

do so by offering amendments to appropriations bills to undo the President's actions on the wall and to limit his flexibility to transfer and reprogram money, which he has so abused.

I urge all members of the committee to support me in this effort. Our country was built on the concept of separation of powers. This is meaningless if Congress cedes one of its most important powers to the executive branch or refuses to take a stand when the administration overreaches, ignores Congress, or breaks the law.

We may disagree on the utility of the President's wall, but we should not disagree on the constitutional role of this body. The President may not care about our system of checks and balances, but every one of us here should. Political winds tend to change direction. It is time to reassert ourselves and do so before it is too late.

I yield the floor.

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

Mr. LEE. Mr. President, 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. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER) and the Senator from Kansas (Mr. ROBERTS).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "yea."

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS), the Senator from Vermont (Mr. SANDERS), the Senator from Arizona (Ms. SINEMA), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

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

The result was announced—yeas 56, nays 38, as follows:

[Rollcall Vote No. 264 Ex.]

#### YEAS—56

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

#### NAYS—38

Baldwin	Cantwell	Duckworth
Bennet	Cardin	Durbin
Blumenthal	Carper	Feinstein
Booker	Casey	Gillibrand
Brown	Cortez Masto	Heinrich

Hirono	Merkley	Stabenow
Jones	Murray	Tester
Kaine	Peters	Udall
King	Reed	Van Hollen
Klobuchar	Rosen	Warner
Leahy	Schatz	Whitehouse
Markey	Schumer	Wyden
Menendez	Smith	

#### NOT VOTING—6

Alexander	Roberts	Sinema
Harris	Sanders	Warren

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 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 Elizabeth Darling, of Texas, to be Commissioner on Children, Youth, and Families, Department of Health and Human Services.

Mitch McConnell, Steve Daines, John Thune, John Cornyn, James M. Inhofe, Pat Roberts, Mike Crapo, Chuck Grassley, Richard Burr, John Barrasso, Jerry Moran, Roy Blunt, Shelley Moore Capito, John Boozman, Johnny Isakson, Thom Tillis, John Hoeven.

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 Elizabeth Darling, of Texas, to be Commissioner on Children, Youth, and Families, Department of Health and Human Services, 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. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER) and the Senator from Kansas (Mr. ROBERTS).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "yea."

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS), the Senator from Vermont (Mr. SANDERS), the Senator from Arizona (Ms. SINEMA), 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 yeas and nays resulted—yeas 57, nays 37, as follows:

[Rollcall Vote No. 265 Ex.]

#### YEAS—57

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

#### NAYS—37

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

#### NOT VOTING—6

Alexander	Roberts	Sinema
Harris	Sanders	Warren

Mr. CRUZ. On this vote, the yeas are 57, the nays are 37.

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 Elizabeth Darling, of Texas, to be Commissioner on Children, Youth, and Families, Department of Health and Human Services.

#### RECESS

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

Thereupon, the Senate, at 1:05 p.m., recessed until 2:15 p.m., and reassembled when called to order by the Presiding Officer (Mrs. CAPITO).

#### EXECUTIVE CALENDAR—Continued

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

Mr. SHELBY. 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 Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER) and the Senator from Kansas (Mr. ROBERTS).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "yea."