

When you look at that record, it is an exemplary record of unstinting public service in the best interests of the civil rights and equal rights of our country. That is why, with his background, his experience, and his dedication to fairness and justice, the fact that he has actually worked in the Senate on the HELP Committee—the committee that has jurisdiction over the Department of Labor—gives tremendous weight to his background and insight into how to be a truly great Secretary of Labor.

So we will vote next week. I hope there are not other kinds of roadblocks—unfounded roadblocks—thrown into the path of his confirmation. We will do everything we can to make sure this good person takes his rightful place as our next Secretary of Labor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Utah.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

UNANIMOUS CONSENT REQUESTS

Mr. LEE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 133 submitted earlier today. I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Connecticut.

Mr. BLUMENTHAL. Reserving the right to object, I will have a request with another resolution momentarily, but I understand the resolution of my friend from Utah. I believe this problem is broader than the one cited in his resolution. In fact, looking to the conduct of the Philadelphia instance, I would prosecute that case to the fullest extent of the law. I think the conduct—or, more correctly, misconduct—in that instance was absolutely despicable and abhorrent.

I am concerned about patient safety in a variety of areas. They may be a small fraction of the total number of health care cases in this country, but anytime, anywhere patients are endangered or threatened by criminal conduct or malpractice, people should be prosecuted and disciplined to the full extent of the law. These cases shock and horrify our sense of decency and we understand the responsibility of health care practitioners anywhere, anytime.

My resolution, which I intend to offer after the Senator from Utah concludes his, will call upon our colleagues to condemn these actions in all health care settings, whether clinics, hos-

pitals, nursing homes, or dental offices across the country.

So with that, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Utah.

Mr. LEE. Mr. President, this week in Philadelphia, a jury is deliberating the case of Kermit Gosnell. That doctor has been charged and tried for some of the most gruesome atrocities ever encountered by the American justice system.

As the grand jury opened its harrowing report:

This case is about a doctor who killed babies and endangered women. What we mean is that he regularly and illegally delivered live, viable babies in the third trimester of pregnancy—and then murdered these newborns by severing their spinal cords with scissors.

Yet according to defense attorneys, Dr. Gosnell is not a monster, not a serial killer, not a predator of vulnerable mothers and their helpless children. He is just an abortionist.

Mr. President, let me suspend my speech momentarily. I understand my friend, the Senator from Connecticut, wishes to make a motion.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I wish to offer the resolution that I and Senator BOXER, who is a long-time champion of better health care for the citizens of our country, and Senator SHAHEEN, expressing the sense of the Senate that these practices will not be tolerated in any setting, regardless of personal beliefs about the type of health care being offered.

This resolution is broader than the resolution of the Senator from Utah. I understand and sympathize with the basic objectives which, as I understand it, are to improve health care generally and to make sure the kinds of abuses being prosecuted in Philadelphia will not occur anywhere in this country.

I offer my resolution calling on the Senate to condemn such practices in all health care settings, be they clinics or hospitals, dental offices, anywhere in this country. They may be a small fraction and, hopefully, are a very small fraction, of the kinds of cases we would want to condemn. But we should condemn them wherever they occur, not just in one instance, not just singling out one case, but everywhere, anytime.

I might add as a former U.S. attorney that while this case is before the jury, I think we need to be very careful about what we say in a public forum as respected as this one about the facts of that case and about potentially prejudging the result. My understanding is the jury has not yet come back. If the allegations are true—if the jury concludes they have been proved beyond a reasonable doubt—then the punishment should certainly be sufficiently severe and serious to fit those circumstances and well deserving of our condemnation. But equally deserving

of our condemnation are any circumstances where health care patients are put in danger, where safety is in peril, where the consequences do damage, or threaten damage, to the recipients of health care. Whatever the kind of health care, whatever we may think of it personally in terms of the merits and the type of care provided, we ought to condemn it, and that is the purpose and sense of the resolution I am offering.

