

pharmacy counters with every last penny they have who know they are about to get mugged when it comes to paying for the cost of prescription medicine. Millions of Americans struggle to pay for their medications, but the majority leader of this body has blocked our best efforts to give them a hand. Instead, the Senate is debating yet another ideological attack on women's healthcare that really has no chance of becoming law.

The likelihood is these attacks, in my view, based on what we know, are going to keep coming. It will only get more serious in the months ahead. Four more years of Donald Trump would mean the end of *Roe v. Wade*. It would guarantee more healthcare discrimination against women, and it would mean a whole lot more government control over women's bodies. Again and again, we would see the government in the exam room. I urge my colleagues to reject these proposals when they come up.

I yield the floor.

#### 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 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 nomination of Robert Anthony Molloy, of the Virgin Islands, to be Judge for the District Court of the Virgin Islands for a term of ten years.

Mitch McConnell, Mike Crapo, Thom Tillis, Mike Rounds, Lamar Alexander, John Hoeven, Roger F. Wicker, Rob Portman, John Thune, Cindy Hyde-Smith, John Boozman, Tom Cotton, Chuck Grassley, Kevin Cramer, Steve Daines, Todd Young, John Cornyn.

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 Robert Anthony Molloy, of the Virgin Islands, to be Judge for the District Court of the Virgin Islands for a term of ten years, 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. THUNE. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from North Dakota (Mr. CRAMER), the Senator from Arizona (Ms. MCSALLY), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Florida (Mr. RUBIO), and the Senator from Pennsylvania (Mr. TOOMEY).

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

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from

Massachusetts (Mr. MARKEY), 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 yeas and nays resulted—yeas 88, nays 1, as follows:

[Rollcall Vote No. 53 Ex.]

#### YEAS—88

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

#### NAYS—1

Hirono

#### NOT VOTING—11

Burr	Markey	Sanders
Cramer	McSally	Toomey
Feinstein	Murkowski	Warren
Klobuchar	Rubio	

The PRESIDING OFFICER. On this vote, the yeas are 88, the nays are 1.

The motion is agreed to.

The Senator from Texas.

#### ABORTION

Mr. CRUZ. Mr. President, I rise today for every child who has been denied the chance to live; the little boys and the little girls who never got the chance to breathe a breath of air, to live life; never got the chance to grow up to be athletes, doctors, poets, or inventors; never got the chance to live their own unique lives.

This year marks the 47th tragic anniversary of *Roe v. Wade*, the Supreme Court decision that forced on all 50 States abortion on demand and has tragically led to the loss of life of over 60 million unborn children. Since that decision, so much life has been lost. So many unborn and even newborn babies have suffered.

In recent years, we have seen the Democratic Party not listening to the concerns of a great many people of good will on both sides of the party but, rather, radicalize. We have seen leading contenders for the Presidential nomination in the Democratic field declare that pro-life Democrats are no longer welcome in the party. We have seen far too many Democrats embrace extreme positions on abortion—abortion up until the moment of birth and even, horrifically, after that.

I think the radicalization of today's Democratic Party was made crystal clear for a great many Americans with the radio interview that Virginia Governor Ralph Northam did on January 30 of last year. In that interview, Governor Northam was speaking in favor of a bill that would allow abortion when a mother was already in labor.

Stop and think about this for a moment. There have been debates about abortion for a long, long time. A mother in labor, in the process of delivering a child, this bill would allow a doctor to kill that child instead of delivering the child in the midst of labor. For a great many people, even Americans who identify as pro-choice, the idea of killing a child while the mother is in labor delivering the infant is horrifying beyond words. But Governor Northam didn't end there. He wasn't content simply with saying that abortion should be allowed even in the midst of birth. He went further. He said on that radio interview:

The infant would be delivered. The infant would be kept comfortable. The infant would be resuscitated if that's what the mother and the family desired. And then a discussion would ensue between the physicians and the mother.

Now, so nobody is lost on what Governor Northam was saying, he was describing something that has euphemistically been called post-birth abortion. He was describing his view of the right way to approach delivering a child, which is a child who is delivered, who is outside the womb, who is breathing and crying and living. That is an infant. And Governor Northam calmly, with virtually no emotion whatsoever, described comforting that infant and then having a conversation about whether to deny that child the necessary care to live or simply to callously let a newborn infant die.

For virtually every American, that is a concept that is so extreme, that is so radical, that—other than elected Democrats who have decided to embrace a radical view of abortion in all circumstances—almost every other American would be, rightly, horrified by the notion of a doctor allowing a newborn infant outside the womb to die. That was Governor Northam's position.

Well, tomorrow the Senate has an opportunity to speak out against those extreme, radical positions, to say this isn't OK, to draw a line, to find what should be some degree of common ground. We are going to be voting on two bills in the Senate tomorrow: the Born-Alive Abortion Survivors Protection Act and the Pain-Capable Unborn Child Protection Act.

I am proud to be an original cosponsor of both pieces of legislation. Those are both commonsense pieces of legislation that would work to restore fundamental rights for the unborn and for newborn babies. They are simple pieces of legislation.

The Born-Alive Abortion Survivors Protection Act requires doctors to provide medical care to infants who survive attempted abortion procedures. It

would help make sure that, when an infant has already been born, when the infant is alive, is breathing, is crying, is outside the womb, that that child receives the medical attention he or she needs.

The second bill is the Pain-Capable Unborn Child Protection Act that would ban late-term abortions that result in pain and suffering and agony for an unborn child.

