

[Rollcall Vote No. 288 Ex.]

YEAS—59

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

NAYS—36

Ayotte	Fischer	Murkowski
Barrasso	Graham	Paul
Blunt	Grassley	Risch
Boozman	Heller	Roberts
Chambliss	Hoeven	Rubio
Coats	Inhofe	Scott
Coburn	Johnson (WI)	Sessions
Cochran	Kirk	Shelby
Cornyn	Lee	Thune
Crapo	McCain	Toomey
Cruz	McConnell	Vitter
Enzi	Moran	Wicker

NOT VOTING—5

Alexander	Isakson	Reid
Flake	Johanns	

The nomination was confirmed.

The PRESIDING OFFICER. The assistant majority leader.

Mr. DURBIN. Madam President, the last rollcall vote took 1½ minutes. Thank you all for your cooperation.

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, hereby move to bring to a close debate on the nomination of Brian J. Davis, of Florida, to be United States District Judge for the Middle District of Florida.

Harry Reid, Sherrod Brown, Richard J. Durbin, Christopher Murphy, Robert Menendez, Christopher A. Coons, Angus S. King, Jr., Martin Heinrich, Amy Klobuchar, Dianne Feinstein, Tom Udall, Kirsten E. Gillibrand, Bernard Sanders, Barbara Boxer, Brian Schatz, Robert P. Casey, Jr., Thomas R. Carper, Benjamin L. Cardin, 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 Brian J. Davis, of Florida, to be United States District Judge for the Middle District of Florida, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

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

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

Mr. DURBIN. I announce that the Senator from Nevada (Mr. REID) is necessarily absent.

I further announce that, if present and voting, the Senator from Nevada (Mr. REID) would vote "aye."

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Oklahoma (Mr. COBURN), the Senator from Arizona (Mr. FLAKE), the Senator from Georgia (Mr. ISAKSON), and the Senator from Nebraska (Mr. JOHANNIS).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "nay."

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

The yeas and nays resulted—yeas 56, nays 36, as follows:

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YEAS—56

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

NAYS—36

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

ANSWERED "PRESENT"—2

Chambliss	Hatch
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NOT VOTING—6

Alexander	Flake	Johanns
Coburn	Isakson	Reid

The PRESIDING OFFICER. On this vote, the yeas are 56, the nays are 36, with two Senators responding "present."

The motion is agreed to.

NOMINATION OF BRIAN J. DAVIS TO BE UNITED STATES DISTRICT COURT JUDGE FOR THE MIDDLE DISTRICT OF FLORIDA

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Brian J. Davis, of Florida, to be United States District Judge for the Middle District of Florida.

The PRESIDING OFFICER. Under the previous order, all postcloture time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Brian J. Davis, of Florida, to be United States District Court Judge for the Middle District of Florida?

Mr. CHAMBLISS. 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 legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Nevada (Mr. REID) is necessarily absent.

I further announce that, if present and voting, the Senator from Nevada (Mr. REID) would vote "yea."

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Oklahoma (Mr. COBURN), the Senator from Arizona (Mr. FLAKE), the Senator from Georgia (Mr. ISAKSON), and the Senator from Nebraska (Mr. JOHANNIS).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "nay."

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

The result was announced—yeas 68, nays 26, as follows:

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YEAS—68

Ayotte	Grassley	Murphy
Baldwin	Hagan	Murray
Baucus	Harkin	Nelson
Begich	Hatch	Portman
Bennet	Heinrich	Pryor
Blumenthal	Heitkamp	Reed
Booker	Heller	Rockefeller
Boxer	Hirono	Rubio
Brown	Johnson (SD)	Sanders
Burr	Kaine	Schatz
Cantwell	King	Schumer
Cardin	Kirk	Sessions
Carper	Klobuchar	Shaheen
Casey	Landrieu	Stabenow
Chambliss	Leahy	Tester
Collins	Levin	Thune
Coons	Manchin	Udall (CO)
Donnelly	Markey	Udall (NM)
Durbin	McCaskill	Warner
Feinstein	Menendez	Warren
Franken	Merkley	Whitehouse
Gillibrand	Mikulski	Wyden
Graham	Murkowski	

NAYS—26

Barrasso	Enzi	Paul
Blunt	Fischer	Risch
Boozman	Hoeven	Roberts
Coats	Inhofe	Scott
Cochran	Johnson (WI)	Shelby
Corker	Lee	Toomey
Cornyn	McCain	Vitter
Crapo	McConnell	Wicker
Cruz	Moran	

NOT VOTING—6

Alexander	Flake	Johanns
Coburn	Isakson	Reid

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.