So if I may, I ask unanimous consent that the Senate proceed to the consideration of a Senate resolution expressing the sense of the Senate regarding all incidents of abusive, unsanitary, or illegal health care practices be condemned—the text is at the desk; and I ask that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Utah.

Mr. LEE. Reserving the right to object, as my friend, the Senator from Connecticut, is aware, we have only just received the language of this resolution in the last few minutes. Without having to read it closely, I am reluctant to grant consent at this time. But I will say I am heartened, and I think all Americans should be heartened, and the entire pro-life movement should be heartened by the clear implication that health regulations should be equitably applied and enforced on abortion clinics as they are on other health care facilities.

Part of the reason we fear that Dr. Gosnell's clinic, if, in fact, the allegations are proven true, was not a rare outlier is that abortion clinics are generally held to the same safety standards as hospitals, ambulatory, surgical facilities, et cetera. So on that basis, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Utah.

Mr. LEE. Mr. President, if I may continue my remarks which I started a few moments ago.

According to his defense attorneys, then, Dr. Gosnell is not a monster, not a serial killer, not a predator of helpless mothers and their children. He is just an abortionist. In this context, Dr. Gosnell's alleged crimes were just abortions, and his facility, the so-called Women's Medical Society—reportedly strewn about with animal waste, infectious instruments, and fetal remains—was not, as the grand jury alleged, “a baby charnel house.” No, it was just a clinic.

His staff of allegedly unqualified, untrained frauds were not coconspirators in the contract killing of newborns. No, they were just health care providers. And the failure of local health inspectors and political officials to investigate repeated claims of Dr. Gosnell's barbarism was just a bureaucratic oversight—perhaps—or perhaps, as the

panicked abortion industry would have us believe, Dr. Gosnell is an outlier, an outcast, nothing like the professional, competent, law-abiding late-term abortion providers around the country. But then again perhaps not.

Just a few weeks ago, a Planned Parenthood representative testified before the Florida State legislature and suggested that infants born alive during botched abortions might not be entitled to medical attention—in clear violation of Federal law, to say nothing of fundamental human rights and dignity. Even since then, undercover videos have caught late-term abortion providers telling pregnant mothers that even if their babies are accidentally born alive during the procedure, even if the law requires them to treat the newborn as a patient and citizen of the United States, and also telling them that even if the baby is born somewhere other than their clinic, they will see to it that the child does not survive.

So is the case of Dr. Gosnell an outlier or is the legitimacy of the late-term abortion industry merely a lie? The American people deserve to know.

Yesterday I introduced legislation to end the practice of late-term abortion in Washington, DC, after 20 weeks, the point at which science tells us unborn children can feel pain, in light of the chilling details coming in from Pennsylvania, Maryland, the District of Columbia, and various abortion clinics around the country that late-term abortions on pain-capable, unborn children are an important issue we need to debate.

Opinions will obviously be divided, as they always are on abortion-related issues. But we owe it to the American people to see if we can find common ground to protect innocent women and innocent children.

But there should be no division or controversy surrounding the sense-of-the-Senate resolution I called up a few minutes ago. The resolution has the support of every Republican Senator, pro-life and pro-choice Members alike.

The resolution expresses the sense of the Senate, affirming: The duty of the State and Federal Government agencies to protect women and children from violent criminals posing as health care providers; the equal human and constitutional rights of fully born infant children; the need to prevent and punish abusive, unsanitary, and illegal abortion practices.

One of the newborns Dr. Gosnell is accused of murdering, “Baby Boy A,” was born alive—breathing and moving—to an underage girl almost 30 weeks pregnant. Witnesses describe Gosnell severing the baby’s spine, discarding the child in a shoebox, and joking that he was big enough “to walk me to the bus stop.”

Joking. Joking.

A clinic employee estimated Baby Boy A’s birth weight at about 6 pounds, larger and heavier than two of my own children when they were born.

If there are other Kermit Gosnells out there waging their own personal war on women, we need to know about it, and we need to stop them.

