

Reed	Sinema	Van Hollen
Rosen	Smith	Warner
Schatz	Stabenow	Whitehouse
Schumer	Tester	Wyden
Shaheen	Udall	
NOT VOTING—3		
Klobuchar	Sanders	Warren

The PRESIDING OFFICER. On this vote, the yeas are 56 and the nays are 41.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is not agreed to.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate shall resume executive session to consider the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Silvia Carreno-Coll, of Puerto Rico, to be United States District Judge for the District of Puerto Rico.

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

Mr. CRUZ. 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. DURBIN. I announce that the Senator from Alabama (Mr. JONES), 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 96, nays 0, as follows:

[Rollcall Vote No. 59 Ex.]

#### YEAS—96

Alexander	Cruz	Leahy
Baldwin	Daines	Lee
Barrasso	Duckworth	Loeffler
Bennet	Durbin	Manchin
Blackburn	Enzi	Markey
Blumenthal	Ernst	McConnell
Blunt	Feinstein	McSally
Booker	Fischer	Menendez
Boozman	Gardner	Merkley
Braun	Gillibrand	Moran
Brown	Graham	Murkowski
Burr	Grassley	Murphy
Cantwell	Harris	Murray
Capito	Hassan	Paul
Cardin	Hawley	Perdue
Carper	Heinrich	Peters
Casey	Hirono	Portman
Cassidy	Hooven	Reed
Collins	Hyde-Smith	Risch
Coons	Inhofe	Roberts
Cornyn	Johnson	Romney
Cortez Masto	Kaine	Rosen
Cotton	Kennedy	Rounds
Cramer	King	Rubio
Crapo	Lankford	Sasse

Schatz	Smith	Udall
Schumer	Stabenow	Van Hollen
Scott (FL)	Sullivan	Warner
Scott (SC)	Tester	Whitehouse
Shaheen	Thune	Wicker
Shelby	Tillis	Wyden
Sinema	Toomey	Young
NOT VOTING—4		
Jones	Sanders	
Klobuchar	Warren	

The nomination was confirmed.

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Katharine MacGregor, of Pennsylvania, to be Deputy Secretary of the Interior?

Mr. HAWLEY. 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 legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Alabama (Mr. JONES), 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 58, nays 38, as follows:

[Rollcall Vote No. 60 Ex.]

#### YEAS—58

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

#### NAYS—38

Baldwin	Feinstein	Rosen
Bennet	Gillibrand	Schatz
Blumenthal	Harris	Schumer
Booker	Hassan	Shaheen
Brown	Hirono	Smith
Cantwell	Kaine	Stabenow
Cardin	Leahy	Tester
Carper	Markey	Udall
Casey	Menendez	Van Hollen
Coons	Merkley	Warner
Cortez Masto	Murphy	Whitehouse
Duckworth	Peters	
Durbin	Reed	Wyden

#### NOT VOTING—4

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.

#### 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 senior assistant 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 Travis Greaves, of the District of Columbia, to be a Judge of the United States Tax Court for a term of fifteen years.

Mitch McConnell, Cindy Hyde-Smith, Thom Tillis, John Thune, Mike Crapo, Mike Rounds, Steve Daines, Kevin Cramer, Richard Burr, John Cornyn, Shelley Moore Capito, Todd Young, John Boozman, David Perdue, James E. Risch, Lindsey Graham, Roger F. Wicker.

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 Travis Greaves of the District of Columbia, to be a Judge of the United States Tax Court for a term of fifteen years, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Alabama (Mr. JONES), 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 (Ms. MCSALLY). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 91, nays 5, as follows:

[Rollcall Vote No. 61 Ex.]

#### YEAS—91

Alexander	Fischer	Reed
Baldwin	Gardner	Risch
Barrasso	Graham	Roberts
Bennet	Grassley	Romney
Blackburn	Hassan	Rosen
Blumenthal	Hawley	Rounds
Blunt	Heinrich	Rubio
Boozman	Hoeven	Sasse
Braun	Hyde-Smith	Schatz
Brown	Inhofe	Schumer
Burr	Johnson	Stabenow
Capito	Cantwell	Scott (FL)
Casey	Kaine	Scott (SC)
Coons	Kennedy	Shaeen
Cortez Masto	King	Shelby
Cotton	Lankford	Sinema
Cramer	Leahy	Smith
Crapo	Carper	Stabenow
Daines	Casey	Sullivan
Durbin	Cassidy	Tester
	Collins	
	Loeffler	
	Coons	
	Manchin	
	Cornyn	
	McConnell	
	McSally	
	Cotton	
	Menendez	
	Tillis	
	Cramer	
	Merkley	
	Carper	
	Portman	
	Reed	
	Wyden	

## NAYS—5

Booker	Harris	Markey
Gillibrand	Hirono	
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	NOT VOTING—4	
Jones	Sanders	
Klobuchar	Warren	

The PRESIDING OFFICER. The yeas are 91, the nays are 5.

The motion is agreed to.

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## EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Travis Greaves, of the District of Columbia, to be a Judge of the United States Tax Court for a term of fifteen years.

The PRESIDING OFFICER. The Senator from Oklahoma.

## ABORTION

Mr. LANKFORD. Madam President, I rise to have a dialogue. Let me start it this way. My brother and I did not always agree on things. I know that may be shocking that two brothers did not get along on everything. Maybe in your house you got along on everything, but my brother and I, growing up, did not agree on everything.

