

nomination because he has recognized the importance of diversity, as well as high performance intellectually, and he has enabled us, I think, to raise that standard.

Judge Oliver is a perfect example of that standard, and he is the gold standard we are seeking to achieve and I believe we are achieving when we confirm him and others who have those same qualities.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. DUCKWORTH. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

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 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. 265, Vernon D. Oliver, of Connecticut, to be United States District Judge for the District of Connecticut.

Charles E. Schumer, Richard Blumenthal, Margaret Wood Hassan, Mark Kelly, Jack Reed, John W. Hickenlooper, Elizabeth Warren, Tammy Duckworth, Jeff Merkley, Richard J. Durbin, Jeanne Shaheen, Benjamin L. Cardin, Mazie Hirono, Tina Smith, Edward J. Markey, Tim Kaine, Tammy Baldwin, Christopher Murphy.

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 Vernon D. Oliver, of Connecticut, to be United States District Judge for the District of Connecticut, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Arizona (Mr. KELLY) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from North Dakota (Mr. HOEVEN), the Senator from Kansas (Mr. MORAN), the Senator from Idaho (Mr. RISCH), and the Senator from South Carolina (Mr. SCOTT).

Further, if present and voting: the Senator from North Dakota (Mr. HOEVEN) would have voted "nay."

The yeas and nays resulted—yeas 54, nays 40, as follows:

[Rollcall Vote No. 229 Ex.]

YEAS—54

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

NAYS—40

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

NOT VOTING—6

Barrasso	Kelly	Risch
Hoeben	Moran	Scott (SC)

The PRESIDING OFFICER (Mr. HEINRICH). On this vote, the yeas are 54, the nays are 40.

The motion is agreed to.

The PRESIDING OFFICER (Ms. SMITH). The majority leader.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate proceed to legislative session and 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.

RECOGNIZING WW HOMESTEAD DAIRY

•Ms. ERNST. Madam President, as ranking member of the Senate Committee on Small Business and Entrepreneurship, each week I recognize an outstanding Iowa small business that exemplifies the American entrepreneurial spirit. This week, it is my privilege to recognize WW Homestead Dairy of Waukon, IA, as the Senate Small Business of the Week.

Founded by Tom and Paul Weighner and Tom Walleser in 2011, WW Homestead Dairy is a creamery that features a retail shop in Waukon, IA. With over 90 years of dairy industry experience between the three founders, WW Homestead Dairy offers nonhomogenized milk, butter, cheese curds, and block cheddar cheese. The cheese curds are available in nine flavors and are made, along with the block cheddar cheese,

by creamery manager Bruce Snitker. For ice cream options, they offer over 30 flavors with 16 dipping options. WW Homestead also has a rotating menu of seasonal ice cream flavors, and the ice cream is made fresh once a week.

WW Homestead Dairy supports the Northeast Iowa community. In the past, they have hosted a chili cook-off to benefit vocational education training at Waukon High School and coordinated the Cheese Curds for Schools fundraiser. They also host a "Drive-In Moo-vie" night during the summer and the annual Corn Days Car Show. In 2023, the Corn Days Car Show celebrated its 10th anniversary, and WW Homestead Dairy celebrated its 12th business anniversary.

WW Homestead Dairy's dairy products have also been recognized, with their cheese curds sweeping the top three prizes at the 2022 Iowa Quality Dairy Products competition. Their best-of-show ranch peppercorn, second-place grilled steak and onion, and the third-place white cheddar cheese curds were all on display at the State fair. In the same competition, they also took home best of show" and second place in the Cow Cheese category with their Chipotle Morita cheddar and medium cheddar respectively. Finally, in 2021, at the World Dairy Expo, their chocolate milk tied for second in the skim chocolate milk class.

WW Homestead Dairy's commitment to providing high-quality dairy products in Waukon, IA, is clear. I want to congratulate Tom and Paul Weighner, Tom Walleser, and the entire team at WW Homestead Dairy for their dedication to the Waukon community. I look forward to seeing their continued growth and success in Iowa.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Stringer, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the Committee on The Judiciary.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 3:26 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1435. An act to amend the Clean Air Act to prevent the elimination of the sale of internal combustion engines.

H.R. 1450. An act to amend the Agricultural Act of 2014 to modify the treatment of

revenue from timber sale contracts and certain payments made by counties to the Secretary of Agriculture and the Secretary of the Interior under good neighbor agreements, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1435. An act to amend the Clean Air Act to prevent the elimination of the sale of internal combustion engines; to the Committee on Environment and Public Works.

H.R. 1450. An act to amend the Agricultural Act of 2014 to modify the treatment of revenue from timber sale contracts and certain payments made by counties to the Secretary of Agriculture and the Secretary of the Interior under good neighbor agreements, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

ENROLLED JOINT RESOLUTIONS PRESENTED

The Secretary of the Senate reported that on September 14, 2023, she had presented to the President of the United States the following enrolled joint resolutions:

S.J. Res. 9. Joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the United States Fish and Wildlife Service relating to “Endangered and Threatened Wildlife and Plants; Lesser Prairie-Chicken; Threatened Status With Section 4(d) Rule for the Northern Distinct Population Segment and Endangered Status for the Southern Distinct Population Segment”.

