

[Rollcall Vote No. 168 Ex.]

YEAS—50

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

NAYS—50

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

The VICE PRESIDENT. On this vote, the yeas are 50, the nays are 50.

The Senate being equally divided, the Vice President votes in the affirmative.

The motion is agreed to.

RECESS

The VICE PRESIDENT. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 1:32 p.m. recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. FETTERMAN).

EXECUTIVE CALENDAR—Continued

NOMINATION OF NATASHA C. MERLE

Mr. DURBIN. Mr. President, today the Senate will vote to confirm Natasha Merle to the U.S. District Court for the Eastern District of New York. She is a highly skilled litigator who has practiced at virtually every level of the legal system. Ms. Merle received her undergraduate degree from the University of Texas at Austin and her law degree from New York University School of Law. She then completed two Federal clerkships, one in the Southern District of New York and another in the Eastern District of New York. Following her clerkships, Ms. Merle devoted her early career to representing indigent clients, particularly as an assistant Federal public defender. She has also spent time in private practice, where she represented individuals, companies, and financial institutions in commercial litigation.

Since 2016, Ms. Merle has worked at the NAACP Legal Defense and Educational Fund, where she has devoted her practice to ensuring equal justice under law. She has also taught at two

of the Nation's top law schools: Columbia Law School, as a lecturer in law, and New York University School of Law, as an adjunct professor of clinical law. Ms. Merle has significant experience in the courtroom at both the trial and appellate levels. She has litigated in State and Federal court on both civil and criminal matters, practiced before the U.S. Supreme Court, and successfully argued an appeal before the California Supreme Court. Ms. Merle's deep expertise, diversity of experience, and commitment to public service will make her an outstanding addition to the Eastern District of New York.

The American Bar Association rated Ms. Merle "well qualified," and she has the strong support of her home state Senators, Mr. SCHUMER and Mrs. GILLIBRAND. I urge my colleagues to join me in supporting Ms. Merle's nomination.

VOTE ON MERLE NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the Merle nomination?

Mr. MENENDEZ. 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. THUNE. The following Senator is necessarily absent: the Senator from South Carolina (Mr. GRAHAM).

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

The result was announced—yeas 50, nays 49, as follows:

[Rollcall Vote No. 169 Ex.]

YEAS—50

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

NAYS—49

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

NOT VOTING—1

Graham

The nomination was confirmed. The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's actions.

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 Calendar No. 1, Treaty Document No. 112-8, Tax Convention with Chile, and a resolution of advice and consent to ratification with 2 reservations and 2 declarations.

Charles E. Schumer, Robert Menendez, Margaret Wood Hassan, Robert P. Casey, Jr., Benjamin L. Cardin, Catherine Cortez Masto, Patty Murray, Thomas R. Carper, Christopher Murphy, Chris Van Hollen, Tammy Baldwin, Jack Reed, Richard J. Durbin, Tim Kaine, Jeanne Shaheen, Richard Blumenthal, Christopher A. Coons, Cory A. Booker.

The yeas and nays are mandatory under the rule.

The question is, Is it the sense of the Senate that debate on treaty document No. 112-8, Tax Convention with Chile, and a resolution of advice and consent to ratification with 2 reservations and 2 declarations, shall be brought to a close?

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from South Carolina (Mr. GRAHAM).

The yeas and nays resulted—yeas 97, nays 2, as follows:

[Rollcall Vote No. 170 Ex.]

YEAS—97

Baldwin	Ernst	Merkley
Barrasso	Feinstein	Moran
Bennet	Fetterman	Mullin
Blackburn	Fischer	Murkowski
Blumenthal	Gillibrand	Murphy
Booker	Grassley	Murray
Boozman	Hagerty	Ossoff
Braun	Hassan	Padilla
Britt	Heinrich	Peters
Brown	Hickenlooper	Reed
Budd	Hirono	Ricketts
Cantwell	Hoeben	Risch
Capito	Hyde-Smith	Romney
Cardin	Johnson	Rosen
Carper	Kaine	Rounds
Casey	Kelly	Rubio
Cassidy	Kennedy	Sanders
Collins	King	Schatz
Coons	Klobuchar	Schmitt
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Cortez Masto	Lee	Scott (FL)
Cotton	Luján	Scott (SC)
Cramer	Lummis	Shaheen
Crapo	Manchin	Sinema
Cruz	Markey	Smith
Daines	Marshall	Stabenow
Duckworth	McConnell	Sullivan
Durbin	Menendez	Tester

Thune	Warner	Wicker
Tillis	Warnock	Wyden
Tuberville	Warren	Young
Van Hollen	Welch	
Vance	Whitehouse	

NAYS—2

Hawley Paul

NOT VOTING—1

Graham

The PRESIDING OFFICER (Mr. MURPHY). On this vote, the yeas are 97, the nays are 2.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The motion was agreed to.

TAX CONVENTION WITH CHILE

The PRESIDING OFFICER. The treaty will be stated.

The senior assistant legislative clerk read as follows:

TREATY DOCUMENT NO. 112-8, TAX CONVENTION WITH CHILE

The PRESIDING OFFICER. The majority leader.

AMENDMENT NO. 136

Mr. SCHUMER. Mr. President, I call up amendment No. 136.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER] proposes an amendment numbered 136.