I don’t think I can make a stronger argument for this resolution than the one the grand jury in the Gosnell case made itself:

Let us say right up front we realize this case will be used by both sides of the abortion debate. We ourselves cover a spectrum of personal beliefs about the morality of abortion. For us as a criminal grand jury, however, the case is not about that controversy; it is about disregard of the law and disdain for the lives and health of mothers and infants. We find common ground in exposing what happened here and in recommending measures to prevent anything like this from ever happening again.

I hope the Senate too, whose Members cover a similar spectrum of views on abortion, can follow the grand jury’s lead to find common ground in the pursuit of truth and justice for American women and children.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Again, Mr. President, I accept and sympathize with the goals of the resolution offered by my friend from Utah. What I am suggesting is a resolution that includes those criminals who may be posing as health care practitioners in one field of practice but extends the condemnation to all areas of practice.

I hope Senator LEE, my friend from Utah, will share my outrage at reprehensible and illegal actions that occur, unfortunately and tragically, in other areas of practice. Let me mention a few.

We ought to speak about the tragedy at the Pennsylvania clinic, where these incidents occurred, but we also should talk about the Oklahoma dentist who exposed as many as 7,000 patients to HIV and hepatitis B and C through unsanitary practices. Thousands of his patients are being tested to see if they have been infected. So far 60 of his patients have tested positive for these viruses. That is 60 people who trusted their dentist, a health care provider in a position of trust and responsibility, relying on him to respect and care for them safely and responsibly, and, instead they are now facing potentially life-threatening diseases that are as abhorrent and despicable in the lack of responsibility and care as what happened in Pennsylvania. We ought to talk about that incident with the same outrage that we talk about what happened, allegedly, in Pennsylvania.

We ought to speak about the health care practitioners at the Endoscopy Center of Southern Nevada who exposed 40,000 patients to hepatitis C through unsanitary practices. These unsanitary practices went on for years, and that is why this clinic may have hurt as many as 40,000 people. We are talking about 40,000 people, again, exposed to unnecessary danger because of the lack of trust and responsibility on the part of their health care provider.

We also ought to talk about the nursing director at Kern Valley nursing home in California who inappropriately medicated patients using antipsychotic drugs for her own convenience, resulting in the death of at least one patient.

We should be talking about the compounding pharmacies in Massachusetts and elsewhere in this country that provided products that killed and harmed thousands of people.

These incidents, as alleged, are willful violations of law, violations of human dignity and decency, that ought to shock the conscience of the Nation every bit to its core as much as the alleged misconduct and potential criminal activity in Pennsylvania.

These standards of care—or more appropriately and correctly, the violation of them—are simply unacceptable and intolerable, which is why my resolution would take as common ground the alleged Pennsylvania misconduct and include many other instances where standards of care—basic standards of decency and trust—are violated. I ask my friend from Utah to join me in espousing a resolution that establishes this kind of common ground.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. LEE. Mr. President, I appreciate the insight and the concern shared by my friend and colleague from Connecticut. These are all things we all ought to be thinking about, be concerned about, and be debating from time to time. To reiterate one of the points we need to make here: As with all health-care-providing institutions, all clinics, all hospitals need to be subjected to the scrutiny of some outside regulator. They need to have some accountability to those who will ensure that conditions there are safe, that the treatments being provided are effective, and that they are not going to result in more injury, in more disease, in life-threatening conditions, in emergency responders who show up not being able to access the patient in time because the hallways are too narrow, the exits are blocked or the hallways are crowded.

I appreciate the insight from my colleague from Connecticut and thank him for his remarks.

Thank you, Mr. President.

WATER RESOURCES DEVELOPMENT ACT OF 2013—Continued

Mrs. BOXER. Mr. President, can I ask what the order is at this time?

The PRESIDING OFFICER. The Senate is considering S. 601.

Mrs. BOXER. OK. So this is my understanding: I ask Senator BLUMENTHAL, do you have more to say on this matter with the resolution?

Mr. BLUMENTHAL. I do not.

Mrs. BOXER. OK. I know Senator COATS has some very important remarks to make about the death of a figure whom he cares about very much.

What I wish to propose, if I can, is to talk a little bit about this little back