

DISAPPROVING THE PRESIDENT'S PROPOSAL TO TAKE AN ACTION RELATING TO THE APPLICATION OF CERTAIN SANCTIONS WITH RESPECT TO THE RUSSIAN FEDERATION—Motion to Proceed

Mr. CRAPO. Madam President, I rise to speak against the resolution to disapprove of the administration's agreement to delist Rusal, the Russian aluminum giant from the SDN list.

I will vote no today because this was a hard-fought negotiation, resulting in one of the strongest agreements ever associated with a sanctions delisting, which supports longstanding U.S. sanctions policy and foreign policy toward Russia.

This agreement does nothing to change the sealed fate of Deripaska, the direct target of the sanctions. He remains sanctioned. His current assets remain blocked. The primary and secondary sanctions imposed against him dash any hope of future deals or income, either by operation of his divestiture obligations or future dividends based on his remaining shareholder interests in Rusal. His ability to transfer his shares, use his shares as collateral, or even receive cash from dividends are all effectively frozen.

The sanctions that put Deripaska on the SDN list and froze his investments in Rusal and En+ and ESE, and make him personally radioactive to future transactions with just about anyone, forced these companies to disentangle themselves from Deripaska's control and influence or to face financial devastation.

In fact, the Treasury agreement appropriately reflects how U.S. sanctions policy uses smart sanctions to change the behavior of those sanctioned to build pressure behind the ultimate goals of U.S. policy toward Putin's Russia.

The agreement itself is more akin to a deferred prosecution agreement, in that a failure in its terms can result in an immediate relisting to the SDN list, while it ensures that En+, Rusal, and ESE undertake significant restructuring and corporate governance changes to reverse the circumstances that led to their designation in the first place. These actions include reducing Deripaska's direct and indirect shareholding stakes; overhauling the composition of the relevant boards of directors that control the companies' operations and strategic direction; restricting the steps that can be taken relating to their governance; and agreeing to broad and unprecedented transparency that requires ongoing auditing, certification, and reporting requirements.

Part of keeping a smart sanctions program smart is to ensure that the world understands the U.S. sanctions architecture is fair and respects America's extraterritorial sanctions reach, and providing an off-ramp from the SDN list for those listed who can prove deserving is not only good sanctions policy but the law because if Treasury

fails in its ability to render fair judgments, erstwhile petitioners for removal will simply resort to either the U.S. courts or worse, simply evasion.

In the circumstances of this case, keeping Rusal on the sanctions list could lead to a Putin nationalization of the Russian aluminum industry, which would not only work to enrich Deripaska but all but guarantee the unfettered Kremlin influence in a global concern that would also invite a set of unintended consequences involving wider economic and security costs for our Nation and for our economic allies.

So today I am voting against Senator SCHUMER's resolution to disapprove of the administration's agreement to delist Rusal, the Russian aluminum giant, from the SDN list because Treasury spent the last 8 months getting it right and winning a hard-fought divestiture agreement. It is among the most robust and verifiable delisting determinations ever devised by Treasury, worthy of Senate approval and not a gift to the Kremlin.

Thank you.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. MENENDEZ. Madam President, I come to the floor today in support of S.J. Res. 2, expressing disapproval of the Trump administration's desire to remove sanctions from companies owned by Oleg Deripaska. In accordance with specific provisions in a law I helped write, Countering America's Adversaries through Sanctions Act, the Senate has until Thursday to block this delisting; hence the urgency of this vote. If we wait, then under the law, we lose this important opportunity.

Mr. Deripaska is a notorious Kremlin crony who may have played a role in the Russian Government's attacks during the 2016 Presidential election cycle. At this point, we simply do not know enough about his potential involvement in the cyber attacks and malign influence campaigns carried out by the Kremlin on the American people, and we will not find out until we see the full report of Robert Mueller's completed investigation. Until then, I am not comfortable with any measure that diminishes sanctions pressure on a powerful Russian oligarch with deep ties to Vladimir Putin, including this recent deal agreed to by the Treasury Department.

