

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 Tennessee (Mr. ALEXANDER) and the Senator from Georgia (Mr. ISAKSON).

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

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET), the Senator from New Jersey (Mr. BOOKER), the Senator from California (Ms. HARRIS), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

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

The result was announced—yeas 61, nays 31, as follows:

[Rollcall Vote No. 321 Ex.]

YEAS—61

Barrasso Fischer Risch
Blackburn Gardner Roberts
Blunt Graham Romney
Boozman Grassley Rounds
Braun Hawley Rubio
Burr Hoeven Sasse
Capito Hyde-Smith Scott (FL)
Cardin Inhofe Scott (SC)
Carper Johnson Shaheen
Cassidy Kaine Shelby
Collins Kennedy Sinema
Coons Lankford Sullivan
Cornyn Lee Thune
Cotton McConnell Tillis
Cramer McSally Toomey
Crapo Moran Warner
Cruz Murkowski Whitehouse
Daines Murphy Wicker
Enzi Paul Perdue
Ernst Portman Young
Feinstein

NAYS—31

Baldwin Hirono Rosen
Blumenthal Jones Schatz
Brown King Schumer
Cantwell Leahy Smith
Casey Manchin Stabenow
Cortez Masto Markey Tester
Duckworth Menendez Udall
Durbin Merkley Van Hollen
Gillibrand Murray Wyden
Hassan Peters
Heinrich Reed

NOT VOTING—8

Alexander Harris Sanders
Bennet Isakson Warren
Booker Klobuchar

The nomination was confirmed.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the next nomination.

The bill clerk read the nomination of David John Novak, of Virginia, to be United States District Judge for the Eastern District of Virginia.

The question is, Will the Senate advise and consent to the Novak nomination?

Mr. PAUL. Madam 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 bill clerk called the roll.

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

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER) and the Senator from Georgia (Mr. ISAKSON).

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

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET), the Senator from New Jersey (Mr. BOOKER), the Senator from California (Ms. HARRIS), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

The result was announced—yeas 89, nays 3, as follows:

[Rollcall Vote No. 322 Ex.]

YEAS—89

Baldwin Gardner Portman
Barrasso Graham Reed
Blackburn Grassley Risch
Blumenthal Hassan Roberts
Blunt Hawley Romney
Boozman Heinrich Rosen
Braun Hirono Rounds
Brown Hoeven Rubio
Burr Hyde-Smith Sasse
Cantwell Inhofe Schatz
Capito Johnson Schumer
Cardin Jones Scott (FL)
Carper Kaine Scott (SC)
Casey Kennedy Shaheen
Cassidy King Shelby
Collins Lankford Sinema
Coons Leahy Smith
Cornyn Lee Stabenow
Cortez Masto Manchin Sullivan
Cotton McConnell Tester
Cramer McSally Thune
Crapo Menendez Tillis
Cruz Merkley Toomey
Daines Moran Udall
Duckworth Murkowski Van Hollen
Durbin Murphy Warner
Enzi Murray Whitehouse
Ernst Paul Wicker
Feinstein Perdue Young
Fischer Peters

NAYS—3

Gillibrand Markey Wyden

NOT VOTING—8

Alexander Harris Sanders
Bennet Isakson Warren
Booker Klobuchar

The nomination was confirmed.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the next nomination.

The senior assistant legislative clerk read the nomination of Rachel P. Kovner, of New York, to be United States District Judge for the Eastern District of New York.

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

Mr. CORNYN. 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 legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Georgia (Mr. ISAKSON), and the Senator from Kentucky (Mr. PAUL).

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

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET), the Senator from New Jersey (Mr. BOOKER), the Senator from California (Ms. HARRIS), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

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

The result was announced—yeas 88, nays 3, as follows:

[Rollcall Vote No. 323 Ex.]

YEAS—88

Baldwin Gardner Risch
Barrasso Graham Roberts
Blackburn Grassley Romney
Blumenthal Hassan Rosen
Blunt Hawley Rounds
Boozman Hirono Rubio
Braun Hoeven Sasse
Brown Hyde-Smith Schatz
Burr Inhofe Schumer
Cantwell Johnson Scott (FL)
Capito Jones Scott (SC)
Cardin Kaine Shaheen
Carper Kennedy Shelby
Casey King Sinema
Cassidy Lankford Smith
Collins Leahy Stabenow
Coons Lee Sullivan
Cornyn Manchin Udall
Cortez Masto McConnell Tester
Cotton McSally Thune
Cramer Menendez Tillis
Crapo Merkley Toomey
Cruz Moran Udall
Daines Murkowski Van Hollen
Duckworth Murphy Warner
Durbin Murray Whitehouse
Enzi Paul Wicker
Ernst Peters Wyden
Feinstein Portman Young
Fischer Reed

NAYS—3

Gillibrand Heinrich Markey

NOT VOTING—9

Alexander Harris Paul
Bennet Isakson Sanders
Booker Klobuchar Warren

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table, and the President will be immediately notified of the Senate's actions.

The PRESIDING OFFICER. The Senator from West Virginia.

S.J. RES. 53

Mrs. CAPITO. Mr. President, with the election of President Trump in 2016, it was reasonable to believe that the war on coal was settled, or at least we had a lasting cease-fire. This administration's policies, supported by the Congressional Review Act resolutions, undid many of the excesses of the Obama administration's regulatory