Mr. SCHUMER. Mr. President, I ask unanimous consent to dispense with further reading of the amendment.

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

The amendment is as follows:

(Purpose: To add an effective date)

At the end add the following:

SEC. EFFECTIVE DATE.

This resolution of ratification shall take effect on the date that is 1 day after ratification.

Mr. SCHUMER. I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

UNANIMOUS CONSENT REQUEST—S. 1999

Mr. MARKEY. Mr. President, 1 year ago, the rightwing majority of the U.S. Supreme Court overturned decades of established precedent and stripped away the right to abortion in the *Dobbs v. Jackson Women's Health Organization* decision.

In this decision, the Supreme Court overturned the right of the American people to make decisions about their own bodies and their own health. That is why, 1 year ago, I filed the Right to Contraception Act with my colleagues Senators DUCKWORTH, HIRONO, BALDWIN, and MURRAY, and I stood here, much like I am today, to request unanimous consent to pass our legislation. The House of Representatives passed the bill by a bipartisan vote of 220 to 195 at that time. Unfortunately, the Republicans in this Chamber chose to block its passage.

Here is just a short list of what has befallen us since that time.

District court judges have blocked teens from accessing birth control at

federally funded clinics and taken aim at health insurance coverage for contraception. Extremist State legislators have restricted, criminalized, and stigmatized reproductive care, including by suspending payments for emergency contraception for survivors of sexual assault. And people are left paying more, traveling further, and working harder to get essential medication.

The threats to contraception are real and happening now. So I stand here today, once again, to invite every Member of the Senate to join me, Senator DUCKWORTH, Senator HIRONO, Senator BALDWIN, Senator MURRAY, and the 35 additional cosponsors to pass the Right to Contraception Act.

Cosponsoring this bill means that you support codifying the right to obtain and use contraception; enshrining Supreme Court precedent into Federal law, guaranteeing a healthcare provider's right to prescribe these products and services and to share information related to them; preventing the Federal Government and States from interfering with the right to contraception; and authorizing the U.S. Attorney General, healthcare providers, and all Americans harmed by unlawful restrictions to go to court to enforce the rights this bill establishes—because there is no right without a remedy.

Passing the Right to Contraception Act means setting the bare minimum standard that the right to contraception should be protected even if the Supreme Court, once again, overturns settled precedent.

Nine in ten Americans support the right to contraception. This is not just a moral duty but part of our duty to represent the will of the American people. The right to contraception is central to life, liberty, and freedom. This is for every person who wants to live without politicians in their homes and waiting rooms, especially women, Black, Brown, indigenous, LGBTQ+, rural, immigrant, low-income, and disabled Americans most impacted by the failures of this Supreme Court.

With the right to abortion stolen and the right to contraception now threatened, I urge my colleagues to stand with us and to pass today the Right to Contraception Act.

Mr. President, as in legislative session, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be discharged from further consideration of S. 1999 and the Senate proceed to its immediate consideration; further, that the bill be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Indiana.

Mr. BRAUN. Mr. President, reserving the right to object, this bill is not about contraception; it is about abortion.

The bill defines "contraception" as "any drug, device, or biological prod-

uct intended for use in the prevention of pregnancy, whether specifically intended to prevent pregnancy or for other health needs, that is approved by the FDA."

The FDA has approved dangerous chemical abortion drugs that can also be used as contraceptives off-label. There is a huge difference between a drug that blocks fertilization and a drug that can end a life.

This bill also includes a provision that would act as a guaranteed earmark for Planned Parenthood. Under the bill, the government could not directly fund a health organization unless it provides abortion drugs.

Finally, this bill does not respect freedom of conscience for healthcare providers. It would no longer allow for religious exemptions for organizations that have deeply held objections to providing abortions.

The bill uses intentionally vague language to hide its ulterior motive of protecting access to abortion drugs. For these reasons, I object.

The PRESIDING OFFICER. The objection is heard.

The Senator from Massachusetts.

Mr. MARKEY. This is an issue that we are going to return to. Justice Thomas, in his comments on the *Dobbs* decision, said that the decisions made by the Supreme Court that extended privacy rights were an overreach. This Supreme Court began with the *Dobbs* decision. It is very clear, because he mentioned it specifically, that the *Griswold* decision—the decision to, in fact, protect the right to contraception—is also now in the crosshairs of the Supreme Court. So it is imperative that we return to this law to begin the process of passing legislation to codify this protection for Americans.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

UNANIMOUS CONSENT REQUEST—S. 2053

Ms. CORTEZ MASTO. Mr. President, this Saturday marks 1 year since the Supreme Court overturned *Roe v. Wade* at the urging of extremist politicians upending 50 years of precedent protecting women's right to healthcare.

In the year since that decision, half the States in our country have banned or effectively banned access to abortion. Women in those States have extremely limited options for getting the healthcare they need. Those who can afford to travel have no choice but to go to other States to receive critical reproductive care.

That is what happened to Lauren Hall. She and her husband were excited that she was pregnant for the first time. But then she learned that her fetus was developing without a skull—a condition that meant it wouldn't survive. This condition also increased Lauren's risk of hemorrhaging. Her doctors at home in Texas refused to help her terminate the pregnancy, so she had to travel to Seattle, where she was finally able to get the abortion care that she needed. She is currently