I am a strong believer in the power of sanctions to incentivize behavioral change in support of our foreign policy priorities. I also deeply respect the skill, expertise, and dedication of the career officials at the Treasury Department who administer many of our sanctions against Russia.

Nonetheless, the deal before us is seriously flawed. First, we must be clear that it is not the American people but, rather, Oleg Deripaska who would benefit handsomely from this arrangement. After his partial divestment in En+, which is the holding company for aluminum giant RUSAL, the Treasury Department would allow Deripaska to use a portion of his shares to pay a very sizable debt to a Russian bank called VTB. So with the deal, Deripaska's overall balance sheet significantly improves. This massive benefit to Deripaska alone is enough to question the merits of this deal.

Moreover, VTB, the Russian bank, is already on a U.S. sectoral sanctions list, related to the 2014 Russian invasion of Crimea and Eastern Ukraine. By allowing VTB, the Russian bank, to participate in this agreement, the Treasury Department is undermining our overall sanctions regime. In effect, the administration is signaling to every entity and individual that has had U.S. sanctions imposed in response to Russia's aggression against Ukraine that they can continue to undermine a sovereign nation without consequence.

Finally, this deal allows Deripaska to maintain a 44.9-percent ownership of En+. While this falls below the Treasury Department's automatic 50 percent threshold for ownership, it is still too high. Yes, perhaps Deripaska has given up control in a legal sense, a technical sense, but make no mistake—he will be the largest shareholder in En+. He will have the ability to appoint one-third of its board members, and he will continue to leverage his network of cronies to influence the conduct of this company. He also has family members who independently will have shares. At the end of the day, he will direct this company's future. I find that unacceptable. We should all find it unacceptable.

No one can deny that we debate this resolution in an increasingly dire context. On top of the indictments and pleas piling up in relation to the Trump campaign's interactions with Russian officials or efforts to cover up those interactions, court filings recently revealed that former Trump campaign chairman Paul Manafort shared polling data with Konstantin Kilimnik during the 2016 Presidential election cycle.

For years, we have known that Mr. Kilimnik has served as a key go-between for Manafort and Oleg Deripaska. He, too, has suspected ties to Russian intelligence.

These latest revelations remind us again that we have more questions than answers about the relationships between the President's associates and the Kremlin.

If that news was not disturbing enough, this past weekend, the New York Times reported that the FBI opened a counterintelligence investigation into the President, in part after he fired the FBI Director because of "this Russia thing." Let that sink in. Senior

officials at the FBI—Americans deeply committed to the hierarchy of law enforcement—saw enough evidence to suspect that Donald Trump, the sitting President of the United States, could be an agent of the Russian Government. That is stunning. It is absolutely stunning.

Likewise, over the weekend, the press reported that President Trump went to extraordinary lengths to conceal the contents of his conversations with Vladimir Putin in Helsinki and elsewhere, even going as far as tearing up the notes of his interpreter. His own staff reportedly sought to learn the contents of the conversation, only to be told that the interpreter could not share the details because the President told him not to.

As the ranking member of the Senate Foreign Relations Committee, I raised serious questions about what happened in Helsinki. I think the whole Nation was stunned by seeing the President's performance there. We wanted to bring the interpreter forward or to get access to those notes, and now we know those notes were destroyed.

Throughout this Presidency, my colleagues and I have demanded accountability from this administration. I have been dismayed at the lack of clarity and transparency from the President when it comes to his dealings with foreign leaders, particularly Vladimir Putin.

I should note that President Trump has had numerous conversations with President Xi of China, Kim Jong Un of North Korea, and leaders and other heads of state across the world. We are not aware of the same standard of secrecy being applied to those exchanges. The President seems to only keep secret his conversations with Putin. And that begs the question, why? Perhaps because Trump and his 2016 campaign staff have repeatedly lied about the extent of their interactions with Russians. Perhaps because the Trump-Putin discussions extended to Russian financing for the Trump Organization's real estate deals throughout the 1990s and 2000s or the Moscow tower project we now know the Trump Organization was still pursuing well into 2017—not advocating on behalf of the American people. Perhaps because the President inappropriately shared classified information with Putin, much like he did when Foreign Minister Lavrov met him for a meeting in the Oval Office. We just don't know, and we have a right to find out.

