

country's urgent fiscal challenges, I am confident that she will commit to finding bipartisan solutions to these real problems. Solutions that will provide greater program efficiency and transparency and will put our country back on a path of fiscal stability so that future generations will not be forced to pay for the irresponsible spending decisions we continue to make here in Congress. Again, I am pleased that the President put forth such a qualified nominee, and I look forward to working with her.

The PRESIDING OFFICER. All time has expired.

The question is, Will the Senate advise and consent to the nomination of Jane Kelly, of Iowa, to be United States Circuit Judge for the Eighth Circuit?

Mr. DURBIN. 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. DURBIN. I announce that the Senator from Massachusetts (Mr. COWAN), the Senator from New Jersey (Mr. LAUTENBERG), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from North Dakota (Mr. HOEVEN).

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

The result was announced—yeas 96, nays 0, as follows:

[Rollcall Vote No. 108 Ex.] YEAS—96

Table listing Senators and their names under the heading 'YEAS—96'. Includes names like Alexander, Ayotte, Baldwin, Barrasso, Baucus, Begich, Bennet, Blumenthal, Blunt, Boozman, Boxer, Brown, Burr, Cantwell, Cardin, Carper, Casey, Chambliss, Coats, Coburn, Cochran, Collins, Coons, Corker, Cornyn, Crapo, Cruz, Donnelly, Durbin, Enzi, Feinstein, Fischer, etc.

NOT VOTING—4

Table listing Senators not voting: Cowan, Lautenberg, Hoeven, Warren.

The nomination was confirmed. The PRESIDING OFFICER. Under the previous order, there is now 2 minutes, equally divided, prior to a vote on the Burwell nomination.

Who yields time? Mr. REID. I yield back all time. The PRESIDING OFFICER. All time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Sylvia Matthews Burwell, of West Virginia, to be Director of the Office of Management and Budget?

Mr. REID. 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 legislative clerk proceeded to call the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. COWAN), the Senator from New Jersey (Mr. LAUTENBERG), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Idaho (Mr. CRAPO).

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

The result was announced—yeas 96, nays 0, as follows:

[Rollcall Vote No. 109 Ex.] YEAS—96

Table listing Senators and their names under the heading 'YEAS—96'. Includes names like Alexander, Ayotte, Baldwin, Barrasso, Baucus, Begich, Bennet, Blumenthal, Blunt, Boozman, Boxer, Brown, Burr, Cantwell, Cardin, Carper, Casey, Chambliss, Coats, Coburn, Cochran, Collins, Coons, Corker, Cornyn, Crapo, Cruz, Donnelly, Durbin, Enzi, Feinstein, Fischer, etc.

NOT VOTING—4

Table listing Senators not voting: Cowan, Lautenberg, Crapo, 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 action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session. The majority leader is recognized.

Mr. REID. Madam President, I ask unanimous consent that the next vote be 10 minutes in duration.

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

MARKETPLACE FAIRNESS ACT OF 2013—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 743, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 743) to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes.

The PRESIDING OFFICER. Under the previous order, the question is on the adoption of the motion to proceed to S. 743.

Mrs. SHAHEEN. 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. DURBIN. I announce that the Senator from Massachusetts (Mr. COWAN), the Senator from New Jersey (Mr. LAUTENBERG), 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 74, nays 23, as follows:

[Rollcall Vote No. 110 Leg.] YEAS—74

Table listing Senators and their names under the heading 'YEAS—74'. Includes names like Alexander, Baldwin, Barrasso, Begich, Bennet, Blumenthal, Blunt, Boozman, Boxer, Brown, Burr, Cantwell, Cardin, Carper, Casey, Chambliss, Coats, Cochran, Collins, Coons, Corker, Crapo, Donnelly, Durbin, Enzi, etc.

NAYS—23

Table listing Senators and their names under the heading 'NAYS—23'. Includes names like Ayotte, Baucus, Coburn, Cornyn, Cruz, Grassley, Hatch, Heller, etc.

NOT VOTING—3

Table listing Senators not voting: Cowan, Lautenberg, Warren.

The motion was agreed to.

CHANGE OF VOTE

Mr. PAUL. On rollcall vote No. 110, I voted "aye." It was my intention to vote "nay." Therefore, I ask unanimous consent that I be permitted to change my vote since it will not affect the outcome.