

NAYS—5

Booker Harris Markey
Gillibrand Hirono

NOT VOTING—4

Jones Sanders
Klobuchar Warren

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

The motion is agreed to.

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,

crying on the table, that is a child. That is a frightening statement about where we are in our culture.

I have had all kinds of folks say: Well, this is not about infanticide. Infanticide is already illegal.

I said: Yes, that is true.

In 2002, there was unanimous support in this body, in the Senate, to pass a bill saying that if a child is delivered, that would be infanticide. The problem was, it left no consequences at all and allowed what still happens today where if a child is fully delivered, there are no consequences for allowing them to die on the table.

A couple of years ago, Kermit Gosnell was fully delivering children in his abortion clinic. He was fully delivering them, and then he would take scissors, flip the child over, and snip their spinal cord to kill them. He is in prison right now for carrying out that act because that was considered infanticide. But what is still legal is allowing the child to just lie there on the table until they slowly die.

Jill Stanek is a nurse who has practiced for years in Illinois. She gave testimony in a hearing not long ago and testified multiple times about what is going on in some of these abortion facilities and what happens when a child is fully delivered and they are still alive. In her experience, what she has watched before, she has noticed that children will live outside the womb. These are viable children lying on the table, or in her particular hospital, they literally took the child to a linen closet and closed the door and left him there. They would live somewhere between an hour and, some children, as long as 8 hours, just waiting to die. Ladies and gentlemen, in ancient times, it was called exposure when you would take a child and set them outside to die without medical care.

Our vote today was, if a child is fully delivered, should they get medical care, or should we just allow medical facilities to just back off and allow them to slowly die? And today this Senate could not get 60 votes to say we should at least give medical care to that child instead of allowing them to slowly die on the table on their own—a child literally crying, kicking their feet, but ignored. I would hope we are better than that as a country, but apparently the line has still not been discovered for the value of a child. I am one who believes that a child has great value, a child has great worth. Whether that child is a kindergartner or in the womb, that child has value. As a culture, we should stand for the value of every child.

I am amazed, absolutely amazed when I think about the fact that 100 years ago, my wife, my mom, and my daughters would not have been able to vote. I can't even process that 100 years ago, my wife, my mom, and my daughters would not have been allowed to vote in America. What were we thinking as Americans that we did that?

I am amazed that there was a time in America not that long ago where if you

were of Japanese descent, they rounded you up, put you in camps, and held you, as an American citizen, just because you were of Japanese descent. I can't even process the fact that we did that as Americans.

I cannot believe there was a time in America where we looked at African Americans and said: That is three-fifths of a man. I cannot even process that was in our law, that we declared a human being three-fifths of a person.

I am so grateful that we no longer round up people because they are of Japanese descent, that we allow women to vote, and that we consider all people equal. I am so grateful that time has passed. I long for the day, which I believe is coming, that we as a nation look back and say: What were we thinking that we allowed children to live or die based on our convenience? And if a child was inconvenient, we just killed them or we set them on the table and allowed them to slowly die from exposure because they were inconvenient in the moment. There will be a day when we will look back on this season in American history and we will say: What were we thinking that we considered some children more valuable than others, that we considered some lives worth living and some to just be thrown away?

What is your line? When is a life worth protecting? When does life, liberty, and the pursuit of happiness actually apply to you in America? I wish it was conception or at least when they can experience pain or at least when they are fully born, but this body has not yet found the moment when we can agree that life is valuable. I long for the day that we do.

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

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

ELECTION SECURITY

Mr. VAN HOLLEN. Madam President, I rise today to once again call upon the Senate to take immediate and urgent action to prevent Russia or any other foreign power from interfering in our 2020 elections. Since the last time I came to the Senate floor to talk about this issue, it has become only more urgent. The clock is ticking, and each day that goes by without the Senate taking action, this body becomes more complicit in the hijacking of our democracy by Vladimir Putin or other foreign powers that try to interfere in our elections.

Just in the last week, we have seen significant new developments. We know that the intelligence community briefed the House Intelligence Committee about ongoing Russian interference in our current elections.

We also know that upon learning about that briefing, upon hearing that

the intelligence community was doing its job in keeping Congress informed about election interference, President Trump erupted upon hearing the news. He did not want the House of Representatives to know what the Russians were up to.

We know that soon after that briefing, President Trump unceremoniously fired his Acting Director of National Security, Joseph Maguire, who is a military veteran and a career public servant of great integrity. All of that, we know. And we know that President Trump replaced Mr. Maguire with an Acting Director who has no prior experience in the intelligence community and whose only qualification appears to be to tell President Trump what President Trump wants to hear when it comes to intelligence information or other matters.

None of us should be surprised to learn that the Russians are interfering again in our elections. They did it in 2016. That was the unanimous verdict of all our U.S. intelligence agencies. In fact, that was the verdict by the head of agencies who had been appointed by President Trump. That was also the bipartisan finding of the Senate Intelligence Committee. They found that there was some level of Russian interference in the 2016 elections in every State in the country, all 50 States. It was also the well-documented conclusion in the Muller report that brought a number of indictments against Russian operatives of the GRU.

Just last November, the leaders of the intelligence agencies—again, leaders appointed by the current President—all warned the Congress and the American people that the Russians and other foreign powers would seek to interfere in our elections in 2020. Those agencies included the heads of the NSA, the CRA, the FBI, the DNI, and others. Last November, all of them warned us about expected Russian interference in our elections. So it really should be no surprise that we learned last week of a briefing in the House where the intelligence community said: We told you so.

We have determined that the Russians are interfering right now in the ongoing 2020 elections. That shouldn't be surprising. What is surprising and what is shocking is that the Congress has done virtually nothing to prevent it. Think about that. We were warned in 2016. We have been warned repeatedly since then that the Russians are going to interfere in our 2020 elections. We now have a briefing about ongoing interference and still nothing. What does the President do in response to that information? He fires the head of the intelligence community. He fires him because he doesn't want him to tell Congress what the Russians are doing.

Just last month, in February, the Senate Intelligence Committee issued another report. It was another bipartisan report. What they did was they went back to look at what happened in