

pay for the health services she needed, but the radical Trump appointee in charge, well known for his anti-abortion views, decided it would be in her best interest to find adult sponsors for her first, presumably to help her make a decision, but the Texas court had already decided she could make her own decision, and she did.

She challenged the Trump appointee and his Agency, and ultimately a majority of the DC Circuit agreed with her that she had the legal right to an abortion and the Federal Government could not delay any further.

Brett Kavanaugh, sitting on that circuit, disagreed and wrote a dissent, which must have captured the attention of those in charge of Donald Trump's Supreme Court short list because not long after his name appeared on that list.

What did he write to earn his place on the list and eventually a nomination to the U.S. Supreme Court? He wrote a dissenting opinion that falsely characterized the *Garza* case as one about parental consent, which we know was not so because a judicial bypass was already in place.

He wrote the dissent using the code words of the extreme anti-choice and anti-women wing of the Republican Party. He accused the majority on that court of creating "a new right for unlawful immigrant minors in U.S. government detention to obtain immediate abortion on demand." He was wrong. There was no new right being created.

He falsely claimed that by permitting the abortion "[t]he majority's decision represents a radical extension of the Supreme Court's abortion jurisprudence." He was wrong again. The majority decision was correct under *Roe v. Wade*.

He wrote it was not an undue burden for this young woman to be prevented from getting an abortion until a sponsor family could be found for her. This was not even a legal argument, but he based his dissent on it. That is the dissent that moved Brett Kavanaugh to the head of the line on the short list for a nomination to the U.S. Supreme Court, where he sits.

So when he came to the Judiciary Committee for a hearing, some Senators—myself included—were rightly skeptical that he would respect precedent if confirmed. At his hearing, Ranking Member DIANNE FEINSTEIN asked Judge Kavanaugh about *Roe v. Wade* and its status as settled precedent. He testified that *Roe* was "settled as a precedent of the Supreme Court, entitled to respect under principles of *stare decisis*."

He further went on: "Planned Parenthood v. Casey reaffirms *Roe* and did so by considering the *stare decisis* factors. So *Casey* now becomes a precedent on precedent."

It sure sounds like someone who will apply the precedents of *Roe* and *Casey* and others who rely on them, doesn't it? That is not so.

The very first opportunity he got, Brett Kavanaugh, as Supreme Court Justice, voted against following precedent. Not 4 months after his confirmation, Justice Kavanaugh voted in the minority in a Supreme Court case called *June Medical Services v. Gee* to allow a restrictive, anti-abortion law in Louisiana to take effect.

This law would have so restricted access to abortion that only one provider would have been left in the entire State of Louisiana of 4.7 million people. Even Chief Justice Roberts voted with the majority to block the law. That is because it was clear from recent precedent in *Whole Woman's Health v. Hellerstedt* that such restrictions don't meet constitutional standards.

Justice Kavanaugh's cavalier attitude to the burden that he would put on a woman's ability to exercise their constitutional right is no surprise. His callous disregard for the way unwanted pregnancies can change the lives of women and children is not unexpected, and his willingness to hew to the party line of his supporters and ignore the assurances he gave the Senate is simply par for the course with Trump judicial nominees. This is what they do. It is an abuse of power, and women across the country are paying for it.

Why do my colleagues across the aisle use this Chamber, time and again, to bring forward political shams that shame and retraumatize women who face profoundly heartbreaking situations? The will of over half of this country is 67 percent of Americans support *Roe v. Wade* and access to safe and legal abortion. Sixty-seven percent of Americans support a woman's right to choose.

How is it that Republicans continue to bring forward bill after bill and amendment after amendment that goes against a constitutionally protected right of women—of women? This is why I say Republicans hurt women.

I am proud of the vote I cast in opposition to the sham bill we voted on this week. My vote was rooted in fact and understanding about what an abortion in later pregnancy actually means. It was rooted in the understanding that when faced with these difficult situations, these decisions are best left to a woman and her doctor. These decisions should not rest with the U.S. Senate.

My vote was cast with a clear understanding that if unchecked or unchallenged, this administration and this Senate will continue to assault a woman's right to choose and chip away at it bit by bit, where it will end up being a nullity, and that is what they want.

