

Debt at that level threatens economic growth. It sucks money away from essential government spending on things like Social Security and Medicare and our national defense, and it leaves us excessively dependent on other countries, sometimes hostile countries, that hold our Nation's debt. And for all of those reasons and more, it threatens our national security.

House Republicans are absolutely right to take this opportunity to insist on some attempt to at least slow our rate of spending, and the American people would seem to agree. A recent poll found that 65 percent of Americans—including—including 58 percent of Democrats, believe that the "debt ceiling debate is a good time to force tough issues, like cutting future spending to reduce the deficit." That is the way the question was worded in the poll.

Let me just repeat that.

Sixty-five percent of Americans, including fifty-eight percent of Democrats, believe that the "debt ceiling debate is a good time to force tough issues, like cutting future spending to reduce the deficit." Let's hope that Democrats are paying attention.

The ball is in the President's court. House Republicans have been at the table for a while now. They have offered ideas. They have put forward and passed legislation. Now it is up to President Biden. He can either get serious about this fundamental responsibility, engage in real negotiations with Speaker MCCARTHY, and arrive at a genuine compromise on debt ceiling legislation or he can continue to refuse to meaningfully engage on this issue and ensure that his Presidency will be remembered not just for a massive inflation crisis but for a Democratic default on the debt. The choice is his.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. PADILLA). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. MENENDEZ. Mr. President, I ask unanimous consent that I be able to complete my full statement prior to the vote.

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

NOMINATIONS OF MICHAEL FARBIARZ AND
ROBERT KIRSCH

Mr. MENENDEZ. Mr. President, I come to the floor today to support two remarkable, dedicated, and exceptionally qualified nominees to serve on the U.S. District Court of New Jersey: Mr. Michael Farbiarz and Mr. Robert Kirsch. Both nominees represent the best that our State has to offer. Both have served with distinction in various roles. Both deserve to be swiftly confirmed to the district court.

Consider the distinguished public service career of Mr. Farbiarz. A resi-

dent of Glen Ridge, NJ, he has served as an assistant U.S. attorney, as cochief of the Terrorism and International Narcotics Unit, and general counsel of the New York-New Jersey Port Authority. His relentless work ethic in every role has made him a shining star in New Jersey's legal community—a representation that is not given but earned.

And whether serving in the leadership roles that he has had, enforcing our laws as a Federal prosecutor, or providing legal counsel to those who serve on the Port Authority commission, his breadth and depth of legal experience prepare him well to continue his service to the Garden State as a fair and effective Federal judge.

Like Mr. Farbiarz, Robert Kirsch is a dedicated public servant who has been capably serving on the Superior Court of New Jersey for over a decade. A native of South Orange, he was sponsored for his position by then-State Senator TOM KEAN, Jr., a Republican, and was appointed by Governor Corzine, a Democrat.

Throughout his tenure, Judge Kirsch has consistently earned bipartisan support in his long and impressive career in public service. He holds a wealth of experience both as a jurist and a former Federal prosecutor, and while presiding over a busy docket of criminal cases, Judge Kirsch has consistently chosen to do what is right, not what comes easy.

Outside of the courtroom, Robert Kirsch is a devoted advocate for public safety and the well-being of his community. In particular, he has led a passionate effort to improve New Jersey's juvenile justice system, earning him numerous awards and widespread recognition. This commitment to fairness and impartiality—values he has demonstrated throughout his career—will surely be an asset while serving on the Federal bench.

I submit to my colleagues that Mr. Farbiarz and Judge Kirsch are two phenomenal nominees to fill New Jersey's final judicial vacancies. They have earned "well qualified" ratings from the American Bar Association. They have letters of support from both the New Jersey State Bar Association and the Association of the Federal Bar of New Jersey.

In short, they are the final pieces of the puzzle as I, alongside Senator BOOKER and the Biden administration, have worked to fill not one, not two, but eight vacancies that were existing. There was a judicial emergency on the District Court of New Jersey. At the beginning of the last Congress, the number of vacancies was so dire that it was deemed a "judicial emergency." In one of the busiest courts in America, work ground to a halt as a result, creating a backlog that delayed justice for victims of crime and plaintiffs in court.

We had our work cut out for us, but by putting our heads down and our noses to the grindstone, Senator BOOK-

ER and I can now proudly say we have shepherded eight well-qualified nominees through the process. These are individuals who believe in precedent; who are not judicial activists; who are, in essence, in the mainstream of the law. All that remains is for this body and our colleagues to join us in confirming these final two nominees to their roles.

