charge whatever they want, to do whatever work they felt necessary.

If the Senate wants to change how this office is funded, that change could include a cap, a reporting requirement, and, most importantly, a recorded vote. And for that reason, I object.

The PRESIDING OFFICER. The objection is heard.

The Senator from Ohio.

VOTE ON SONDERLING NOMINATION

Mr. MORENO. I know of no further debate on the nomination.

The PRESIDING OFFICER. Is there further debate?

If not, the question is, Will the Senate advise and consent to the Sonderling nomination.

Mr. MORENO. 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. BARRASSO. The following Senators are necessarily absent: the Senator from Tennessee (Mrs. BLACKBURN), the Senator from Texas (Mr. CORNYN), the Senator from Iowa (Ms. ERNST), the Senator from Kentucky (Mr. MCCONNELL), the Senator from Kansas (Mr. MORAN), and the Senator from North Carolina (Mr. TILLIS).

Mr. SCHUMER. I announce that the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Illinois (Mr. DURBIN), the Senator from New York (Mrs. GILLIBRAND), the Senator from Minnesota (Ms. SMITH), the Senator from Virginia (Mr. WARNER), and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

The result was announced—yeas 47, nays 41, as follows:

[Rollcall Vote No. 256 Ex.]

YEAS—47

Armstrong	Graham	Moreno
Banks	Grassley	Murkowski
Barrasso	Hagerty	Paul
Boozman	Hawley	Ricketts
Britt	Hoeven	Risch
Budd	Husted	Rounds
Capito	Hyde-Smith	Schmitt
Cassidy	Johnson	Scott (FL)
Collins	Justice	Scott (SC)
Cotton	Kennedy	Sheehy
Cramer	Lankford	Sullivan
Crapo	Lee	Thune
Cruz	Lummis	Tuberville
Curtis	Marshall	Wicker
Daines	McCormick	Young
Fischer	Moody	

NAYS—41

Alsobrooks	Hirono	Reed
Baldwin	Kaine	Rosen
Bennet	Kelly	Sanders
Blunt Rochester	Kim	Schatz
Booker	King	Schiff
Cantwell	Klobuchar	Schumer
Coons	Luján	Shaheen
Cortez Masto	Markey	Slotkin
Duckworth	Merkley	Van Hollen
Fetterman	Murphy	Warnock
Gallego	Murray	Warren
Hassan	Ossoff	Welch
Heinrich	Padilla	Wyden
Hickenlooper	Peters	

NOT VOTING—12

Blackburn	Ernst	Smith
Blumenthal	Gillibrand	Tillis
Cornyn	McConnell	Warner
Durbin	Moran	Whitehouse

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.

LEGISLATIVE SESSION

Mr. THUNE. Mr. President, I move to proceed to legislative session.

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

The motion was agreed to.

WITHDRAWAL OF MOTION TO PROCEED

Mr. THUNE. Mr. President, I withdraw my motion to proceed to Calendar No. 648, H.R. 9340.

The PRESIDING OFFICER. The leader has that right.

SURVIVOR JUSTICE TAX PREVENTION ACT—Motion to Proceed

Mr. THUNE. Mr. President, I move to proceed to Calendar No. 453, H.R. 2347.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 453, H.R. 2347, a bill to amend the Internal Revenue Code of 1986 to exclude from gross income any damages, other than punitive damages, received on account of any sexual acts or sexual contact.

CLOTURE MOTION

Mr. THUNE. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

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 motion to proceed to Calendar No. 453, H.R. 2347, a bill to amend the Internal Revenue Code of 1986 to exclude from gross income any damages, other than punitive damages, received on account of any sexual acts or sexual contact.

John Thune, Ted Budd, Jim Banks, Bernie Moreno, Pete Ricketts, James Lankford, Cindy Hyde-Smith, Steve Daines, Jon Husted, Eric Schmitt, Roger Marshall, Roger F. Wicker, John R. Curtis, John Barrasso, James E. Risch, Shelley Moore Capito, John Cornyn.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. THUNE. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 931; that the nomination be confirmed, the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

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

The nomination considered and confirmed is as follows:

IN THE AIR FORCE

The following named officers for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brig. Gen. Stephen P. Snelson

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

MORNING BUSINESS

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

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

ELECTIONS

Mr. DURBIN. Mr. President, yesterday, the Senate Judiciary Committee heard testimony from former special counsel Jack Smith, the man who investigated Donald Trump's criminal effort overturn the results of the 2020 election.

Mr. Smith testified, under oath, about how the President pressured State election officials and Members of Congress to reject the results of the election, even though Trump had privately admitted that Joe Biden had won in 2020.

The President's subversion efforts came to a head on January 6, 2021, when an armed mob, that he incited, stormed the Capitol in an attempt to disrupt the peaceful transition of power.

Mr. Smith testified yesterday that it was Donald Trump who caused that violence, that he foresaw what would result from his conspiracy theories and that he sought to exploit it to remain in power.

We remain a democracy today because of the brave public servants, many of them Republicans, who refused to cooperate with the President's attacks on our democracy, as well as the men and women in uniform who defended this building and all of us inside on that dark day.

Now, in his second term, the President is again sowing chaos and doubt in our electoral process. He is attempting to exceed the authorities granted to him by the Constitution, which clearly gives primary authority over election administration to the States.