I will continue to stand in opposition to attacks that seek to limit the personal freedom of women across the country and what would be more of a personal freedom for a woman than to exercise control over her own body?

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

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

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

CONFIRMATION OF ANDREW WHEELER

Mr. PETERS. Mr. President, I rise today to discuss why I voted in opposition to the confirmation of Andrew Wheeler for the position of Administrator of the Environmental Protection Agency.

Clean air and clean water are not only vital to our public health; they are at the very heart of our economy. Nowhere is that more apparent than in my home State of Michigan, where we are blessed to be surrounded by the Great Lakes, a source of drinking water for more than 40 million people and the lifeblood of our State's multi-billion-dollar fishing, shipping, and tourism industries. That is why I spent my entire career in public service fighting to protect our environment.

In the Michigan State Senate, I worked to ban oil drilling under the Great Lakes to preserve our most precious source of drinking water. When I represented the city of Detroit in the House of Representatives, I fought to end harmful air pollution coming from piles of petcoke that left homes coated in dust while being breathed into the lungs of residents.

In my first term in Congress, I supported landmark climate change legislation that sought to drastically reduce deadly greenhouse gas emissions that are continuing to warm our planet at an unsustainable rate. In the U.S. Senate, I led the charge to protect the Great Lakes from pipeline spills and pressured industry to cut down their deadly sulfur-dioxide emissions that give Michigan communities some of the highest rates of asthma anywhere in the country.

I have championed these vital efforts because protecting our environment in Michigan is in the best interest of everyone, and I will never let up on that fight. There is so much more work to do and even more pressing challenges ahead of us. We cannot afford to turn back the clock on clean energy innovation or refuse to address climate change, and that is, unfortunately, what we can expect from the EPA now that Andrew Wheeler has been confirmed. His entire career has been devoted to undermining public health and environmental protections.

As Acting EPA Administrator, he is personally responsible for the most significant efforts to roll back our Nation's bedrock environmental laws in the Agency's history. He oversaw the proposed rollback of Clean Water Act protections that safeguard drinking water for tens of millions of people. He is leading efforts to weaken standards on the largest sources of greenhouse gases and to reduce protections against climate change. When he was a Senate staffer, he drafted the so-called "Clear

Skies Act," which was directly intended to undermine the Clean Air Act.

As a lobbyist for Murray Energy, Wheeler represented a company that didn't just knowingly violate environmental laws but consistently put its own employees' safety at risk by undermining basic protections for coal miners. He has even undermined the widely supported mercury and air toxics standards. These commonsense standards would have protected people, particularly children, from a well-known neurotoxin that impairs fetal brain development and reduces children's ability to learn.

Every single one of these actions has a direct bearing on human lives and has put people at risk. In Michigan we have witnessed firsthand the visceral and painful human costs when public leaders fail to keep our drinking water and our air quality safe. Just ask the people of Flint whom they would want to have in charge of protecting their drinking water. I can tell you it certainly is not Andrew Wheeler. The city, the State, and the EPA all contributed to the crisis that poisoned thousands of children through lead exposure, and now those children will suffer lasting consequences for the rest of their lives.

While I am proud that the Senate was able to come together to provide initial Federal funding to help Flint replace its lead pipes, the community needs continued support going forward. I am committed to doing everything in my power to ensure that the people of Flint are made whole, and that included my opposing this nomination. We cannot allow the failures of leadership that led to Flint's devastating crisis ever be repeated again.

The people of Michigan and of every State deserve to know that their air is safe to breathe and their water is safe to drink. Yet communities across my State and around the country are facing another emerging drinking water crisis. This time it is from toxic fluorinated chemicals, known as PFAS, that are currently unregulated by the EPA. Rigorous testing has found that 1 out of every 10 water systems in my State has unacceptable high rates of PFAS chemicals. Families across the State have been exposed to these dangerous chemicals that have been linked to cancer, thyroid and heart problems, and even autoimmune issues. But under Wheeler's leadership, the EPA has failed to take aggressive action to list PFAS chemicals as hazardous waste and to establish strong and forcible limits to protect drinking water and to limit exposure to these toxic substances.

While I work to bring Senate action to this issue through legislation and hearings, the Wheeler-led EPA thinks action can wait. Michigan families certainly deserve better. My constituents are understandably concerned about their drinking water, and they are rightfully skeptical about who will be at the helm of the Agency charged with keeping water safe.

