

I yield the floor.

NOMINATION OF ROBERT KIRSCH

Mr. DURBIN. Mr. President, today, the Senate will vote to confirm Judge Robert Kirsch to the U.S. District Court for the District of New Jersey.

A graduate of Emory University and Fordham University School of Law, Judge Kirsch clerked for U.S. District Judge William J. Zloch on the Southern District of Florida before devoting his entire legal career to public service.

Judge Kirsch was selected for the prestigious U.S. Attorney General's Honors Program, in which he served as a trial attorney in the civil division.

Thereafter, Judge Kirsch spent over a decade as an Assistant U.S. Attorney in the U.S. Attorney's Office for the District of New Jersey, defending the United States in civil actions and prosecuting a range of criminal cases including financial and corporate fraud, as well as drug trafficking, weapons offenses, and bank robbery.

Since 2010, Judge Kirsch has had a distinguished career as a judge on the New Jersey Superior Court, serving as a criminal division judge, a civil division judge, and a family division judge.

The American Bar Association rated Judge Kirsch as unanimously "well qualified." In addition, he has the strong support of his home State Senators—Mr. MENENDEZ and Mr. BOOKER—as well as the New Jersey legal community.

Judge Kirsch's significant courtroom experience, as both a longtime litigator and on the bench, makes him well-positioned to serve on the District of New Jersey with distinction. I urge my colleagues to support Judge Kirsch's nomination.

VOTE ON KIRSCH NOMINATION

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

Mr. HEINRICH. Mr. President, 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 senior assistant executive clerk called the roll.

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

The result was announced—yeas 57, nays 42, as follows:

[Rollcall Vote No. 105 Ex.]

YEAS—57

Baldwin	Fetterman	McConnell
Bennet	Gillibrand	Menendez
Blumenthal	Graham	Merkley
Booker	Hassan	Murkowski
Brown	Heinrich	Murphy
Cantwell	Hickenlooper	Murray
Cardin	Hirono	Ossoff
Carper	Kaine	Padilla
Casey	Kelly	Peters
Collins	King	Reed
Coons	Klobuchar	Rosen
Cortez Masto	Lujan	Rounds
Duckworth	Manchin	Rubio
Durbin	Markey	Sanders

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

NAYS—42

Barrasso	Ernst	Mullin
Blackburn	Fischer	Paul
Boozman	Grassley	Ricketts
Braun	Hagerty	Risch
Britt	Hawley	Romney
Budd	Hoeben	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 nomination was confirmed.

The PRESIDING OFFICER (Mr. MARKEY). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

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 bill 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. 123, Orelia Eleta Merchant, of New York, to be United States District Judge for the Eastern District of New York.

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 Orelia Eleta Merchant, of New York, to be United States District Judge for the Eastern 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.

The clerk called the roll.

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

The yeas and nays resulted—yeas 51, nays 48, as follows:

[Rollcall Vote No. 106 Ex.]

YEAS—51

Baldwin	Cardin	Durbin
Bennet	Carper	Fetterman
Blumenthal	Casey	Gillibrand
Booker	Coons	Graham
Brown	Cortez Masto	Hassan
Cantwell	Duckworth	Heinrich

Hickenlooper	Murphy	Sinema
Hirono	Murray	Smith
Kaine	Ossoff	Stabenow
Kelly	Padilla	Tester
King	Peters	Van Hollen
Klobuchar	Reed	Warner
Lujan	Rosen	Warnock
Manchin	Sanders	Warren
Markey	Schatz	Welch
Menendez	Schumer	Whitehouse
Merkley	Shaheen	Wyden

NAYS—48

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

NOT VOTING—1

Feinstein

The ACTING PRESIDENT pro tempore. On this vote, the yeas are 51, the nays are 48.

The motion is agreed to.

EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. The clerk will report the nomination.

The bill clerk read the nomination of Orelia Eleta Merchant, of New York, to be United States District Judge for the Eastern District of New York.

The ACTING PRESIDENT pro tempore. The majority leader.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to legislative session and be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

FRANCISCO MAESTAS v. GEORGE H. SHONE AND THE BOARD OF EDUCATION

Mr. BENNET. Mr. President, I rise today to recognize an important part of Colorado history and of our Nation's history, the case of Francisco Maestas et al. v. George H. Shone et al. (1914)—"Maestas"—one of the Nation's oldest school desegregation cases.

In 1848, at the end of the Mexican-American War, the Treaty of Guadalupe Hidalgo ceded most of present-day Colorado from Mexico to the United States. The resulting influx of Mexican settlers brought major economic, industrial, political, linguistic, and cultural challenges to the region, including questions regarding public education.

In the early 1910s, railroad foreman Francisco Maestas and other Mexican American parents sought to place their children into the public school on the “White side” of town in Alamosa, CO. After the school district repeatedly denied to enroll their children, Maestas and other parents formed the “Spanish-American Union” and brought together 180 parents on a petition to challenge Alamosa’s school segregation. Their petition was denied, as was their attempt to seek assistance from the Colorado State superintendent. Following these denials, the community staged a boycott for 3 months to protest these injustices, to no avail.

Colorado’s Constitution has long prohibited public schools from classifying and distinguishing school children based on color and race, but as the Maestas case demonstrates, school districts sometimes fell short of ensuring equity before the law. Faced with these repeated denials, the community continued to organize with the help of the Society for the Mutual Protection of Workers—SPMDTU—one of America’s oldest mutual aid societies, and Father E.J. Montel, a Catholic priest, who helped them raise funds to hire legal representation and file a lawsuit against the Alamosa Board of Education.

