

Mr. WHITEHOUSE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

NOMINATION OF BRENDAN ABELL HURSON

Mr. DURBIN. Mr. President, today, the Senate will vote to confirm Judge Brendan Hurson to the U.S. District Court for the District of Maryland.

Born in Washington, DC, Judge Hurson received his B.A. from Providence College and his J.D. from the University of Maryland Carey School of Law. After clerking for Judge Margaret B. Seymour of the U.S. District Court for the District of South Carolina, Judge Hurson began his legal career at Schulman, Hershfield, and Gilden, PA as an associate, where he worked on a variety of civil and criminal litigation matters on behalf of individuals, small businesses, and small to mid-size corporations. He then went on to work as an assistant Federal public defender in both Maryland and the U.S. Virgin Islands, where he appeared in court routinely, litigated substantive motions in close to 40 Federal cases, and tried 18 cases to verdict. In February 2022, Judge Hurson was appointed to serve as a U.S. magistrate judge for the same district to which he is nominated. In his time on the bench, he has written approximately 77 opinions.

The American Bar Association unanimously rated Judge Hurson “well qualified” to serve on the district court, and he has the strong support of Senators CARDIN and VAN HOLLEN.

Judge Hurson’s deep ties to the Maryland legal community, combined with his significant courtroom experience, make him an excellent addition to the Federal bench.

I thank my colleagues for supporting his nomination.

NOMINATION OF SUSAN KIM DECLERCQ

Mr. DURBIN. Mr. President, today, the Senate will vote to confirm Susan DeClercq to the U.S. District Court for the Eastern District of Michigan.

Born in Seoul, South Korea, Ms. DeClercq received her B.A. from the University of Michigan and her J.D. from Wayne State University School of Law. After clerking for Judge Avern L. Cohn of the U.S. District Court for the Eastern District of Michigan, Ms. DeClercq worked at Skadden, Arps, Slate, Meager & Flom, LLP as an associate, where she worked on a variety of matters, including white collar defense and commercial litigation. During her tenure at Skadden, she coauthored an amicus brief on behalf of Members of Congress in the 2003 Supreme Court case *Grutter v. Bollinger*, which considered the use of affirmative action policies in college admissions. She then went on to serve as a Federal prosecutor in the U.S. Attorney’s Office for

the Eastern District of Michigan for 18 years, where she led substantial investigations and handled hundreds of cases at every stage of litigation, from inception to post-judgment.

The American Bar Association unanimously rated Ms. DeClercq “qualified” to serve on the district court, and she has the strong support of Senators Stabenow and Peters.

With more than two decades of litigation experience—the vast majority of which has been in government service—Ms. DeClercq is well positioned to handle the demands of the Eastern District of Michigan from day one.

I thank my colleagues for supporting her nomination.

NOMINATION OF BRENDAN ABELL HURSON

Mr. CARDIN. Mr. President, I rise today in strong support of the nomination of Brendan Hurson to be a U.S. district court judge for the District of Maryland. I urge my Senate colleagues to confirm his nomination.

I joined with Senator VAN HOLLEN to recommend Judge Hurson to President Biden. President Biden nominated Judge Hurson for this position in March of 2023. Senator VAN HOLLEN and I worked to establish a judicial selection committee in Maryland, including an open application process. In particular, we sought out a highly qualified and diverse application pool. Our committee interviewed several dozen applicants. Senator VAN HOLLEN and I then personally interviewed the finalists, those who were considered to be the top candidates, before making any recommendation to the White House.

I strongly agree with President Biden’s goal to nominate judges with excellent legal credentials from diverse backgrounds, from both a professional and demographic perspective. Today, we have such an example in this excellent nominee for this district court judgeship.

Judge Brendan Hurson lives in Baltimore and serves as a U.S. magistrate judge in Baltimore. He has been nominated to fill a current vacancy in the U.S. district court for the District of Maryland after the retirement of Judge George Hazel in February of 2023.

