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## Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Majestic God, we ask for the fruits of Your unrivaled wisdom in these challenging times. Give our leaders the strength and courage to triumph over stagnation and conflict, and grant us forgiveness for our shortcomings.

We praise You, O Lord, for we belong to Your Kingdom, and we are Your children. Bestow upon our great Nation Your everlasting light, and let Your perpetual goodness shine upon us.

Lord, our greatest debt of gratitude is owed to You, for without You, we can do nothing. Give us, this day, light to guide us, courage to support us, and love to unite us.

We pray in Your merciful Name. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mrs. HYDE-SMITH). The majority leader is recognized.

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Mr. McCONNELL. Madam President, the Senate had an opportunity yesterday to affirm our commitment to the dignity of human life. We had a chance to state plainly that newborn babies who happen to have survived abortions

are entitled to the same legal protections and professional care as other newborns.

In all honesty, the fact that this legislation even needed to be written is a sad reminder of the degree to which our society is at risk of losing some crucial moral bearings, and the fact that the U.S. Senate could not even vote to advance this bill is beyond dismaying.

The legislation was silent on the abortion issue. All it would have done is to have affirmed the rights of these newborn babies, but apparently even that was a bridge too far, not just for the far-left fringe—not anymore—but for the vast majority of our Democratic colleagues right here in the Senate.

We are no longer dealing with a normal, traditional Democratic Party; we are looking at a party that has been dragged so far to the left, it would have been unrecognizable to folks just a few years ago. In 1996, Senator Daniel Patrick Moynihan condemned partial-birth abortion by comparing it to infanticide. He was a distinguished, mainstream Democratic Senator from New York about 20 years ago. And today? Ninety-four percent of Senate Democrats could not even vote to protect babies after they are born. The only explanations they could offer were bizarre euphemisms and vague references to issues that have no bearing once a child has already been born alive.

It was a sorry display, but I can say this: This fight isn't over. The Republicans will not let this stunning extremism from our Democratic colleagues be the last word on this subject.

### NOMINATION OF ERIC D. MILLER

Mr. McCONNELL. Madam President, on another matter, fortunately, the Senate did make progress in another area. Yesterday, we advanced what will be the 31st circuit court nomination to

be confirmed so far during the Trump administration.

As I discussed yesterday, Eric Miller has a distinguished record in both public service and private practice. He holds degrees from Harvard and the University of Chicago, and his legal experience includes holding prestigious clerkships on our Nation's highest courts. Yet, rather than take my word for it, I urge my colleagues to consider the endorsements of those with whom the nominee has studied and worked.

For example, 54 members of the University of Chicago Law School's class of 1999, with their wide-ranging views on politics and judicial philosophy, have offered a ringing endorsement for Eric Miller. In a letter to our colleagues on the Judiciary Committee, they cite Mr. Miller's "diligent work ethic, his keen legal mind, and his deep consideration for every legal issue he confronts." All in all, his classmates—many of whom have also been his colleagues over the years—say that Mr. Miller is "extraordinarily well qualified to serve as a Federal judge."

I urge each of my colleagues to join me in voting to confirm this fine nominee soon.

### VOTER FRAUD

Mr. McCONNELL. Madam President, on a final matter, anyone who has been attentive to the news these past few days has learned about the complete debacle that unfolded in last November's election for North Carolina's Ninth Congressional District. Soon after election day, allegations of illegal ballot harvesting and vote tampering clouded a close result. The wrongdoing seemed to have benefited the Republican candidate over the Democratic. Just last week, we saw the State Board of Elections unanimously call for a new election.

For years and years, every Republican who dared to call for commonsense safeguards for Americans' ballots

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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was demonized by Democrats and their allies. We were hit with leftwing talking points that insisted that voter fraud was not real—it never happens, they said—that fraud just didn't happen and that modest efforts to ensure that voters are who they say they are and are voting in the proper places were really some sinister, rightwing plot to prevent people from voting.

As you might expect, now that an incident of very real voter fraud has become national news and the Republican candidate seems to have benefited, these longstanding Democratic talking points have been really quiet. We haven't heard much lately from the Democrats about how fraud never happens. They have gone silent. Now some are singing a different tune. There is a new interest in ensuring the sanctity of American elections.

I have been focused for decades on protecting the integrity of elections, so I would like to welcome my friends on the left to their new realization. They have just discovered that this subject really matters, but I have yet to see any evidence that they are actually interested in cleaning up the conditions that lead to messes like this one in North Carolina.