I ask that my entire comments be printed in the RECORD, ending by asking my colleagues to vote in favor of moving forward so that this can come to light.

I yield the floor.

Mr. ISAKSON. If the gentleman would like to finish his remarks, I would be glad to yield for a few minutes.

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

Mr. MENENDEZ. I thank my distinguished colleague from Georgia—a

member of the committee—for doing so. I appreciate his courtesy.

As I said, we don't know, and we have a right to find out. Our own FBI was worried he might actually be a foreign agent.

Presidents certainly have a right to confidential conversations with world leaders. Never before in our history have we had a President under investigation by the FBI for being a foreign agent—an agent of the Russian Federation. With that in mind, I think we have the right, the responsibility, and the obligation to ensure that we know what happened in all of these conversations between President Trump and Putin and to understand the full extent of this relationship.

I sent a letter to the President today, with the ranking members of the Armed Services and Intelligence Committees, demanding the preservation of all records associated with these meetings and the opportunity to interview the interpreters. This is a matter of U.S. national security.

This Trump-Russia connection gets more confounding by the day. We have to protect the integrity of all oversight efforts, including the objective, sober investigation still being conducted by Robert Mueller. We must take all measures necessary to protect this investigation, including a rock-solid commitment by the President's nominee for Attorney General to not interfere in any way with Mr. Mueller's work. The American people deserve to know who they elected to be their President and what is going on in this regard.

Again, it is time to move to legislation on DASKA, which Senator GRAHAM and I have introduced, along with others. We hope to reintroduce it again.

I think if this body is serious about protecting our institutions, our democracy, and about standing up to an increasingly emboldened Kremlin, if we are serious about our oaths to support and defend the Constitution, then, No. 1, we will agree to move forward on this RUSAL question and move forward to find out the rest of the information.

I appreciate the distinguished gentleman yielding time.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Madam President, I wasn't going to come over here today—I just got off an airplane a little while ago—but I am here because of what I have been hearing.

What I have been hearing is that we need to be talking about the shutdown and not other subjects. When I met with the TSA agents on my plane flying up here, they said: Why don't you get our work back for us?

We are not even talking about TSA. We are not even talking about the shutdown. We are talking about different opinions at different times and different things that don't really matter in the scheme of things.

I appreciate what the distinguished ranking member of the Foreign Relations Committee just said, but quite frankly, last week he was talking about how important it was for us to stay on the shutdown and not do anything else. Now the leader on the minority side says it is important for us to get this Russian gentleman or oligarch—whatever that is—whom we are already punishing, and then we will go back to the shutdown.

My point is this: There is only one thing we need to be doing—restoring the confidence of the American people in the Senate and the House. They don't have it right now. We haven't given them anything to hang their hat on—not a single thing.

We have been shut down for 23, 24 days. I am not a Johnny-come-lately—pardon the reference—to the issue of shutdowns. I have been in the Senate and House for 20 years. I voted against five shutdowns—every one I had a chance to. Shutdowns cost the government more money; they don't save the government any money. They don't solve any single problem whatsoever, even when you mask them by only shutting down a little bit of the government, like we are right now. Not much of the government is really shut down—just the part that hurts the smallest income earners from our government. We are doing the wrong thing, punishing the wrong people, and that is just not right.

All the speeches you are going to hear today, including mine, don't matter at all unless we, first of all, get on the shutdown, correct the problem, and find a way to bridge the gap. The President is not moving. The Democrats aren't moving. The majority leader is not moving. We are not doing much. That doesn't solve anything. Somewhere along the line, we have to agree to find a way to do something different that may not be the end deal but the bridge to do an end deal, or else we are all going to look silly.

The truth is, everybody in this negotiation right now is sitting in their office or sitting and talking to some people, having a beer or doing whatever, and saying: How are we going to stick them—meaning the other party—and get this shutdown over before our people drive us crazy?

