

interns from the Senate Committee on Energy and Natural Resources be granted privileges of the floor through March 15, 2019: Grant Cummings and Alexandra Ongman.

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

The PRESIDING OFFICER. The Senator from Nebraska.

UNANIMOUS CONSENT REQUEST—  
S. 130

Mr. SASSE. Mr. President, thank you.

In a few minutes, the U.S. Senate is going to have an opportunity to condemn infanticide. One hundred U.S. Senators are going to have an opportunity to unanimously say the most basic thing imaginable, and that is that it is wrong to kill a little newborn baby. Every Senator will have the opportunity to stand for human dignity, to stand for the belief that in this country all of us are created equal, because if that equality means anything, surely it means that infanticide is wrong.

Frankly, this shouldn't be hard. Politicians come to this floor every single day and talk about how they care for the poorest or the weakest or the most marginalized members of our society. In recent weeks, I have heard it stated this way in powerful, eloquent, and, from some ambitious Senators, very clear terms about human dignity.

One of my distinguished colleagues recently on the campaign trail declared rightly "that the people in our society who are the most often targeted by predators are also most often the voiceless and the vulnerable." Amen to that.

Another Democratic Senator seeking the Presidency said they seek to "build a country where no one is forgotten, no one is left behind." Amen to that.

Giving words of hope and encouragement, a third Senator reminded us that "no matter where you live in America . . . you deserve a path to opportunity." Amen to that.

A fourth continued that this individual was committed "to fight for other people's kids as hard as I would fight for my own." Yet again, Amen.

But, sadly, in the last week, these beautiful and inspiring words have been choked out by the ugliness and the cruelty from another public official. In Virginia, disgraced Governor Ralph Northam tarnished the American idea of equality under law. He betrayed the universal truth of human dignity, and he turned the stomachs of civilized people, not just in this country but in every country on Earth.

Governor Northam endorsed infanticide. He said:

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.

This was the quote—that the infant would be kept comfortable and resusci-

tated if that is what the mom and doctors wanted to do, and then they could have a debate about what to do next. He was literally talking about allowing space and time for a discussion about infanticide—no euphemisms or weasel words there. Infants can be kept comfortable and resuscitated, and baby girls could be left cold and alone to die.

Just a few years ago, the abortion lobby was really clear in its talk about hoping that abortion would be safe and legal, but rare. This was the slogan. Abortion would be "safe, legal, and rare." Now we are talking about keeping a baby comfortable while the doctors have a debate about infanticide. That is what we are talking about here on the floor tonight. We are not talking about second-trimester abortion. We are not having some big, complicated discussion about a mother's reproductive freedom. As important as all of those debates are, we are actually talking about babies that have been born.

The only debate on the floor tonight is about infanticide. The abortion industry's PR army couldn't defend this. Many in the national media decided to overlook it, but none of us in this body can escape it. What we are talking about on the Senate floor tonight is infanticide.

Instead of saying he misspoke and instead of offering an apology, the Governor of Virginia decided to double down on the ugliness and cruelty. This is not about a clump of cells. This is about fourth-trimester abortion. That is actually what we are talking about here tonight.

Governor Northam is a disgraced coward, and he has such an abysmally low belief of human dignity that he couldn't say this basic truth: It is wrong to let babies who have been born die. He couldn't say it.

This isn't about Republicans and Democrats. We are way beyond that. Everyone in the Senate ought to be able to say unequivocally that the little baby deserves life, that she has rights, and that killing her is wrong. Tonight every Member of this body has that chance.

The Born-Alive Abortion Survivors Protection Act prohibits exactly the kind of infanticide Governor Northam was endorsing. That is it. It is based on the simple idea that every baby deserves a fighting chance. It is a simple idea that every human being is an image bearer. Even the weakest and most marginalized among us is no less human, and every one of us has a moral obligation to defend the defenseless.

It is my understanding that some of my Democratic colleagues are prepared to object tonight. I humbly say that I don't understand why, and I beg you from the bottom of my heart not to do so.

Please don't betray the ideals that have been so eloquently expressed. Please don't reduce truths to an empty campaign slogan, and please don't take the principle of dignity and equality this cheaply.

There are two sides of the debate on the floor tonight. You are either for babies or you are defending infanticide. That is actually what the legislation is before us.