Judge Hurson received his undergraduate degree in 2000 from Providence College in Providence, RI, where he majored in public and community service studies with a minor in Black studies. After college, he served in the Jesuit Volunteer Corps in California as an advocate for poor and marginalized communities in San Francisco’s Tenderloin neighborhood. In 2005, Judge Hurson graduated Order of the Coif from the University of Maryland School of Law.

After completing a judicial clerkship, in 2007, Judge Hurson joined the Office of the Federal Public Defender in Baltimore, where he defended individuals charged with felonies and misdemeanor offenses in Maryland’s Federal court. He was named senior litigation counsel in 2015.

In 2017, Judge Hurson joined the Office of the Federal Public Defender for

the U.S. Virgin Islands, where he represented people charged with violating Federal and territorial laws on the islands of St. John, St. Thomas, and St. Croix. In 2008, he returned to the Public Defender’s Office in Baltimore.

In February of 2022, Judge Hurson was sworn in as the U.S. magistrate judge and sits in Baltimore. As a sitting magistrate judge, he presides over both preliminary and criminal proceedings, civil lawsuits by consent of the parties, and also coordinates the District of Maryland’s Social Security appellate docket. Judge Hurson, therefore, brings a remarkable experience to this position, having served as a Federal public defender for over a decade and a half and now serving as a magistrate judge for over a year and a half.

If confirmed, Judge Hurson will continue to serve in the same Federal court where he now sits as U.S. magistrate judge and where he practiced as a public defender for many years.

The Judiciary Committee favorably reported Judge Hurson by a bipartisan vote in May of 2023, and the American Bar Association Standing Committee on Federal Judiciary awarded Judge Hurson a unanimously “well-qualified” rating—its highest possible rating.

I was delighted to recommend the nomination of Judge Hurson to President Biden, along with Senator VAN HOLLEN. Judicial nominees must meet the highest standards of integrity, competence, and temperament. I am confident Judge Hurson will safeguard the rights of all Marylanders, uphold the Constitution and rule of law, and faithfully follow the judicial oath to “do equal right to the poor and to the rich.” Judge Hurson will serve the people of Maryland well.

Let me conclude by saying I know that public service is a family affair and sacrifice, and I particularly want to thank Judge Hurson’s family for agreeing to share him with the people of Maryland in the interest of public service.

I urge my colleagues to vote to confirm his nomination.

I yield the floor.

VOOTE ON O’BRIEN NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the O’Brien nomination?

Mr. CARDIN. 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 bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Missouri (Mr. HAWLEY) and the Senator from South Carolina (Mr. SCOTT).

Further, if present and voting: the Senator from Missouri (Mr. HAWLEY) would have voted “nay.”

[Rollcall Vote No. 249 Ex.]

YEAS—67

| | | |
|--------------|--------------|------------|
| Baldwin | Heinrich | Romney |
| Bennet | Hickenlooper | Rosen |
| Blumenthal | Hirono | Rounds |
| Booker | Kaine | Sanders |
| Brown | Kelly | Schatz |
| Butler | King | Schumer |
| Cantwell | Klobuchar | Shaheen |
| Capito | Luján | Sinema |
| Cardin | Manchin | Smith |
| Carper | Markey | Stabenow |
| Casey | McConnell | Tester |
| Collins | Menendez | Tillis |
| Coons | Merkley | Van Hollen |
| Cornyn | Murkowski | Warner |
| Cortez Masto | Murphy | Warnock |
| Crapo | Murray | Warren |
| Duckworth | Ossoff | Welch |
| Durbin | Padilla | Whitehouse |
| Fetterman | Paul | Wicker |
| Gillibrand | Peters | Wyden |
| Graham | Reed | Young |
| Grassley | Ricketts | |
| Hassan | Risch | |

NAYS—31

| | | |
|-----------|------------|------------|
| Barrasso | Ernst | Moran |
| Blackburn | Fischer | Mullin |
| Boozman | Hagerty | Rubio |
| Braun | Hoeven | Schmitt |
| Britt | Hyde-Smith | Scott (FL) |
| Budd | Johnson | Sullivan |
| Cassidy | Kennedy | Thune |
| Cotton | Lankford | Tuberville |
| Cramer | Lee | Vance |
| Cruz | Lummis | |
| Daines | Marshall | |

NOT VOTING—2

Hawley Scott (SC)

The nomination was confirmed. The ACTING PRESIDENT pro tempore. 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 ACTING PRESIDENT pro tempore. 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. 176, Brendan Abell Hurson, of Maryland, to be United States District Judge for the District of Maryland.