We are caught in our own trap. Things like what we are debating this afternoon just emanate that.

This oligarch, who has a huge investment in the largest aluminum company in Russia, is being divested of his interest down from 75 percent, I think, to 45 percent.

My home country of Sweden—one of the largest consumers of their product of aluminum and one of the biggest sellers of aluminum to the United States of America—has called me and said: You all are killing us.

We have driven him down from 75 to 45, and we have some more things to do. They are losing their vote. I think their vote is now down to about 25 percent of the board. They have restricted

him every way they can. I am a businessman; I know how you restrict people and tie them down. This deal does that. It doesn't give them anything they don't want—it gives them a lot of what they don't want to have.

So I just want to appeal to everybody listening to this, all of my colleagues—I love all of you. We all play political jokes. We can talk about how the Democrats did this and the Republicans did that. But the fact is, we are not doing a damn thing while the American people are suffering. The TSA agents I talked to in Atlanta today were doing it out of the goodness of their hearts. A lot of the guys and ladies are not showing up for work, and there are going to be more of them.

We have the Superbowl coming to Atlanta, GA, in about 3 weeks—the biggest tourism event in the world this year. What if the largest airport in the world that is going to bring all the people to the largest football game in the world goes out of business because of the TSA strike? You will have just cost millions of dollars for the United States of America, for my home city—the city of Atlanta—and others. There are thousands of examples just like this.

I have had three people from my State call me. A convention is coming up in one of our cities, and this shutdown is going to hurt the ability to bring that here. We are going to lose the revenue we would normally get from that. So we need to think about what we are doing. We are not winning any points with anything.

A lady who was waiting with me to get on the plane just laughed when I gave my answer to the TSA agent. I turned to her and almost asked: Why are you laughing? I said: You know, I understand why you are laughing because I can't explain it either.

We need to understand what we are doing and why we are doing it. What we are doing doesn't make any sense. What does make sense is resolving to go out and solve the problem. Senator SCHUMER, Senator McCONNELL, Senator CRAPO, and I—and all of us—should get together in a room and give the press something to really write about—of our having a meeting of 100 people who caused the problem and saying: Let's find a way to solve the problem or to at least agree to get us back to business, to at least agree to not affect the lowest income people on our payroll, because the higher income people aren't suffering. Let's get the work done. Let's get it worked out. Let's not call it a Republican shutdown or a Democratic shutdown. It is an American shutdown.

I see that Senator SCHUMER is coming. I don't usually get this riled up, CHUCK. I apologize because I am riled up a little bit.

It is just silly. I used to be able to explain anything. I was a pretty good real estate salesman for a long time. I could close a deal. I can't close this one. I had to three or four times on

that Delta plane today, as I came up here, and I couldn't do it. When I listened to the answers I was giving these people—good, old American citizens—as to why we can't get the government open, I thought, if I were they, I would not vote for me either.

So let's get to work. Let's stop blaming everybody else. Let's put the blame where it belongs—on all of our shoulders collectively. Let's do what we elected officials were elected to do, and let's make a deal.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. SCHUMER. Madam President, I am not going to talk about the substance of what we are here for.

To my dear friend, JOHNNY, whom I love and who serves the best barbecue I ever have every year, among his many other attributes, I will just make this point.

He says it is not a Democratic shutdown or a Republican shutdown. It is a Trump shutdown. We all know it. Donald Trump has called for the shutting down of the government 25 times. He said at our meeting he is proud to shut down the government.

We Democrats do not want to shut down the government. In fact, our slogan—our watchword—is “open up the government.” We have a difference on border security. We are for it. You are for it. You are for something different than we are, but we are not shutting down the government, and everyone knows it. The public opinion polls know it. There are 40 percent of all Republicans, let alone Democrats and Independents, who are for the wall, and most of those people say the government shouldn't be shut down over the wall.

I know how aggravated my colleague is. I would suggest to him that the best solution is to vote for what he voted for—or the whole Republican Party did by unanimous consent—which is to open up the government. Then we can discuss our border security issues.