Please don't block this legislation. Please don't let Governor Northam define you. Don't let an extremist pro-abortion lobby and pledge hold you hostage. Please don't protect infanticide.

Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. 130 and that the Senate proceed to its immediate consideration. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER (Mr. SULLIVAN). Is there objection?

The Senator from Washington.

Mrs. MURRAY. Mr. President, we have laws against infanticide in this country. This is a gross misinterpretation of the actual language of the bill that is being asked to be considered, and, therefore, I object.

The PRESIDING OFFICER. The objection is heard.

Mr. SASSE. With all due respect, Mr. President—

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. SASSE. To the Senator from Washington, the bill we are talking about before this body tonight is because New York and Virginia—New York already and Virginia in debate—are having a conversation about removing exactly these protections. This debate is about infanticide and infanticide only, and this is a sad day for this body.

It shouldn't be controversial to say that a newborn child deserves to be treated with dignity and humanity. It shouldn't be difficult to say that babies who survive an abortion shouldn't be left to die cold and alone on that table.

I am sad, but I am not discouraged. I am actually encouraged by the strong group of Senators who cosponsored this legislation and who have come to the floor to support it tonight, and I am encouraged by the millions and millions and millions of pro-life Americans who continue to speak the truth in love. There is legislative work we need to do, but, far more importantly, in the movement for love and life and science and little babies, what we need to have happen is a lot more persuasion and a lot more conversation with our neighbors. A number of my colleagues on the floor tonight are prepared to do just that, and I look forward to listening to their eloquent and love-based, science-based speech.

Thank you.

The PRESIDING OFFICER. The Senator from Iowa.

Ms. ERNST. Mr. President, I rise today very, very disheartened, and I do want to thank the junior Senator from Nebraska for having this very difficult discussion on the floor of the Senate.

As my colleague from Nebraska was speaking, I felt a tightness in my chest. I am a mom. I have been through childbirth, and I can't imagine anyone taking my child, setting her aside, and then having a discussion on whether she should live or die. I can't imagine that. I can't imagine, after having such a precious thing as a child brought into the world, having these odious discussions of whether she should live. I can't imagine putting a baby through that.

So I am disheartened and I am absolutely appalled by the debate we have in front of us—a debate I would have once considered unfathomable on the floor of the U.S. Senate.

Many have often referred to this as the world's greatest deliberative body, but let me be clear, folks. There is nothing great, there is nothing moral or even humane about the discussion we have before us today.

Over the past week, we have witnessed the absolutely ugly truth about the far-reaching grasp of the abortion industry and its increasingly radicalized political agenda. Politicians have not only defended aborting a child while a woman is in labor but have gone so far as to support the termination of a child after his or her birth—a child—a baby.

Rationality, decency, and basic human compassion have fallen by the wayside. Somehow this conversation has devolved so completely that a bill prohibiting the murder of children who are born alive—a bill that simply prohibits infanticide—has tonight been blocked on the floor of the Senate. We have moved beyond all common sense, and this body can no longer unanimously condemn murder. We face a moral crisis when this body refuses to acknowledge the repugnancy and savagery of infanticide.

This assault on human dignity cannot stand. I urge my colleagues to set aside their partisanship and, instead, defend the most basic values of compassion and decency that should define our society. We can and we must do better, folks.

Again, I thank the junior Senator from the great State of Nebraska for his leadership on this issue, and I call on my colleagues to bring this commonsense legislation to the Senate floor for a vote. I also implore my colleagues.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. HAWLEY. Mr. President, I rise in support of S. 130, which I am proud to cosponsor. This legislation would ensure that healthcare providers treat babies who have been born alive, after failed abortion attempts, with the same care they would treat any other baby born at the same stage of pregnancy.

I also thank the Senator from Nebraska for his leadership on this issue and for bringing this issue to the floor.

In one sense, it is very hard to imagine this legislation is even necessary in

the United States of America. In the 21st century, when, every day, new, advanced technologies bring new revelations about the wonders of human life, it is hard to fathom the extremism of the politicians in New York and now in Virginia who would deny the protections of law to the most vulnerable members of our society—the innocent unborn—and allow them to be aborted, allow them to be killed right up to the moment of birth. It is hard to comprehend statements like those of Ralph Northam's, the Virginia Governor, who said that if he had his way, infants who survived abortion attempts would be delivered and kept comfortable—that is his word—while the doctors and the parents decided their fate. Is this really what it has come to in the United States? Is this really the social vision of today's Democratic Party? Frankly, I can't imagine a vision less just or less consistent with the goodness and compassion of the American people.

