

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Eric D. Miller, of Washington, to be United States Circuit Judge for the Ninth Circuit.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I ask unanimous consent to speak as in morning business.

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

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Mrs. MURRAY. Mr. President, I am on the floor to talk about a vote that simply should not have taken place this evening. It was a vote on yet another attack from our Republican colleagues on women's health and their right to access safe, legal abortions—this time in the form of an anti-doctor, anti-woman, anti-family piece of legislation that medical experts strongly oppose. Republicans have spread a lot of misinformation about this bill, so let's be clear what it is not about and what it is actually about.

This bill is not about protecting infants, as Republicans have claimed, because that is not up for debate, and it is already the law. This bill is also not at all about ensuring that appropriate medical care is delivered, because it would make it harder for healthcare providers to provide high-quality medical care that their patients need and deserve.

The leading nonpartisan organization of OB/GYNs in our country has said this bill should never become law. It calls it "gross legislative interference into the practice of medicine" and "part of a larger attempt to deny women access to safe, legal, evidence-based abortion care." In fact, 17 top health and medical organizations wrote to Congress to insist that Democrats and Republicans vote this bill down.

Since this bill is not about infants or appropriate medical care, I am sure many people are wondering what exactly it is about. What would this bill really mean for women and families and healthcare providers?

If you are a woman, this bill would mean, if you were one of the very, very few women who needed an abortion late in your pregnancy, you could be legally required to accept inappropriate, medically unnecessary care—care that may directly conflict with your wishes at a deeply personal, often incredibly painful moment in your life—because politicians in Washington decided their beliefs mattered more than yours.

If you are a medical provider, this bill would supersede your years of medical training and your oath to deliver the best possible medical treatment to your patients. It would apply a one-size-fits-all set of requirements that does not reflect the reality that every pregnancy is different, and it would subject you to criminal penalties if you

were to choose to let medical standards, not politics, drive the care you offer to your patients.

For families who struggle with the painful reality that the children they had hoped for could not survive, as is tragically the case in many of the cases we are discussing, this legislation would take precedence over families' wishes as they grieve.

This bill is government interference in women's healthcare, in families' lives, and in medicine on steroids. As I said, it is anti-doctor, anti-woman, and anti-family. It has no place in becoming law. Its proponents claim it would make something illegal that is already illegal. So why are we debating this legislation that would take women backward when there are so many ways we should be advancing medicine, improving women's healthcare, and supporting families? As far as I can tell, it is because this bill is about something that Republicans care about more than almost any other priority; that, unfortunately, is the rolling back of women's constitutionally protected rights and trying to take us back in time before the Roe v. Wade decision.

Since day No. 1 of the Trump-Pence administration, this party has pulled every possible stop to appeal to its extreme anti-abortion base. Just last week, the Trump-Pence administration put forward a rule that would prevent healthcare providers at clinics that are funded through the title X family planning program from so much as informing patients about where to get an abortion even if that patient directly asks them for advice. This rule means trusted medical providers across the country may not be able to serve women and men who rely on them for contraception, cancer screenings, and more—all because Republicans are determined to make abortion impossible in the United States. That is just one of many examples.

To recap, this bill is completely unnecessary. It is harmful to women and families, and it would criminalize doctors. It is intended to do nothing except to help Republicans advance their goal of denying women their constitutionally protected rights. I am against it in the strongest terms. Everybody who cares about women, families, and doctors and about upholding the Constitution should be too, so I am glad the Senate voted tonight to stop this anti-doctor, anti-woman, anti-family bill from going a single step further.

The next time Republicans want to have a conversation about protecting infants and children, I am happy to talk about the babies and children who have been separated from their parents at the border or about improving access to early childhood education or about making sure coverage for maternal healthcare and preexisting conditions is not taken away. These are problems that do exist and that do need to be solved, and we are just as ready and willing to work on those as we are to stand up and say "absolutely not" to this harmful bill.

NOMINATION OF ERIC D. MILLER

Mr. President, in the very near future, my Senate colleagues will be asked to take an unprecedented vote—a vote that never should have been scheduled here in the first place.

Republican leaders are demanding that we move ahead and vote on President Trump's nominee to serve on the Ninth Circuit Court despite the fact that I and my colleague Senator CANTWELL have not returned our blue slips on behalf of our constituents in Washington State and despite the fact that the hearing for the nominee was a total sham. This is wrong, and it is a dangerous road for the Senate to go down. Not only did Republicans schedule this nominee's confirmation hearing during a recess period when just two Senators—both Republicans—were able to attend, but the hearing included less than 5 minutes of questioning—less questioning for a lifetime appointment than most students face for a book report in school.

Confirming this Ninth Circuit Court nominee without the consent or true input of both home State Senators and after a sham hearing would be a dangerous first for this Senate.

This is not a partisan issue. This is a question of the Senate's ability and commitment to properly review nominees. Yet, here we are on the Senate floor, barreling toward a vote to confirm a flawed nominee, who came to us following a flawed nomination process—all because a handful of my Republican colleagues will apparently stop at nothing to jam President Trump's extreme conservatives onto our courts, even if that means trampling all over precedent, all over process, or any semblance of our institutional norms.

Maybe Republican leaders are hoping most Americans aren't paying attention to what is happening right now in the Senate—that somehow tossing out Senate norms in order to move our country's courts to the far right will go unnoticed.

Well, I am standing here right now to make sure everyone knows because I, for one, fear the short- and long-term consequences of letting any President steamroll the Senate on something as critical as our judicial nominees—the very men and women who are tasked with interpreting our Nation's laws and making sure they serve justice for all Americans.

I fear the consequences of abandoning the blue-slip process and, instead, bending to the will of a President who has demonstrated time and again his ignorance and disdain for the Constitution and the rule of law.

At a time when we have a President whose policies keep testing the limits of law—from a ban on Muslims entering the United States to a family separation policy at our southern border—it is very important, more than ever, that we have well-qualified, consensus judges on the bench.

Let's be very clear. Trump cannot steamroll the Senate by himself. But in