I yield to my dear friend.

Mr. ISAKSON. Madam President, I will follow up on the Senator's points.

We need to do what we did last year when Republicans and Democrats stayed up here for 2 weeks while the government was shut down. We worked out an immigration agreement, and we got the DACA situation fixed. The President came out for a large number of DACA improvements. We almost got there. We fell short, I think, by six votes. The leader and I were on the same side, and a lot of us in here, from both parties, were on the same side. Those are the types of answers we need. We need to push to get that done.

Mr. SCHUMER. Madam President, I thank my colleague.

There is just one difference between what happened then and what is happening now: Neither side was shutting down the government until it got its way.

I will make my statement, I guess, and wait for Leader McCONNELL and the motion to proceed.

S.J. RES. 2

Madam President, before we take a vote on the motion to proceed on this resolution, I will make two brief points, and I know my colleagues have discussed this very well.

First, my friends the Republican leader and former Republican whip Senator CORNYN are being incredibly disingenuous to suggest this is a political stunt and to accuse Democrats of forcing this vote out of the blue. The timing of this vote was not determined by me or by Leader McCONNELL. It was determined by the wall. The law says that we only have 30 days to disapprove of sanctions relief on Russia. This was filed right before Christmas.

I would suggest the administration and the Treasury hope to get away with it because they know how unpopular it would be to remove sanctions on Deripaska or on the companies he controls. They knew how unpopular it would be, so they snuck it in right before Christmas, right before we left. We have only 30 days, and those 30 days expire on Thursday. If we wait, those 30 days will expire—they will be gone—and we will have no opportunity. So this is no accident.

If Leader McCONNELL and Senator CORNYN want to know why this vote is today, they should talk to the White House, because it is the one that filed this on December 21.

Second, there are serious, substantive reasons to oppose the Treasury plan. It fails to sufficiently limit Mr. Deripaska's stake in these three Russian companies. It gives Vladimir Putin exactly what he wants—sanctions relief on three major producers of aluminum and other metals. That is wrong for the country. Putin's Russia continues to run rampant over international norms, to meddle in democratic elections, and to destabilize the world. Russia has violated the sovereignty of Ukraine, has interfered in our elections and the Brexit vote, has propped up the brutal Assad regime, and has been implicated in nerve agent attacks on the soil of our closest ally. Yet the Trump administration proposes reducing sanctions on Putin and his cronies.

Show me the behavior from Vladimir Putin that warrants such relief. I can't think of any, and I will bet 90 percent of all Americans can't think of any.

Let me be clear. A vote against this resolution—a vote to not allow us to proceed—is a vote to go easy on President Putin and his oligarchs.

I understand my friend the leader, the Republican leader, will move to table the motion to proceed to the resolution. I remind my colleagues that

the timeline runs out on Thursday—48 hours from now. We have to take this vote now. I strongly urge my colleagues to vote no on the motion to table and yes on the motion to proceed.

MOTION TO PROCEED

Madam President, I move to proceed to Calendar No. 13, S.J. Res. 2.

The PRESIDING OFFICER. The clerk will report the motion.

The bill clerk read as follows:

Motion to proceed to the consideration of S.J. Res. 2, a joint resolution disapproving the President's proposal to take an action relating to the application of certain sanctions with respect to the Russian Federation.

Mr. SCHUMER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays are ordered.

The majority leader.

Mr. MCCONNELL. Madam President, I believe the Senate's voice should, indeed, be heard on national security policy. This is why I have moved to have the Senate's first legislative business this Congress be a bipartisan package of foreign policy bills. I made it our first priority to move legislation that would have helped defend Israel and Jordan and provide justice for the Syrians who have been tortured and murdered by the Assad regime, but the Democrats have repeatedly blocked that important legislation.

The Democratic leader said the Senate shouldn't do any business during this partial government shutdown, but, apparently, he didn't actually mean it because now the Democratic leader would like to dictate the terms of a debate on Russia.