In another sense, perhaps we should not be so surprised. After all, the cruelty and extremism that has been advocated by a growing number of Democratic politicians made up the conventional wisdom for much of recorded history.

We often hail the ancient Greeks as the founders of democracy, but, of course, most of the Greeks believed that most humans were born to be slaves and that their lives were utterly worthless. Oh, they had a democracy, of course, but it was the democracy of the few ruling over the many.

The Romans took the same view. They kept most of their subjects in chains. They infamously killed children they didn't want and left them to be exposed on hillsides or in deserted places. The Romans had a republic, but citizenship was for the few. The strong ruled. Most lives, they thought, didn't matter.

This has been the general rule of the ages. The Aztecs, the Mayans, the Incas all practiced child sacrifice. Archaeologists recently discovered a burial ground dated to the tomb of the empire in Peru where more than 140 children were dismembered in a ritual of sacrifice. So it has gone down through the years. The strong prey upon the weak. The few rule the many. Individual lives don't count.

We here in the United States of America hold to a different conviction. Our Constitution was written and the whole edifice of American liberty depends on a very different belief, on a belief that is as simple as it is powerful—that every life matters. We believe and it is our pride to believe that every person has dignity and worth—worth that is not given to one by the strong or the rich, that does not come to one from the State or the city, that does not depend on place of birth or social status, but is one's by right because of who one is—a human being created in the image of the living God.

That is our faith, and against the drift of history, it is a revolutionary

creed. It is a creed that inspired the early Christians to rescue those infants the Romans left to die and to bring them up to be free. It led them to found hospitals and schools and, later, universities on the supposition that all people should be cared for, that all could learn, and that all could govern themselves. It is a creed that has brought down empires and raised up the forgotten.

It is the faith of our Constitution and of our whole way of life. Yes, we have struggled to realize it in this Nation. We have struggled to make it real, and we have fallen short many times, but this struggle for this faith defines our history and binds us together as Americans, and this faith is again at issue in our time.

I know some are tempted, when they see this rising tide of barbarism and cruelty, to feel despair, but I do not. I think of the words of Lincoln, who spoke of the unfinished work of this Nation, and I take courage that all of these years later, we are a revolutionary nation still.

So we must press forward in this generation for our revolutionary faith. Let us not go back to the darkness and cruelty of the past. Let us not go back to the arbitrary rule of the powerful and the few. Let us affirm again our founding belief in the equal worth and equal dignity of all. As we do, we will do our part for liberty and justice in our day.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, the Senate often does things by unanimous consent in areas in which there is really no common disagreement. This body will do a unanimous consent to congratulate the New England Patriots for winning the Super Bowl, and, unanimously, all of us will agree to congratulate them. Yet, today, the Senator from Nebraska brought up a very straightforward, simple bill: Do we as a nation permit infanticide?

For some reason, the New England Patriots is noncontroversial, but the death of children at their deliveries is controversial enough that my Democratic colleagues are blocking it. It is not some fancy, formal bill with a trick piece in it; it is a very simple, straightforward bill. Occasionally, an abortion is botched, and while they are actually trying to take the life of a child, the child is actually delivered. At that moment, the child is delivered and is on the table, crying, and the question is, Now what do we do?

Current medical practice is to back away from the child and allow him to die slowly on the table because there was supposed to have been an abortion, although the child was fully delivered and was on the table, with the umbilical cord attached, crying. It doesn't seem like this should be controversial; it seems like this should be as straightforward as congratulating the Patriots for winning the Super Bowl. How can we as Americans say no to a fully delivered child's life?

The question about abortion has been historically a question about, when does life begin? I am one of those crazy radicals who actually believe in science. I think, when cell division is occurring and when DNA is there that is different from the mom's and different from the dad's, that it is actually a different human being—a smaller human being but a different human being. That is what everyone in science believes. That child who is developing is alive. The day of his birth is just another day. Now, it is a pretty traumatic day for him to transition from being inside the womb to the outside, but birth is just another day of life for that child because he is fully developed. He was developing in the womb, and he is developing outside the womb. Every single person who can hear this has had the exact same experience of developing in the womb.