Since Wheeler has failed to exercise the leadership needed to address the environmental concerns we face on a national level, it is clear that he is completely unprepared to lead the Agency charged with tackling the global crisis of climate change. We must confront climate change. I have been advocating for action since before I ran for Congress. It is an issue impacting our economy, our health, our safety, and our national security. I am committed to continuing to work with my colleagues to find innovative and achievable solutions to address climate change, but we also need a leader at the EPA who can find commonsense ways to address this very serious threat, to protect our environment, and to ensure that our country can remain economically competitive. We need a leader who will fight to protect the people and the interests of my State. Given his abysmal record, it is clear that Andrew Wheeler isn't the right person for the job, and that is why I voted against his confirmation.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

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

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

#### TRIBUTE TO JEAN POLLARD

Mr. SULLIVAN. Mr. President, as you know, I try to come down to the floor every week to talk about someone in my State who is making a big difference in Alaska, a big difference in their country, and a big difference in what I believe is the best State in this country. That is just my opinion. I am sure the Presiding Officer thinks his State is the best in the country, but that is why we are all here in the Senate.

Of course, Alaska is beautiful, particularly now as the snow is on the ground and the Sun is out. It is back out and high in the sky. It is also nearly time for the Iditarod—the last great race—something, I am sure, Senator MURKOWSKI and I will be talking about on the floor in the coming weeks. It kicks off this weekend.

We know it is a beautiful and amazing State, but what really makes Alaska such a great place are the people—the people who work tirelessly for causes they believe in.

Many people don't know this, but Alaska is also incredibly diverse. In fact, Anchorage—my hometown and the State's largest city—is home to the country's three most diverse census tracts, racially and in terms of nationalities. By the way, the fourth is Queens, NY.

I will just give you an example. Last week, we had this great event called Bridge Builders. It was in Anchorage. There were all of these different ethnic communities in Anchorage coming together. I spent a lot of time there on Saturday.

We are very proud of our diversity. We are proud that more than 100 languages are spoken in our schools. Think about that if you want to talk about diversity. We are proud of the foods and the cultural events. We are proud of the unique tapestry that makes up Alaska.

We are very proud of our history, and we are also blessed to have people who work diligently for all of us to keep history alive. I can think of no better way to cap off Black History Month than to recognize someone who, for years, has been fiercely determined to unearth a very important part of Alaska's history—actually, a very important part of America's history—one that transpired in my State but that greatly influenced our Nation during a very critical time.

I want to introduce you to Ms. Jean Pollard. She is our Alaskan of the Week. Jean has brought back the story of the African-American Army Engineers of the 93rd, 95th, and 97th regiments who were in the U.S. Army during World War II and stationed in Alaska during World War II.

More than 3,000 of these brave soldiers were integral in Alaska in building what we call the Alcan Highway—the Alaska-Canada Highway—one of the 20th century's greatest engineering feats.

Let me tell you about Ms. Pollard. Now a retired schoolteacher, she grew up in Georgia. When she was a teenager, her father, who was in the Army, got transferred to Alaska. Like all Alaskan students—like our good students, our pages in the Senate—she took a class on her State's history—Alaska history—in high school.

During the class, she learned about how the Army built the Alcan Highway in 1942 to help defend Alaska and America from invasion by Japan. A lot of people don't know this. Yes, Alaska was invaded and occupied by the Japanese military during World War II in the Aleutian Islands. I am going to talk about that a little bit more.

She learned about this in high school. It was a good story, but the most important element she was taught in high school was actually left out. The highway was only able to be finished because of the more than 3,000 African-American soldiers who built it.

So after getting a master's degree in education and a minor in history and after being a teacher for decades, Ms. Pollard only learned the entire story herself when she was sitting home one Friday night watching a PBS documentary about the building of this incredible highway.

What did she learn? Again, let's go back in time. It is March 1942, 3 months after the Japanese attacked Pearl Harbor. As the war effort was heating up, construction began on a 1,700-mile-long vital link connecting the great State of Alaska—it wasn't a State then; it was a territory—the lower 48 for the war effort.

Soon a massive mobilization followed—about 10,000 Army troops. Huge