We Republicans are hardly strangers to the need for strong policies concerning Russia. We have long seen Vladimir Putin for the KGB thug that he is. We have long advocated for tough measures against him and the kleptocrats who surround him. Just ask the junior Senator from Utah who, only 6 years ago, was mocked by the other side for advocating tough policies against the Kremlin.

This Republican administration has taken far tougher measures against Russia than the previous administration did. It has designated 272 Russia-related individuals and entities for sanctions, expelled scores of Russian intelligence officers, shuttered Russian diplomatic outposts, and equipped Ukraine and Georgia to defend themselves against Russian aggression. Clearly, there is more work to be done, and I look forward to this Congress's taking additional steps to defend our interests against the Russian threats and to additionally impose costs on Putin.

Specifically, I look forward to seeing whether the Democrats will join us in providing additional funding to rebuild our military in key areas to deter and defend against Russian investments and key weapons systems.

I look forward to seeing whether the Democrats will support efforts to modernize our aging nuclear triad as the Russians have done.

I look forward to the Congress's reviewing its existing sanctions policies to see how we can impose additional costs on Putin and his cronies who enable his malign activities.

I look forward to the Congress's ensuring that our sanctions efforts remain multilateral and maximize support from our European allies, whose participation is essential to imposing meaningful costs on the Kremlin.

But, in this narrow case, career civil servants at the Treasury Department simply applied and implemented the law Congress itself wrote and which the Democratic leader supported. Treasury's agreement maintains sanctions on corrupt Russian oligarch Deripaska. It would continue limiting his influence over companies subject to the agreement.

In addition to subjecting the companies and their officers to the unprecedented transparency and monitoring requirements, the agreement preserves Treasury's ability to snapback sanctions on the companies and their officers. If there is any evidence of further malfeasance, I expect Treasury to use that authority to the fullest.

In the meantime, the Democratic leader's political stunt should be rejected. I move to table this effort to overturn the hard and painstaking work of the career officials at Treasury, but I look forward to continuing our efforts to hold Putin and his cronies accountable in a thoughtful, fair less politicized manner.

VOTE ON MOTION TO TABLE THE MOTION TO PROCEED

I move to table the motion to proceed to S.J. Res. 2, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays are ordered.

Mr. SCHUMER. Madam President, I ask unanimous consent to speak for 15 seconds.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Democratic leader.

Mr. SCHUMER. Madam President, the leader's rhetoric belies his words. If you believe Putin is a thug, you don't vote to table this resolution.

I yield the floor.

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

The yeas and nays were previously ordered.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New York (Mrs. GILLIBRAND) is necessarily absent.

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

The result was announced—yeas 42, nays 57, as follows:

[Rollcall Vote No. 4 Leg.]

YEAS—42

| | | |
|-----------|------------|------------|
| Alexander | Fischer | Portman |
| Barrasso | Graham | Risch |
| Blackburn | Grassley | Roberts |
| Blunt | Hoover | Romney |
| Braun | Hyde-Smith | Rounds |
| Burr | Inhofe | Scott (FL) |
| Capito | Isakson | Scott (SC) |
| Cassidy | Johnson | Shelby |
| Cornyn | Lankford | Sullivan |
| Cramer | Lee | Thune |
| Crapo | McConnell | Tillis |
| Cruz | Murkowski | Toomey |
| Enzi | Paul | Wicker |
| Ernst | Perdue | Young |

NAYS—57

| | | |
|--------------|-----------|------------|
| Baldwin | Harris | Peters |
| Bennet | Hassan | Reed |
| Blumenthal | Hawley | Rosen |
| Booker | Heinrich | Rubio |
| Boozman | Hirono | Sanders |
| Brown | Jones | Sasse |
| Cantwell | Kaine | Schatz |
| Cardin | Kennedy | Schumer |
| Carper | King | Sinema |
| Casey | Klobuchar | Smith |
| Collins | Leahy | Stabenow |
| Coons | Manchin | Tester |
| Cortez Masto | Markey | Udall |
| Cotton | McSally | Van Hollen |
| Daines | Menendez | Warner |
| Duckworth | Merkley | Warren |
| Durbin | Moran | Whitehouse |
| Feinstein | Murphy | Wyden |
| Gardner | Murray | |

NOT VOTING—1

Gillibrand

The motion was rejected.

