

the entire Commonwealth under a state of emergency to mobilize resources where they are needed most. Many families are evacuating toward safety. Approximately 2,400 people in eastern and southern Kentucky are still without power. Mudslides have closed roads. Bridges are flooded, and emergency personnel have been deployed to rescue stranded drivers and others in danger.

I want to express my gratitude to the first responders working around the clock to keep their communities safe. It may be a difficult road to recovery, but Kentuckians are already pitching in to help their neighbors in need.

My staff and I are ready to work with emergency management officials and will continue to monitor the situation closely.

BUSINESS BEFORE THE SENATE

Mr. McCONNELL. Mr. President, on an entirely different matter, this week the Senate will resume our work in the personnel business by considering yet another of President Trump's qualified judicial nominees.

Eric Miller has been chosen to sit on the Ninth Circuit Court of Appeals, and one look at his legal career to this point says he is well prepared to do so.

Mr. Miller is a graduate of Harvard and the University of Chicago, where he served on the Law Review editorial staff. He has held prominent clerkships on both the DC Circuit Court of Appeals and the U.S. Supreme Court. His record of public service at the Justice Department and in private practice reflects a legal mind of the highest caliber.

I hope each of my colleagues will join me in voting to advance the first circuit court nominee of this new Congress. That will be 31 since President Trump took office. But first, in just a few hours, the Senate will vote on advancing a straightforward piece of legislation to protect newborn babies. This legislation is simple. It would simply require that medical professionals give the same standard of care and medical treatment to newborn babies who have survived an attempted abortion as any other newborn baby would receive in any other circumstance. It isn't about new restrictions on abortion. It isn't about changing the options available to women. It is just about recognizing that a newborn baby is a newborn baby, period.

This bill would make clear that in the year 2019, in the United States of America, medical professionals on hand when a baby is born alive need to maintain their basic ethical and professional responsibilities to that newborn. It would make sure our laws reflect the fact that the human rights of newborn boys and girls are innate; they don't come and go based on the circumstances of birth. Whatever the circumstances, if that medical professional comes face-to-face with a baby who has been born alive, they are look-

ing at a human being with human rights, period.

To be frank, it makes me uneasy that such a basic statement seems to be generating actual disagreement. Can the extreme, far-left politics surrounding abortion really have come this far? Are we really supposed to think that it is normal that there are now two sides debating whether newborn, living babies deserve medical attention?

We already know that many of our Democratic colleagues want the United States to remain one of seven nations in the world that permit elective abortions after 20 weeks—seven countries, including North Korea, China, and the United States of America. But now it seems the far left wants to push the envelope even further. Apart from the entire abortion debate, they now seem to be suggesting that newborn babies' right to life may be contingent—contingent—on the circumstances surrounding their birth. Well, evidently, the far left is no longer convinced that all babies are created equal, but the rest of us are still pretty fond of that principle.

My colleagues across the aisle need to decide where they will take their cues on these moral questions. On the one hand, there are a few extreme voices who have decided that some newborn lives are more disposable than others. On the other side is the entire rest of the country.

I would urge my colleagues: Let's listen to the voices of the American people. Let's reaffirm that when we say every life is created equal, we actually mean it. Let's vote to advance the Born-Alive Abortion Survivors Protection Act later today.

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

The PRESIDING OFFICER (Ms. ERNST). Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

DECLARATION OF NATIONAL EMERGENCY

Mr. SCHUMER. Madam President, before Congress went out of session 2 weeks ago, President Trump announced that he was declaring a national emergency to redirect funds to the construction of a border wall. It was a lawless act, a gross abuse of power, and an attempt by the President to distract from the fact that he broke his core promise to have Mexico pay for the wall.

Let me give a few reasons why the President's emergency is so wrong.

First, there is no evidence of an emergency at the border. Illegal border crossings have been declining for 20 years. Just this morning, a group of 58 former senior national security figures, including Chuck Hagel and Madeleine Albright, released a statement saying: "Under no plausible assessment of the evidence is there a national emergency today that entitles the president to tap into funds appropriated for other purposes to build a wall at the southern border."

I ask unanimous consent that the full statement be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JOINT DECLARATION OF FORMER UNITED STATES GOVERNMENT OFFICIALS

We, the undersigned, declare as follows:

1. We are former officials in the U.S. government who have worked on national security and homeland security issues from the White House as well as agencies across the Executive Branch. We have served in senior leadership roles in administrations of both major political parties, and collectively we have devoted a great many decades to protecting the security interests of the United States. We have held the highest security clearances, and we have participated in the highest levels of policy deliberations on a broad range of issues. These include: immigration, border security, counterterrorism, military operations, and our nation's relationship with other countries, including those south of our border.

a. Madeleine K. Albright served as Secretary of State from 1997 to 2001. A refugee and naturalized American citizen, she served as U.S. Permanent Representative to the United Nations from 1993 to 1997. She has also been a member of the Central Intelligence Agency External Advisory Board since 2009 and of the Defense Policy Board since 2011, in which capacities she has received assessments of threats facing the United States.

b. Jeremy B. Bash served as Chief of Staff of the U.S. Department of Defense from 2011 to 2013, and as Chief of Staff of the Central Intelligence Agency from 2009 to 2011.

c. John B. Bellinger III served as the Legal Adviser to the U.S. Department of State from 2005 to 2009. He previously served as Senior Associate Counsel to the President and Legal Adviser to the National Security Council from 2001 to 2005.

d. Daniel Benjamin served as Ambassador-at-Large for Counterterrorism at the U.S. Department of State from 2009 to 2012.

e. Antony Blinken served as Deputy Secretary of State from 2015 to 2017. He previously served as Deputy National Security Advisor to the President from 2013 to 2015.

f. John O. Brennan served as Director of the Central Intelligence Agency from 2013 to 2017. He previously served as Deputy National Security Advisor for Homeland Security and Counterterrorism and Assistant to the President from 2009 to 2013.

g. R. Nicholas Burns served as Under Secretary of State for Political Affairs from 2005 to 2008. He previously served as U.S. Ambassador to NATO and as U.S. Ambassador to Greece.

h. William J. Burns served as Deputy Secretary of State from 2011 to 2014. He previously served as Under Secretary of State for Political Affairs from 2008 to 2011, as U.S. Ambassador to Russia from 2005 to 2008, as Assistant Secretary of State for Near Eastern Affairs from 2001 to 2005, and as U.S. Ambassador to Jordan from 1998 to 2001.