

NAYS—44

Baldwin	Gillibrand	Peters
Bennet	Harris	Reed
Blumenthal	Hassan	Sanders
Booker	Heinrich	Schatz
Brown	Hirono	Schumer
Cantwell	Kaine	Shaheen
Cardin	Klobuchar	Stabenow
Carper	Leahy	Tester
Casey	Manchin	Udall
Cortez Masto	Markey	Van Hollen
Donnelly	McCaskill	Warner
Duckworth	Merkley	Warren
Durbin	Murphy	Whitehouse
Feinstein	Murray	Wyden
Franken	Nelson	

NOT VOTING—3

Coons	Sessions	Tillis
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The motion was agreed to.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The majority leader.

THE JOURNAL

Mr. MCCONNELL. Mr. President, I move that the reading of the Journal be waived.

The PRESIDING OFFICER. The question is, Shall the Journal stand approved to date?

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Alabama (Mr. SESSIONS).

Mr. DURBIN. I announce that the Senator from Delaware (Mr. COONS) is necessarily absent.

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

The result was announced—yeas 54, nays 44, as follows:

[Rollcall Vote No. 39 Leg.]

YEAS—54

Alexander	Fischer	Moran
Barrasso	Flake	Murkowski
Blunt	Gardner	Paul
Boozman	Graham	Perdue
Burr	Grassley	Portman
Capito	Hatch	Risch
Cassidy	Heitkamp	Roberts
Cochran	Heller	Rounds
Collins	Hoeven	Rubio
Corker	Inhofe	Sasse
Cornyn	Isakson	Scott
Cotton	Johnson	Shelby
Crapo	Kennedy	Sullivan
Cruz	King	Thune
Daines	Lankford	Tillis
Durbin	Lee	Toomey
Enzi	McCain	Wicker
Ernst	McConnell	Young

NAYS—44

Baldwin	Franken	Merkley
Bennet	Gillibrand	Murphy
Blumenthal	Harris	Murray
Booker	Hassan	Nelson
Brown	Heinrich	Peters
Cantwell	Hirono	Reed
Cardin	Kaine	Sanders
Carper	Klobuchar	Schatz
Casey	Leahy	Schumer
Cortez Masto	Manchin	Shaheen
Donnelly	Markey	Stabenow
Duckworth	McCaskill	Tester
Feinstein	Menendez	

Udall	Warner	Whitehouse
Van Hollen	Warren	Wyden

NOT VOTING—2

Coons Sessions

The PRESIDING OFFICER. The Journal stands approved to date.

The majority leader.

MOTION TO PROCEED TO EXECUTIVE SESSION

Mr. MCCONNELL. Mr. President, I move that the Senate proceed to executive session to consider Calendar No. 11, Elisabeth DeVos to be Secretary of Education.

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

Mr. MCCONNELL. 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 Delaware (Mr. COONS) is necessarily absent.

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

The result was announced—yeas 52, nays 47, as follows:

[Rollcall Vote No. 40 Leg.]

YEAS—52

Alexander	Flake	Perdue
Barrasso	Gardner	Portman
Blunt	Graham	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rounds
Capito	Heller	Rubio
Cassidy	Hoeven	Sasse
Cochran	Inhofe	Scott
Collins	Isakson	Sessions
Corker	Johnson	Shelby
Cornyn	Kennedy	Sullivan
Cotton	Lankford	Thune
Crapo	Lee	Tillis
Cruz	McCain	Toomey
Daines	McConnell	Wicker
Enzi	Moran	Young
Ernst	Murkowski	
Fischer	Paul	

NAYS—47

Baldwin	Harris	Nelson
Bennet	Hassan	Peters
Blumenthal	Heinrich	Reed
Booker	Heitkamp	Sanders
Brown	Hirono	Schatz
Cantwell	Kaine	Schumer
Cardin	King	Shaheen
Carper	Klobuchar	Stabenow
Casey	Leahy	Tester
Cortez Masto	Manchin	Udall
Donnelly	Markey	Van Hollen
Duckworth	McCaskill	Warner
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Franken	Murphy	Wyden
Gillibrand	Murray	

NOT VOTING—1

Coons

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Elisabeth Prince DeVos, of Michigan, to be Secretary of Education.

The PRESIDING OFFICER. The majority leader.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

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 Elisabeth Prince DeVos, of Michigan, to be Secretary of Education.

Mitch McConnell, David Perdue, Johnny Isakson, Tom Cotton, Mike Crapo, James E. Risch, Pat Roberts, Roy Blunt, John Boozman, Lamar Alexander, John Barrasso, Orrin G. Hatch, Jeff Flake, John Cornyn, Shelley Moore Capito, John Thune, Richard Burr.

The PRESIDING OFFICER. The Senator from Missouri.

NOMINATION OF NEIL GORSUCH

Mr. BLUNT. Mr. President, I am proud to have a chance to speak in support of your fellow Coloradan, Neil Gorsuch, President Trump's nominee to be an Associate Justice of the Supreme Court.

Clearly, we all understand this is an important decision and an important institution. The Supreme Court is the only Court specified in the Constitution and often the final arbiter of how the Constitution and the law is to be applied. In the history of the Court, in the history of the country, only 112 individuals have had the honor to serve on the Supreme Court. As we debate the qualifications and qualities of the person who has been nominated, and I hope to see confirmed as the 113th person to serve as an Associate Justice or a Justice on the Court, it is really vital we understand that we have a nominee who has a deep understanding and appreciation of the role of the Court and the role the Court plays in our democracy.

Judge Gorsuch embodies these principles through a lifetime of service, and he has really prepared himself in many unique ways for this moment. He graduated from Columbia University, where he was elected to Phi Beta Kappa and earned his law degree from Harvard Law School. After law school, Judge Gorsuch served as a Supreme Court clerk to two different Justices, Justice Byron White and Justice Anthony Kennedy. It has been pointed out that if Judge Gorsuch is confirmed to serve on the Court, he will be the first person ever to serve with someone for whom he clerked, and hopefully he and Justice Kennedy will have an opportunity to serve together.

After clerking on the Court, he went on to a successful career in private law