This seemed like a commonsense issue until the legislators in the State of New York, a few weeks ago, stood and cheered and applauded when they passed a bill for third-trimester abortions. These are ultra-late-term abortions. This is a fully viable child abortion.

Let me review quickly what the State of New York did. There are only four countries in the world that allow late-term abortions. There are only four left—North Korea, China, Vietnam, and the United States. Those in the New York Legislature stood and cheered that they are in the middle of the human rights-depraved nations of China, North Korea, and Vietnam. That is at 24 weeks and on. At 20 weeks, there is still Canada and the Netherlands and Singapore that are left, but by 24 weeks, at that late-term, Canada, the Netherlands, and Singapore drop off. They say: No, we are out. That is a fully viable child. Yet those in the New York Legislature stood and applauded.

It got one-upped in Virginia last week as the Governor of Virginia explained Virginia's late-term abortion bill as one-upping New York's. He said, in Virginia's bill, in his words, this is how it would work. If children have deformities, however that is defined, or for the mental or physical health, however they want to define that because there was no definition, they would deliver the child, make him comfortable, resuscitate the child if the mother wants, and then would discuss what to do with the child.

It is not enough for the State of New York to applaud late-term abortions and join North Korea, China, and Vietnam as the only places on Earth to allow this. No. The Virginia Democrats had to go one more and say: Let's deliver the children and then discuss it based on their deformities.

Back to the Super Bowl conversation, one of the most popular commercials in the Super Bowl was for a gaming system that showed kids with disabilities who played a video game just

like other kids, except now they want to decide at those children's births whether to just take their lives then. How in the world can we as a culture run a television commercial and say: That kid is just like that kid. Look, they play games just alike. But when they are little, let's deliver them and discuss it and figure out what we want to do.

This is infanticide. This is not about pro-life and pro-choice; this is pro-humanity. To get to the point at which we are discussing whether children live or die based on what they look like at birth and then, if they don't quite look right, we will take those lives is inhumane and is beneath us as a society. I cannot fathom the discussion that we are having on the floor of the U.S. Senate as to whether a fully delivered child lives or dies or discuss what happens during a botched abortion when a child is fully delivered. It used to be that my Democratic colleagues said life begins at birth. Now, apparently, it is not at birth anymore; it is unknown when life actually begins because it is a discussion we are going to have at their births now.

How can we block this bill? How can this, of all things, not bring unanimous consent? It is inhumane.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. BRAUN. Mr. President, I came here mostly to support my colleagues and to actually listen for an objection to a bill like this. For the short time I have been here, what a rude awakening as to what can happen.

Everything I have heard here makes sense, and I would just ask for the citizens across this country and for Hoosiers to weigh in. Let your Senators know that this is a step too far when something like this occurs in this Chamber, when it is crystallized so simply. You are either for or against infanticide, and I never imagined I would be seeing this so early in my tenure here. I ask for the folks across this country to make their voices heard because this is a tragedy that has happened.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. SASSE. Mr. President, this is gross, what has happened here tonight. We should pass this by unanimous consent. If we continue being unable to pass it by unanimous consent, a lot of us are going to continue to fight for a rollcall vote because it is the right thing to do. Those little babies aren't Republicans or Democrats; they are babies. They need protection from all of us.

I thank the Presiding Officer.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SASSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### PROVIDING FOR A JOINT SESSION OF CONGRESS TO RECEIVE A MESSAGE FROM THE PRESIDENT

Mr. SASSE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 9, which was received from the House.

The PRESIDING OFFICER. The clerk will report the concurrent resolution.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 9) providing for a joint session of Congress to receive a message from the President.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. SASSE. I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The concurrent resolution (H. Con. Res. 9) was agreed to.

#### UNANIMOUS CONSENT REQUEST— S. 1

Mr. SASSE. Mr. President, I ask unanimous consent that notwithstanding the provisions of rule XXII, all time postcloture on S. 1 be considered expired at 3:30 p.m. on Tuesday, February 5.

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

#### ORDERS FOR TUESDAY, FEBRUARY 5, 2019

Mr. SASSE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. tomorrow, Tuesday, February 5; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate resume consideration S. 1 and that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly conference meetings; finally, that all time during recess, adjournment, morning business, and leader remarks count postcloture on S. 1.

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