VOTE ON MOTION TO PROCEED

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

The yeas and nays were previously ordered.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New York (Mrs. GILLIBRAND) is necessarily absent.

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

The result was announced—yeas 57, nays 42, as follows:

[Rollcall Vote No. 5 Leg.]

YEAS—57

| | | |
|--------------|-----------|------------|
| Baldwin | Harris | Peters |
| Bennet | Hassan | Reed |
| Blumenthal | Hawley | Rosen |
| Booker | Heinrich | Rubio |
| Boozman | Hirono | Sanders |
| Brown | Jones | Sasse |
| Cantwell | Kaine | Schatz |
| Cardin | Kennedy | Schumer |
| Carper | King | Sinema |
| Casey | Klobuchar | Smith |
| Collins | Leahy | Stabenow |
| Coons | Manchin | Tester |
| Cortez Masto | Markey | Udall |
| Cotton | McSally | Van Hollen |
| Daines | Menendez | Warner |
| Duckworth | Merkley | Warren |
| Durbin | Moran | Whitehouse |
| Feinstein | Murphy | Wyden |
| Gardner | Murray | |

NAYS—42

| | | |
|-----------|------------|-----------|
| Alexander | Crapo | Isakson |
| Barrasso | Cruz | Johnson |
| Blackburn | Enzi | Lankford |
| Blunt | Ernst | Lee |
| Braun | Fischer | McConnell |
| Burr | Graham | Murkowski |
| Capito | Grassley | Paul |
| Cassidy | Hoover | Perdue |
| Cornyn | Hyde-Smith | Portman |
| Cramer | Inhofe | Risch |

Roberts
Romney
Rounds
Scott (FL)

Scott (SC)
Shelby
Sullivan
Thune

Tillis
Toomey
Wicker
Young

NOT VOTING—1
Gillibrand

DISAPPROVING THE PRESIDENT'S PROPOSAL TO TAKE AN ACTION RELATING TO THE APPLICATION OF CERTAIN SANCTIONS WITH RESPECT TO THE RUSSIAN FEDERATION

THE PRESIDING OFFICER. The clerk will report the joint resolution.

The legislative clerk read as follows:

A joint resolution (S.J. Res. 2) disapproving the President's proposal to take an action relating to the application of certain sanctions with respect to the Russian Federation.

THE PRESIDING OFFICER. The Senator from Oklahoma.

RIGHT TO LIFE

Mr. LANKFORD. Mr. President, it is amazing how much we talk about our kids. People talk about bipartisan things here all the time. There is a bipartisan conversation often about our families and about our kids and how proud of them we are and about sharing our lives with each other.

My two daughters are a remarkable part of my family, of who I am. I can't even process life without thinking about the two of them.

Our kids are some of the most valuable moments of our entire lives and our greatest memories. When they were little, we looked into their eyes and saw potential, and we dreamed for them. From our earliest days of pregnancy, Cindy and I talked about the future for our girls as we prayed for them, thought about them, prepared for them, and it had sunk in what an incredible responsibility they really were. Kids are that way. That is that earliest moment that we talk about all the time.

What is remarkable about this photo is thinking about just exactly what this moment could be like because, in this moment, there are really two directions that it could go in America. This little one was born several weeks early. For that little one, life could have gone in two different directions. This group of doctors is gathered around this little one, delivering this child, and watching him take his very first breath. Only seconds before that, that same little one we see there with this same group of doctors could have been destroyed—that life in the womb—and it would have been OK.

You see, in America, this moment could go two different directions at any time. This life could be there, and we could watch the decades ahead of him or, seconds before this picture was taken, when that child was still in the womb, that life could have been destroyed, and no one would have paid attention because the determination of whether this is a child or whether this is just a little lump of tissue is deter-

mined by a few seconds in a delivery room. If it is still inside the womb, it is not a child; it is just tissue. A few seconds later, when he is delivered, everyone smiles and looks at the face of this baby and says: What a beautiful child, and what a remarkable miracle that is.