S.J. Res. 24. Joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the United States Fish and Wildlife Service relating to “Endangered and Threatened Wildlife and Plants; Endangered Species Status for Northern Long-Eared Bat”.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2126. A communication from the Branch Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Guidance on Section 603 of the SECURE 2.0 Act with Respect to Catch-Up Contributions” (Notice 2023-62) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Finance.

EC-2127. A communication from the Branch Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Notice: Section 5000D Excise Tax on Sales of Designated Drugs; Reporting and Payment of the Tax” (Notice 2023-52) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Finance.

EC-2128. A communication from the Branch Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pur-

suant to law, the report of a rule entitled “Guidance on Requirements for Home Energy Audits for Purposes of the Energy Efficient Home Improvement Credit under Section 25C” (Notice 2023-59) received in the Office of the President of the Senate on September 12, 2023; to the Committee on Finance.

EC-2129. A communication from the Branch Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Federal Income Tax Consequences of Certain State Payments” (Notice 2023-56) received in the Office of the President of the Senate on September 13, 2023; to the Committee on Finance.

EC-2130. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Medicare Program; Contract Year 2024 Policy and Technical Changes to the Medicare Advantage Program, Medicare Prescription Drug Benefit Program, Medicare Cost Plan Program, and Programs of All-Inclusive Care for the Elderly” (RIN0938-AU96) received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2023; to the Committee on Finance.

EC-2131. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Medicare Program and CHIP; Mandatory Medicaid and Children’s Health Insurance Program (CHIP) Core Set Reporting” (RIN0938-AU52) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Finance.

EC-2132. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Medicare Program; Prospective Payment System and Consolidated Billing for Skilled Nursing Facilities; Updates to the Quality Reporting Program and Value-Based Purchasing Program for Federal Fiscal Year 2024” (RIN0938-AU96) received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2023; to the Committee on Finance.

EC-2133. A communication from the Branch Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Recapture of Certain Excess Employment Tax Credits under COVID-19 Legislation” (RIN1545-BQ08) received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2023; to the Committee on Finance.

EC-2134. A communication from the Branch Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Low-Income Communities Bonus Credit Program” (RIN1545-BQ81) received in the Office of the President of the Senate on September 12, 2023; to the Committee on Finance.

EC-2135. A communication from the Branch Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Revenue Procedure 2023-26: Fast-Track Processing of Certain Letter Rulings” (Rev. Proc. 2023-26) received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2023; to the Committee on Finance.

EC-2136. A communication from the Branch Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Revenue Procedure on the Low-Income Communities Bonus Credit Program” (Rev. Proc. 2023-27) received in the Office of the President of the Senate on September 12, 2023; to the Committee on Finance.

EC-2137. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant General Counsel (Treasury)/Chief Counsel, Internal Revenue Service, Department of the Treasury, received during adjournment of the Senate in the Office of the President of the Senate on September 6, 2023; to the Committee on Finance.

EC-2138. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled “FY 2020 Annual Report to Congress on the Child Support Program”; to the Committee on Finance.

EC-2139. A communication from the Chairman of the United States International Trade Commission, transmitting, pursuant to law, a report entitled “Large Residential Washers: Evaluation of the Effectiveness of Import Relief”; to the Committee on Finance.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-49. A joint resolution adopted by the Legislature of the State of California requesting the United States Congress to enact, and the President of the United States to sign, legislation that would repeal the Governmental Pension Offset and the Windfall Elimination Provision from the Social Security Act; to the Committee on Finance.

SENATE JOINT RESOLUTION NO. 1

Whereas, Two federal Social Security Administration laws, the Windfall Elimination Provision and the Government Pension Offset, passed by Congress more than 30 years ago, without statistical analysis, diminish or eliminate the fully earned Social Security benefits of large numbers of public service employees in California; and

Whereas, These provisions affect workers who have been employed in a government position that is not coordinated with the Social Security program, such as California public school teachers who have not been able to receive Social Security credits since 1965; and

Whereas, Most peace officers, including the California Highway Patrol, firefighters, and many other public servants working for cities and special districts are not covered by Social Security, making them subject to these provisions; and

Whereas, In California, more than 375,000 retirees have had their Social Security benefits diminished or completely eliminated by these laws; and

Whereas, Effective government requires highly qualified and motivated personnel, and California governmental agencies need to compete to recruit and retain outstanding employees, including hiring up to 19,700 teachers by the 2025-26 school year; and

Whereas, The recruitment and retention of qualified individuals reentering the workforce is impeded by these two provisions, which reduce or eliminate the Social Security retirement benefits either earned by