What you will not hear from congressional Democrats is that after 5 months, an unborn child's toes and eyelids and fingers and eyelashes have already formed. He or she has a heartbeat and can feel pain, and science confirms this. We know that these late-term abortions, embraced by more and more radical partisans, produce pain and suffering and agony. We should not be a part of allowing the deliberate infliction of pain on a little girl or a little boy.

These two proposals, in any sane and rational world, would be agreed to unanimously. If you look at the last 3 years, we have seen enormous victories when it has come to defending life, when it has come to confirming 192 new Federal judges committed to following the law in the Constitution; when it has come to restricting taxpayer funding of Planned Parenthood, the largest provider of abortions in this country; when it has come to defending the religious liberties of Americans all across this country, including the Little Sisters of the Poor. We are making major steps in the right direction, but we can go further. We can agree on these commonsense provisions. We can also test whether Senate Democrats agree with their colleagues running for President, whether Senate Democrats agree with the chairman of the Democratic National Committee, who has said: If you are a pro-life Democrat, get out of the party; you are not welcome.

I can tell you in Texas, I certainly welcome pro-life Democrats to speak up for their values and defend their values, and we should come together behind commonsense propositions that say we should not be committing procedures that result in pain and agony and suffering, that science demonstrates causes that suffering, and we should not be allowing newborn infants to die because medical care is denied to those children.

This should bring us together. I urge our colleagues on both sides of the aisle to stand together for life—every life, as a precious, unique gift from God. Every life, whether the child has a disability, whether the child is valued or not, that child should be valued, should be protected because that child is precious.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

#### WOMEN'S HEALTHCARE

Mrs. MURRAY. Mr. President, it must be a day that ends in "Y" because, once again, Republican Senators are pushing for backward, ideological

bills to restrict a women's constitutional right to abortion. Once again, Republicans are peddling a ban that is blatantly unconstitutional. Once again, they are pretending we don't already have laws on the books that protect infants and are using that as a pretext to drum up fear and misunderstanding about one of the most heart-breaking situations a family can face, and are pushing for anti-doctor, anti-women, anti-family legislation.

Once again, I am here on behalf of women and men across the country to deliver the same message we have already made clear countless times: not on our watch. Majority Leader MITCH MCCONNELL has indicated he wants to pivot to legislating, which makes these two atrocious bills an interesting choice because all 100 Senators know they are going absolutely nowhere. The truth is, Republicans' charade today is not actually about passing laws any more than it is about people's health or medical science or what is best for patients. It is really about Republicans' crass political calculation that they can fire up their far-right base with an all-out war against the constitutionally protected right to safe, legal abortion.

The two bills differ in some significant ways, but they have the same consequences. They would criminalize—criminalize—abortion, take deeply personal, often painful decisions out of the hands of parents and use scare tactics and misinformation to try to weaken strong public support for Roe.

Another thing they have in common? They have already been panned by leading medical groups. The American College of Obstetricians and Gynecologists has called one of these bills "an unconstitutional attempt to intimidate health care providers and prevent them from providing the safe care their patients want and need." And they have said the other is "a gross legislative interference into the practice of medicine."

It is not just medical experts. Families across the country have actually faced these decisions, have spoken out to make clear politicians should have no part in them. Pressing for these awful bills year after year may be nothing more than a cynical political tactic for Republicans, but passing them would be an unconscionable exercise in cruelty to the people who would actually be affected:

People like Judy, who is from my home State of Washington. Judy learned over 20 weeks into her pregnancy that her son's organs were not developing properly. One lung was 20 percent formed. The other was missing entirely.

People like Kate, whose doctor informed her that if her daughter survived birth, she would not be able to walk, talk, or swallow and likely would not even be comfortable enough to sleep.

People like Lindsay, who learned her daughter had a fast-growing, inoper-

able tumor growing into her brain and heart and lungs, wrapping around her neck and eyes and chest, and making her odds of survival incredibly slim.

People like Darla, who was pregnant with twins when she got the unthinkable news that one of her twins had serious medical complications. Not terminating that pregnancy could put her other twin's healthcare at risk.

Those are just a few of many stories. There are more families across the country who have struggled with the painful reality that the child they have hoped for cannot survive. Each of them has spoken out to underscore that in those wrenching moments, they wanted to make the decision that was best for their child and their family, with their healthcare provider. But each of these bills would take the ability to make the decision best for that child and family away from women like Judy, Kate, Lindsay, and Darla. Those bills would prevent doctors from offering the best medical advice, all because extreme politicians are more concerned with spreading misinformation and firing up their base than they are with actual women's lives. In other words, in the most private moments of personal tragedy, these bills would take precedence over a family's wishes as they grieve.

To the politicians supporting these bills, I have to ask: How dare you think your opinion is more important here than the knowledge of medical experts and the wishes of the family who is affected?

I don't understand how anyone can think, instead of letting patients make their own very personal decisions, that they should have that decision made for them by President Trump and Vice President PENCE. That is exactly what we are talking about today. Why? Even though *Roe v. Wade* has been the law of the land for almost a half a century, even though a large majority of people do not want to see that landmark decision overturned, Republicans think somehow they can benefit politically and fire up the most ideological elements of their base by using every tool imaginable to chip away at the right to safe—safe—legal abortion.

I am here to say they can try, but women, medical experts, and those of us elected officials who trust them are not going to stop calling these bills what they are: anti-women, anti-doctor, and anti-family. We are going to make clear we oppose every single one of their efforts to further chip away at access to safe, legal abortion under *Roe*: every extreme, cruel abortion ban, every fearmongering effort to gin up controversy and pretend we don't already protect infants, every far-right judge they try to pack onto the courts to chip away at *Roe v. Wade*, every barrier to care and information like President Trump's title X gag rule, and every new shameful scheme they concoct in their all-out war on access to reproductive healthcare.