At the root of the North Carolina debacle is a practice that is known as ballot harvesting. Essentially, it is a means by which campaign representatives can collect absentee ballots on the premise of delivering them to a polling place or an election office. That is what ballot harvesting is. So think about it. Who in American politics keeps long lists of potential voters? Who mobilizes networks of people to go door-to-door? Who funds and stands up to these kinds of canvassing organizations? Who does those things?

I am sorry to say that there are not huge teams of politically neutral Eagle Scouts who rove the country and hope to use ballot harvesting to politely make voters' lives more convenient. This is not an Eagle Scout activity. The folks who really lick their lips at the prospect of mass ballot harvesting are political operatives, of course—political operatives, interest groups, and one-sided political machines. This is why many jurisdictions, including in North Carolina, have outlawed the practice altogether. I will say that again. Many jurisdictions, including in North Carolina, have outlawed this practice altogether.

Ballot harvesting threatens to change the nature of our representative democracy. Forget about persuading people and spurring them to turn out to the polls; this practice makes elections a kind of scavenger hunt to see which side's operatives can return to headquarters with the most ballots in the trunks of their cars, and once those operatives take ahold of these ballots, the voters have no way to keep tabs on whether they were ever delivered.

Of course, a system that invites political operatives to be rewarded for

turning up ballots will open the door to misbehavior. Remember, it is illegal in North Carolina and in most States for the obvious reason, but I have noted with interest that the Democrats' new focus on this practice has yet to extend to California. I wonder why. Well, in California, it is legal. It is a common practice in California. California allows anyone—not just family members but anyone—to show up at polling places on election day with ballots that are not theirs. Welcome to California.

Reports suggest that Orange County alone saw—listen to this—250,000 absentee ballots dropped off on election day last year. The county's registrar told the newspaper that some individuals dropped off hundreds of other people's ballots. We have no way to know if those ballots were sealed or if the people had even voted when they were harvested. The only evidence we have that the voter cast his or her ballot is the signature.

This past election cycle turned out favorably for California Democrats, amazingly enough. These late-arriving ballots seemed to help turn several races their way. Maybe this helps explain why: When House GOP leaders expressed concern over ballot harvesting in California, the State's Democratic secretary of state mocked their concern by saying: "What they call strange and bizarre we call democracy." Now ballot harvesting has thrown out an election result in the U.S. House of Representatives—legal in California, illegal in North Carolina.

Maybe that helps explain why, as it stands, the Democrat Politician Protection Act—Speaker PELOSI's massive new Federal takeover of the way States and communities run their elections—contains no effort whatsoever to crack down on ballot harvesting. It is not in there. Instead, it contains provision after provision that would erode the protections that are supposed to ensure votes reflect the voices of the voters whose names are on the envelopes.

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Provision after provision would erode commonsense protections and bring the guardrails down. So would a serious reform bill aimed to take away States' abilities to impose meaningful ID or signature requirements for voters. Would someone concerned about restoring democracy dismiss signature verification as an obstacle to be removed? I don't think so.

Perhaps these facts signal that Democrats see a political advantage in eroding commonsense protections and would rather keep that advantage than make episodes like the North Carolina mess less likely to happen in the future.

An example of real-live voter fraud is staring the country right in the face right now in North Carolina. Yet

Democrats choose at this moment to propose a sprawling Federal takeover of election law that would erode the integrity of our elections even further.

So that, I think, pretty well underscores what the priorities of today's Democrat Party is.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session and resume consideration of the following nomination, which the clerk will report.

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

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

The PRESIDING OFFICER. 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, today, the House of Representatives will take up a motion to terminate the state of emergency proclaimed by President Trump. For many reasons, the measure should pass with bipartisan support.

First, Members of both parties know there is no actual emergency at the border. Nearly 60 former national security advisers—Democrat and Republican, bipartisan—including former Secretaries of State and Defense, have written a statement saying there is "no factual evidence of an emergency at the border." The President himself said, when announcing the state of emergency, that he "didn't need to do this."

An emergency, by definition, is something you need to do. It is an emergency. In the President's own words, this is not a state of emergency.

If we let Presidents, whomever they be—Democrat or Republican—willy-nilly, because they want to get something done, just declare an emergency when it is clear it has been a long-term