Charles E. Schumer, Richard J. Durbin, Raphael G. Warnock, Mazie K. Hirono, Jeanne Shaheen, Elizabeth Warren, Catherine Cortez Masto, Margaret Wood Hassan, Jack Reed, Mark Kelly, Tammy Duckworth, Chris Van Hollen, Amy Klobuchar, Jeff Merkley, Alex Padilla, John Fetterman, Robert P. Casey, Jr., Sherrod Brown.

The ACTING PRESIDENT pro tempore. 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 Brendan Abell Hurson, of Maryland, to be United States District Judge for the District of Maryland, 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. THUNE. The following Senators are necessarily absent: the Senator from Missouri (Mr. HAWLEY) and the Senator from South Carolina (Mr. SCOTT).

The yeas and nays resulted—yeas 54, nays 44, as follows:

[Rollcall Vote No. 250 Ex.]

YEAS—54

| | | |
|--------------|--------------|------------|
| Baldwin | Hassan | Peters |
| Bennet | Heinrich | Reed |
| Blumenthal | Hickenlooper | Rosen |
| Booker | Hirono | Sanders |
| Brown | Kaine | Schatz |
| Butler | Kelly | Schumer |
| Cantwell | King | Shaheen |
| Cardin | Klobuchar | Sinema |
| Carper | Luján | Smith |
| Casey | Manchin | Stabenow |
| Collins | Markey | Tester |
| Coons | Menendez | Van Hollen |
| Cortez Masto | Merkley | Warner |
| Duckworth | Murkowski | Warnock |
| Durbin | Murphy | Warren |
| Fetterman | Murray | Welch |
| Gillibrand | Ossoff | Whitehouse |
| Graham | Padilla | Wyden |

NAYS—44

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

NOT VOTING—2

Hawley Scott (SC)

The PRESIDING OFFICER (Ms. CORTEZ MASTO). The yeas are 54, the nays are 44.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Brendan Abell Hurson, of Maryland, to be United States District Judge for the District of Maryland.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 1:19 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. ROSEN).

EXECUTIVE CALENDAR—Continued

VOTE ON HURSON NOMINATION

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

Ms. BALDWIN. 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 legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Missouri (Mr. HAWLEY) and the Senator from South Carolina (Mr. SCOTT).

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

The result was announced—yeas 53, nays 44, as follows:

[Rollcall Vote No. 251 Ex.]

YEAS—53

| | | |
|--------------|--------------|------------|
| Baldwin | Hassan | Peters |
| Bennet | Heinrich | Reed |
| Blumenthal | Hickenlooper | Rosen |
| Booker | Hirono | Schatz |
| Brown | Kaine | Schumer |
| Butler | Kelly | Shaheen |
| Cantwell | King | Sinema |
| Cardin | Klobuchar | Smith |
| Carper | Luján | Stabenow |
| Casey | Manchin | Tester |
| Collins | Markey | Van Hollen |
| Coons | Menendez | Warner |
| Cortez Masto | Merkley | Warnock |
| Duckworth | Murkowski | Warren |
| Durbin | Murphy | Welch |
| Fetterman | Murray | Whitehouse |
| Gillibrand | Ossoff | Wyden |
| Graham | Padilla | |

NAYS—44

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

NOT VOTING—3

Hawley Sanders Scott (SC)

The nomination was confirmed. The PRESIDING OFFICER. 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 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. 264 Susan Kim DeClercq, of Michigan, to be United States District Judge for the Eastern District of Michigan.

Charles E. Schumer, Debbie Stabenow, Margaret Wood Hassan, Mark Kelly, Jack Reed, John W. Hickenlooper, Elizabeth Warren, Tammy Duckworth, Jeff Merkley, Richard J. Durbin, Jeanne