It will be a great day for the State of New Jersey and for our country as we vote to elevate Michael Farbiarz and Robert Kirsch to the Federal bench. We thank them both for their incredibly dedicated service, and I certainly look forward to thanking my colleagues for their dutiful consideration of these two nominees on the floor.

With that, Mr. President, I yield the floor.

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, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 121, Michael Farbiarz, of New Jersey, to be United States District Judge for the District of New Jersey.

Charles E. Schumer, Richard J. Durbin, Brian Schatz, John W. Hickenlooper, Margaret Wood Hassan, Gary C. Peters, Mark Kelly, Jack Reed, Tammy Duckworth, Christopher Murphy, Sheldon Whitehouse, Catherine Cortez Masto, Mazie Hirono, Benjamin L. Cardin, Jeanne Shaheen, Tammy Baldwin, Angus S. King, Jr., Alex Padilla, Robert Menendez, Michael F. Bennet.

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 Michael Farbiarz, of New Jersey, to be United States District Judge for the District of New Jersey, 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 California (Mrs. FEINSTEIN) is necessarily absent.

The yeas and nays resulted—yeas 65, nays 34, as follows:

[Rollcall Vote No. 102 Ex.]

YEAS—65

Baldwin	Fetterman	Menendez
Bennet	Gillibrand	Merkley
Blumenthal	Graham	Moran
Booker	Grassley	Mullin
Boozman	Hassan	Murkowski
Brown	Heinrich	Murphy
Budd	Hickenlooper	Murray
Cantwell	Hirono	Ossoff
Cardin	Kaine	Padilla
Carper	Kelly	Peters
Casey	Kennedy	Reed
Collins	King	Romney
Coons	Klobuchar	Rosen
Cortez Masto	Lujan	Rounds
Cotton	Manchin	Sanders
Duckworth	Markey	Schatz
Durbin	McConnell	Schumer

Shaheen	Tillis	Welch
Sinema	Van Hollen	Whitehouse
Smith	Warner	Wyden
Stabenow	Warnock	Young
Tester	Warren	

NAYS—34

Barrasso	Fischer	Risch
Blackburn	Hagerty	Rubio
Braun	Hawley	Schmitt
Britt	Hoeven	Scott (FL)
Capito	Hyde-Smith	Scott (SC)
Cassidy	Johnson	Sullivan
Cornyn	Lankford	Thune
Cramer	Lee	Tuberville
Crapo	Lummis	Vance
Cruz	Marshall	Wicker
Daines	Paul	
Ernst	Ricketts	

NOT VOTING—1

Feinstein

The PRESIDING OFFICER (Mr. HICKENLOOPER). The yeas are 65, the nays are 34.

The motion is agreed to.

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 senior assistant 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, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 122, Robert Kirsch, of New Jersey, to be United States District Judge for the District of New Jersey.

Charles E. Schumer, Richard J. Durbin, Brian Schatz, John W. Hickenlooper, Margaret Wood Hassan, Gary C. Peters, Mark Kelly, Jack Reed, Tammy Duckworth, Christopher Murphy, Sheldon Whitehouse, Catherine Cortez Masto, Mazie Hirono, Benjamin L. Cardin, Jeanne Shaheen, Tammy Baldwin, Angus S. King, Jr., Alex Padilla, Robert Menendez, Michael F. Bennet.

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 Kirsch, of New Jersey, to be United States District Judge for the District of New Jersey, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

The yeas and nays resulted—yeas 57, nays 42, as follows:

[Rollcall Vote No. 103 Ex.]

YEAS—57

Baldwin	Coons	Hirono
Bennet	Cortez Masto	Kaine
Blumenthal	Duckworth	Kelly
Booker	Durbin	King
Brown	Fetterman	Klobuchar
Cantwell	Gillibrand	Luján
Cardin	Graham	Manchin
Carper	Hassan	Markey
Casey	Heinrich	McConnell
Collins	Hickenlooper	Menendez

Merkley	Round	Tester
Murkowski	Rubio	Tillis
Murphy	Sanders	Van Hollen
Murray	Schatz	Warner
Ossoff	Schumer	Warnock
Padilla	Shaheen	Warren
Peters	Sinema	Welch
Reed	Smith	Whitehouse
Rosen	Stabenow	Wyden

