet	Johnson (SD)	Reid
Blumenthal	Kaine	Rockefeller
Booker	King	Sanders
Brown	Klobuchar	Schatz
Cantwell	Landrieu	Schumer
Cardin	Leahy	Shaheen
Carper	Levin	Stabenow
Collins	Manchin	Tester
Coons	Markey	Udall (CO)
Donnelly	McCaskill	Udall (NM)
Durbin	Menendez	Warner
Feinstein	Merkley	Warren
Franken	Mikulski	Whitehouse
Gillibrand	Murkowski	Wyden
Hagan	Murphy	
Harkin	Murray	

NAYS—38

Alexander	Enzi	McConnell
Ayotte	Fischer	Portman
Barrasso	Flake	Risch
Blunt	Graham	Roberts
Boozman	Grassley	Rubio
Burr	Heller	Scott
Chambliss	Hoeven	Sessions
Coats	Isakson	Shelby
Cochran	Johanns	Thune
Corker	Johnson (WI)	Toomey
Cornyn	Kirk	Vitter
Crapo	Lee	Wicker
Cruz	McCain	

ANSWERED "PRESENT"—1

Hatch

NOT VOTING—6

Boxer	Coburn	Moran
Casey	Inhofe	Paul

The PRESIDING OFFICER. On this vote, the yeas are 55, the nays are 38, and one Senator responded "Present." Upon reconsideration, the motion is agreed to.

NOMINATION OF ROBERT LEON WILKINS TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant bill clerk read the nomination of Robert Leon Wilkins, of the District of Columbia, to be United States Circuit Judge for the District of Columbia Circuit.

Mr. LEAHY. Mr. President, as we begin 2014, I hope we can set aside our differences and do what is best for this country by confirming qualified nominees to fill critical vacancies facing our Federal judiciary. We can do this today by voting to end the filibuster of Judge Robert Wilkins, who has been nominated to serve on the U.S. Court of Appeals for the DC Circuit. Judge Wilkins was nominated last June, and it is time that he received an up-or-down vote on his nomination. Last month, before we adjourned the Senate, we were able to confirm two other exceptional nominees to this court—Patricia Millett and Nina Pillard. Once Judge Wilkins is confirmed, the DC Circuit, which is often considered to be the second most important court in the Nation, will finally be operating at full strength. The American people deserve no less.

Judge Wilkins is an outstanding nominee. He was unanimously confirmed to the U.S. District Court for the District of Columbia less than 3 years ago. He has presided over hundreds of cases and issued significant decisions in various areas of the law, including in the fields of administrative and constitutional law. Prior to serving on the bench, he was a partner for nearly 10 years in private practice and served more than 10 years as a public defender in the District of Columbia.

During his time at the Public Defender Service, Judge Wilkins served as the lead plaintiff in a racial profiling case, which arose out of an incident in which he and three family members were stopped and detained while returning from a funeral in Chicago. This lawsuit led to landmark settlements that required systematic statewide compilation and publication of highway traffic stop-and-search data by race. These settlements inspired an Executive order by President Clinton, legislation in the House and Senate, and legislation in at least 28 States prohibiting racial profiling or requiring data collection.

Despite the progress made in the past several decades, the struggle to diversify our Federal bench continues. If confirmed, Judge Wilkins would be only the sixth African American to have ever served on the DC Circuit.

Judge Wilkins earned the ABA's highest possible rating of unanimously "well qualified." He also has the support of the National Bar Association, the Nation's largest professional association of African American lawyers and judges, as well as several other prominent legal organizations. I ask

unanimous consent to include a list of support in the RECORD.

I urge my fellow senators to end the filibuster on this outstanding nominee. This Nation will be better off with Judge Robert Wilkins serving on the DC Circuit.

I would also note that on December 31, 2013, before the new year, Chief Justice Roberts once again issued his annual year-end report on the Federal judiciary. In this report, he focused on the significant financial strain on our Federal courts. The cuts from sequestration have had a real impact for Americans seeking justice and pose real threats to the dedicated public servants who work in our Nation's Federal courts as well as to members of the public. I hope that we can return to regular order in our appropriations process and ensure that our courts have the resources they require. As the Chief noted, the Federal Judiciary's entire budget "consumes only the tiniest sliver of Federal revenues, just two-tenths of 1 percent of the Federal government's total outlays." We receive the benefit of the greatest judicial system in the world for less than 1 percent of our entire Federal budget. It makes no sense to indiscriminately cut services from our independent Federal judiciary. There are better and smarter ways to save taxpayer dollars.

Another threat facing our courts which is unaddressed in the Chief's year-end report are the continuing vacancies experienced by the Federal courts. Over the last year, the number of vacancies has hovered around 90 because obstruction in Congress has led to filibuster after filibuster of qualified nominees. And the unfortunate action taken by Republicans at the end of the first session of this Congress will only mean further delay in filling these vacancies—Republicans, for the first time ever, refused to allow any currently pending judicial nominees to be held over so that they could be ready for immediate action this year. For purely political reasons, Senate Republicans are forcing us to duplicate work this year that we already completed in 2013. In the jurisdiction of the Senate Judiciary Committee alone, more than 65 judicial and executive nominees were returned to the President and had to be renominated this week. It is a waste of taxpayer dollars and valuable resources that could be spent addressing the difficult issues facing our Nation. We must not take for granted that we have the greatest justice system in the world, and ensuring this continues requires the Senate to fulfill its constitutional duty of advice and consent.

Fortunately, due to the procedural posture of the nomination from last year, we did not have to send the nomination of Robert Wilkins to the U.S. Court of Appeals for the DC Circuit back to the President for renomination. I thank the majority leader for prioritizing this nomination in the first week of the second session of this Congress. I hope my fellow Senators