How do we do that in America? How do we decide what is life and what is just tissue?

Some people would say it is only a child if we believe it is a child. If we don't believe it is a child, it is not a child; it is only tissue.

Some people say it has incredible value, and we should prepare for his or her college, and we should think and pray about his future and his spouse and what he is going to do. Some people would say it is meaningless—just flesh that can literally be put into a bag and taken to the curb. The determination is really by the mom and the dad there. They get to choose whether that is a child or whether that is tissue.

I honestly don't understand that conversation because when I look at this child with fingers and toes and hair and unique DNA, there is nothing different about that child right there than this child. You see, that child whom we saw in the picture before is the same age as this one, but, this time, this is a 3D ultrasound taken inside the womb, but there is no difference between the two. Both of them have faces and fingers and toes and nervous systems and functioning brains and lungs. They have DNA that is different from their moms and their dads—DNA that is unique to those people. Whether you can see him or not, that heartbeat and that DNA is a child.

In America, we still have this ongoing dialogue: When is ‘life’ life?

I heard someone earlier jokingly say that if this life were discovered on Mars, we would say Mars had life on it, but we are still discussing whether this life is a life on Earth. What do we do with that?

Here is what we continue to debate and continue to have a conversation about. On January 22, 1973, the Supreme Court ruled on what is now the infamous Roe v. Wade decision. It was supposed to have settled the issue about life. It was supposed to have settled the issue that every single State has to allow abortion and that life, according to the Supreme Court in 1973, was about viability. When can this child live on his own outside the womb—viability?

Viability in 1973 was very different than viability now, thankfully. When we think about viability now, there are people born at 21 or 22 weeks—extremely early—who would have never survived in 1973 but who regularly survive now because of great medical care. Viability really doesn't determine life, though. Life is something that begins much earlier, and for some reason in our culture, we are still having a conversation about what to do with that tissue.

As Americans, we spend a lot of time trying to work on very difficult issues, but for some reason, this has become a partisan issue that is exceptionally divisive in this culture. This life and this child shouldn't be a partisan issue. This shouldn't be a Republican child or a Democratic child. This should just be a child, and we should be able to pause for a moment and determine what we are going to do about her and determine: Is she valuable?

As a culture, we spend billions of dollars caring for the homeless because we believe that every single life matters and that no life can just be thrown away just because one struggles with life. We spend billions of dollars caring for the oldest and the weakest in our society because they need 24-hour care and because we respect that life and the dignity that it carries. We demand equal protection for women and men of all races, all ages, all sexual orientations, all faiths. We demand that as a culture because we believe, as a culture, that every person should have respect and every person should have opportunity because of one's great potential.

We pat ourselves on the back when we adopt abused animals, when we stand up against human trafficking worldwide, when we help clean up ocean trash, or when we plant trees to beautify our communities. Yet we are having a tough time considering that child as a child.

We even require that cigarettes, alcohol, theme park rides, medicines, and many other products have warning labels on them to warn pregnant moms not to use the product because it could harm the child because, as a culture, we acknowledge that a mom's smoking hurts a child. Yet, for some reason, we can't seem to acknowledge that a child could be hurt by an abortion and that it really would end a life.

It is my guess that anyone who disagrees with this has already tuned me out because, as a culture, we don't want to think about this life because if, for a moment, we pause and consider that maybe she is really alive and has purpose and value, we would have to swallow hard and acknowledge the millions of little girls just like her who have died in abortions in America—millions. To fight against having to deal with that, we just don't want to think about it, and we just tune it out. Yet, if you are one of the folks who has actually stuck with me through the dialogue, let me walk through a couple of things just to think about.

Let's start with a few things—the science. This little girl has DNA that is different than her mom's and dad's. It has cell division. It has something that we would look at in normal embryonic development called the Carnegie stages of embryonic development.

For years and years, every medical school teaches the Carnegie stages of embryonic development. They look at cell division at the beginning point and acknowledge, as they go through the