NAYS—42

Barrasso	Ernst	Mullin
Blackburn	Fischer	Paul
Boozman	Grassley	Ricketts
Braun	Hagerty	Risch
Britt	Hawley	Romney
Budd	Hoeven	Schmitt
Capito	Hyde-Smith	Scott (FL)
Cassidy	Johnson	Scott (SC)
Cornyn	Kennedy	Sullivan
Cotton	Lankford	Thune
Cramer	Lee	Tuberville
Crapo	Lummis	Vance
Cruz	Marshall	Wicker
Daines	Moran	Young

NOT VOTING—1

Feinstein

The PRESIDING OFFICER (Mr. LUJÁN). On this vote, the yeas are 57, the nays are 42.

The motion was agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Robert Kirsch, of New Jersey, to be United States District Judge for the District of New Jersey.

NOMINATION OF MICHAEL ETAN FARBIARZ

Mr. DURBIN. Mr. President, today, the Senate will vote to confirm Michael Etan Farbiarz to the U.S. District Court for the District of New Jersey.

Born in New York, NY, Mr. Farbiarz received his A.B. from Harvard University in 1995. After graduation, he studied as a Fiske Scholar at Trinity College, Cambridge University, from 1995 to 1996 before earning his J.D. from Yale Law School in 1999. He then clerked for Judge Michael B. Mukasey on the U.S. District Court for the Southern District of New York from 1999 to 2000 and Judge Jose Cabranes on the U.S. Court of Appeals for the Second Circuit from 2000 to 2001.

Mr. Farbiarz began his legal career in 2001 as an associate at a law firm in New York City, where he worked for 3 years and tried two cases. In 2004, he joined the U.S. Attorney's Office for the Southern District of New York—SDNY—as an assistant U.S. Attorney. Over the course of a decade, Mr. Farbiarz led more than 100 investigations, tried 7 cases, and argued 13 appeals before the Second Circuit. Within 5 years, he rose to serve as the deputy chief of the Terrorism and National Security Unit for 1 year and was further elevated to serve as the cochief of the Terrorism and International Narcotics Unit for 4 years.

After leaving the SDNY, Mr. Farbiarz became a senior fellow at New York University Law School from 2014 to 2016 and worked as an adjunct instructor at Columbia Law School in 2014.

Most recently, Mr. Farbiarz has served as the general counsel of the Port Authority of New York and New Jersey since 2016.

The American Bar Association has unanimously rated Mr. Farbiarz “well qualified” to serve on the District of New Jersey. Senators MENENDEZ and BOOKER strongly support his nomination as well.

I will be supporting this outstanding nominee, and I urge all of my colleagues to do the same.

RECESS SUBJECT TO THE CALL OF THE CHAIR

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess subject to the call of the Chair.

There being no objection, the Senate, at 1:25 p.m., recessed subject to the call of the Chair and reassembled at 2:38 p.m. when called to order by the Presiding Officer (Mr. LUJÁN).

EXECUTIVE CALENDAR—Continued

VOTE ON FARBIARZ NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Farbiarz nomination?

Mr. BROWN. 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 legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

The result was announced—yeas 65, nays 34, as follows:

[Rollcall Vote No. 104 Ex.]

YEAS—65

Baldwin	Heinrich	Reed
Bennet	Hickenlooper	Romney
Blumenthal	Hirono	Rosen
Booker	Kaine	Rounds
Boozman	Kelly	Sanders
Brown	Kennedy	Schatz
Budd	King	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Lee	Sinema
Carper	Luján	Smith
Casey	Manchin	Stabenow
Collins	Markey	Tester
Coons	McConnell	Tillis
Cortez Masto	Menendez	Van Hollen
Cotton	Merkley	Warner
Duckworth	Moran	Warnock
Durbin	Murkowski	Warren
Fetterman	Murphy	Welch
Gillibrand	Murray	Whitehouse
Graham	Ossoff	Wyden
Grassley	Padilla	Young
Hassan	Peters	

NAYS—34

Barrasso	Fischer	Risch
Blackburn	Hagerty	Rubio
Braun	Hawley	Schmitt
Britt	Hoeven	Scott (FL)
Capito	Hyde-Smith	Scott (SC)
Cassidy	Johnson	Sullivan
Cornyn	Lankford	Thune
Cramer	Lummis	Tuberville
Crapo	Marshall	Vance
Cruz	Mullin	Wicker
Daines	Paul	
Ernst	Ricketts	