The school district contended that since it viewed Mexican American students as part “of the Caucasian race,” it was not discriminating based on race but rather addressing its Spanish-speaking students’ needs. However, the school district was disproven of its assertion when students answered questions in English while on the stand.

In March of 1914, the district court ruled in favor of Francisco Maestas, stating that “the only way to destroy this feeling of discontent and bitterness which has recently grown up, is to allow all children so prepared, to attend the school nearest them”—an early and important step toward desegregation and a victory for Colorado’s Mexican American community.

In recent years, bipartisan leaders in Colorado have worked to ensure this landmark case gets the recognition it deserves. After the Colorado Legislature and the State board of education recognized the case as a significant Colorado court decision, it is now taught as part of the revised social studies curriculum for all Colorado high school students. Now, schoolchildren across Colorado will learn about Colorado’s early steps toward ensuring equity in education for students from all backgrounds.

TRIBUTE TO LINDA ROBERTSON

Mr. BROWN. Mr. President, I rise today to pay tribute to Linda Robertson in honor of her storied career in public service, including as a key member of the Federal Reserve’s staff for over 13 years. Her career has touched many of the most important economic events of the past 40 years.

Originally from Oklahoma, Linda first came to Washington to work for Congressman Jim Jones. She quickly made her mark working on taxation and finance matters both in his office and for the Committee on Ways and Means. It was in this job that she had a front row seat to the 1986 tax reform effort made famous by books like “Showdown at Gucci Gulch.” While continuing her work in Congress during the day, she attended classes at night to earn her master of laws in taxation.

Based on her exceptional congressional experience and knowledge of policy, Linda was later nominated and confirmed to serve as Assistant Secretary for Legislative Affairs and Public Liaison at the U.S. Department of the Treasury. Following her service at the Treasury Department, she worked as the top public advocate for Johns Hopkins University and Johns Hopkins Medicine.

Linda returned to public service in August 2009 as an assistant to the Federal Reserve Board and head of its congressional liaison office. She began this position at a time of immense challenge for the country and as Congress and our regulatory Agencies worked to stabilize the financial system following the great recession of 2008.

From the global financial crisis through the pandemic, Linda has served as a trusted advisor to the Federal Reserve Board and has played an invaluable role in keeping Congress and the public apprised of the Federal Reserve’s work to fulfill its mandates on behalf of the American people. Federal Reserve Board Chairs Bernanke, Yellen, and Powell all benefited from Linda’s experience and dedication to public service.

Linda also returned to Treasury in 2021 to advise Secretary Yellen as she became the first woman to serve as Treasury Secretary. Linda’s work was vital last year when we confirmed President Biden’s slate of Federal Reserve Board nominees. With her countless hours of hard work, we were able to confirm a full Federal Reserve Board, something that had not been done in nearly a decade.

Linda’s lasting legacy also includes those that she worked with and mentored throughout her career. Those that had the privilege of learning from her wisdom have gone on to fill positions throughout Washington. One of Linda’s former interns from her time at the Treasury Department is my scheduler, Diana Baron, also from Oklahoma, who has been with me on my staff for nearly 25 years. I am sure many of my colleagues have similar stories.

Her commitment to public service, formidable talent, and immense knowledge will be missed by those at the Federal Reserve and many of us on Capitol Hill, particularly those of us on the Banking, Housing, and Urban Affairs Committee. I wish Linda much success in her next chapter which—

without hearings to prep for or bills to review—I expect will include ample time spent with family and friends.

ADDITIONAL STATEMENTS

TRIBUTE TO THOMAS HAGEN

• Mr. CASEY. Mr. President, today, I rise to honor the lifetime accomplishments of Thomas B. Hagen, a remarkable leader, a pillar of his hometown of Erie, PA, and a man whose commitment to public service is unparalleled.

Tom Hagen is a Navy man, an officer with more than 30 years of service to his country, and while he retired long ago, he has continued to live up to the Navy’s belief of “Not self, but Country.”

You can see Tom’s Navy background in one of his other passions, historical preservation. His support enabled the Smithsonian Institution’s National Museum of American History to exhibit the USS *Gunboat Philadelphia* and his efforts enabled the Commonwealth of Pennsylvania to reconstruct Commodore Oliver Hazard Perry’s War of 1812 vessel, the *Flagship Niagara*. Thanks to his efforts on behalf of these and many other projects, Tom has helped to ensure that many historical sites across our country will be available for future generations to enjoy.

Tom is also deeply committed to the economic vitality of his hometown of Erie and has spearheaded efforts to ensure that Erie is a thriving community that serves all of its residents equitably. His support for economic development through the Erie Innovation District has instilled hope in many for the growth and success of northwestern Pennsylvania. His support for the “Empower Erie” initiative led to the creation of the Erie County Community College that provides a pathway for Erie County residents to more accessible education and greater employment opportunities. Tom has also played a key role in the purchase and rehabilitation of countless buildings in Erie, not only revitalizing the economy, but also creating employment.

Tom is equally committed to providing opportunities for those struggling to better their lives. In 2015, he established the Susan Hirt Hagen fund to identify promising ideas to address persistent poverty, improve educational achievement, and halt economic decline. He has sought to help the vulnerable in times of crisis through his support for nonprofits like SafeNet, helping them take in more victims of abuse.

Erie has had few better friends than Tom Hagen. He is not just a friend to the city; he is the quintessential servant leader who steps in to fill a need wherever one may be, doing so with humility and always seeking to elevate others before himself. The care, commitment, and support he has shown to this city and this region are remarkable.