In fact, growing up, I distinctly remember the day we reached epic levels, and we actually got masking tape out in our room and put a line down the floor that ran from one wall across to the other wall. We had an old-school stereo record player in our room. The line ran up the record player so that on one side he had the tuning knob and on the other side I had the volume knob. We would have to reach some sort of detente to listen to anything. If he turned it to a station I didn't like, I could turn the volume all the way down. We would have to work things out. The line even went through our closet, with his clothes and my clothes on it, and we had a clear line of separation that you could not cross that line. The rules were very clear in our room. For whatever reason, our mom put up with it for quite a while as we had our "Don't cross the line into my side" kind of moment.

It is interesting that today in the Senate there was in some ways kind of a line-drawing moment to not draw a line but to try to figure out where are our lines, where are our boundaries on an issue that Americans talk about all the time, in many ways, but always get nervous in that dialogue. It is the issue about when is a child a child.

We have this weird dialogue as a nation because we have a great passion for children. We spend a tremendous amount of money, personally, on our families and in our communities and in nonprofits and Federal taxpayer dollars to walk alongside children to do everything we can to protect the lives of those children.

We have some in this body who have proposed Federal taxpayer dollars for children in their very first days of life to have childcare that is available for

them, but literally 3 days before that, they have also proposed Federal tax dollars for abortion to take that life.

It begs the question: Where is your line on life? What is that moment? For me, I go with the science. It is conception. That is a dividing cell that has DNA that is different than the mom and different than the dad. That dividing cell is a uniquely different person. Every science textbook, every medical textbook that you look at would identify that DNA is different than any other DNA in the world. That is a different person. As those cells grow and divide and as that child grows and divides, whether they are 50 years old or whether they are only days old still in womb, the DNA is the same. All the building blocks are in that child from their earliest days.

Others will look at it and will ask the question—like the Supreme Court did in 1973, when they ruled on *Roe v. Wade* on the issue of viability. That is when the Supreme Court said, in 1973, that States can engage and try to make some laws dealing with abortion, which is based around this issue of viability. Viability, in 1973, is very different than it is now. We have many children who are born at 21, 22, 23, 24 weeks gestation who are prematurely delivered, spend months in a NICU facility, and thrive as adults. That viability question is different now than it was in 1973, but we also know more about the science now than we knew at that time as well.

We know that a child—some would say on the science side of it—as early as 12 weeks old of development, still in the womb, can feel and experience pain. Certainly, by 20 weeks, 21, 22 weeks, they have developed a brain and have developed a nervous system. The system of experiencing pain is all in place. If anything happens to that child, that child will experience the pain and the effects of that.

The New York Times had a really interesting article in October 2017, talking about a young man, Charley Royer. When he was just at 24 weeks development in the womb, the parents made a very difficult decision to have a surgery in utero. It is spina bifida. The child would be paralyzed. The New York Times writes about how they did this surgery—this very intricate surgery—that happened at Texas Children's Hospital at Baylor College of Medicine. They basically delivered the child, doing surgery on that child, reinserting the uterus and the child back into the mom's womb, and then stayed all the way through until full gestation and was delivered.

Charley is apparently doing very well. It was a remarkable surgery. During that surgery, they made sure they helped that child and gave him additional medications to protect him from pain because they were doing surgery on someone who felt the effects of the surgery at 24 weeks.

Today we had a vote in the Senate to ask Senators, if you don't agree with

me on this that the line should be conception, to consider that child a child at conception, would you consider that child a child when they can experience pain? They have a beating heart. They have a functioning nervous system. They have 10 fingers, 10 toes.

This is not a tissue we are talking about. This is what a child looks like in the womb at 20 to 22 weeks. That is a child. The question is, Is your line when that child has a beating heart, has a functioning nervous system, can experience pain? Is that your line?

We had that vote today. Unfortunately, this Senate body said no. The line is not at conception, and the line is not even when they look like this and can experience pain. That bill was voted down.

There are only four countries in the world that allow abortion on demand at any time—four countries left in the world that still abort children who look like this, who experience pain, who are in late term. It is the United States, North Korea, China, and Vietnam. That is all that is left in the world that looks at this and says that is just tissue; that is not really a baby.

This Senate voted again today to affirm that same club that we are in with China, North Korea, and Vietnam. That is not a club I want our Nation to be in. They are some of the worst human rights violators in the world, and they don't recognize the value and the dignity of life. We do, or at least I thought we did, but that is not where our line is, apparently.

Today we took another vote in the Senate, and it was a very clear line as well to say: OK. If your line is not at conception, and if it is not when the child can experience pain, and it is not a late-term abortion when the child is actually viable, maybe your line is actually when they are delivered, when they are fully out of the womb. We took a vote on a bill called the Born-Alive Abortion Survivors Protection Act. It is a very straightforward bill. It is not about abortion at all. It is about a child who is fully delivered.

In medical practice, there are times when there is a late-term abortion that in the procedure itself to actually conduct the abortion, instead of the child being aborted and killed in the womb, it is a spontaneous birth that actually occurs, and the child is actually fully delivered. The intent was to destroy the child in the womb, but that is not what happened. What happened, instead, in a small percentage of abortions, was that child was actually delivered. Now the question is, the child is no longer in the womb. The child is literally fully delivered and is crying on the table in front of you. What do you do? We asked the question of this body: Where is your line? Is your line at delivery? Even if the intent was originally abortion, that didn't occur, is your line at delivery? Unfortunately, this body voted no. We could not get 60 Senators of 100 to say even if a child is fully delivered outside of the womb,