

Judge Kavanaugh's record on the DC Circuit inspires no confidence that he will protect this fundamental right. He has supported restricting access to contraception, and he recently would have forced an undocumented minor in Texas to delay receiving a safe and legal termination of her pregnancy despite her taking all of the necessary steps to access that procedure under Texas State law. If confirmed, Judge Kavanaugh will almost certainly have more opportunities to inject the government into women's decisions about their own bodies.

Over recent years, State legislators across the country and their allies have pushed the boundaries of restrictions on legal abortion. Challenges to these laws are winding their way through the judicial system now and could certainly land in the welcoming arms of a nominee whom the Federalist Society have assured the President would reverse *Roe v. Wade*.

Confirming Judge Kavanaugh to the Supreme Court is an invitation for anti-choice advocates to intensify their crusade against women having access to procedures which they choose to make, taking them closer to their dream of overturning *Roe v. Wade* and turning back the clock on women's health freedom and economic security.

Let's be clear. Overturning *Roe* wouldn't end these procedures across this country. It would just end safe abortions that women would have access to.

Those across the country who care about protecting individual liberty and autonomy in healthcare decisions, including access to safe and legal procedures, are galvanized and mobilized politically in a way we haven't seen in a generation. They are organized, and I believe they will bring that political power to bear in opposition to the Kavanaugh nomination. Our judicial system—and the Supreme Court, in particular—has a special role in our democracy as a neutral arbiter of the law. The American people must have faith that this institution and its Justices will uphold this sacred responsibility.

Stepping back and from a larger perspective, looking at the Affordable Care Act, we have to ensure that, ultimately, protections for those with pre-existing conditions in the healthcare system, which are guaranteed under *ObamaCare*, are continued. Every family in our country has somebody with a pre-existing condition, and we have to make sure this nomination does not lead to such fundamental changes in the Affordable Care Act, eviscerating those protections and rights.

The President had an opportunity to choose a nominee that would unify this country and assure the public of the independence of the judicial branch. Instead, he shamelessly, in a partisan way, picked someone who would only serve to propel our highest Court into a far-right orthodoxy for generations to come, becoming the "supreme right-wing court."

If Judge Kavanaugh is confirmed, women's freedom to make decisions about their bodies, reforms to our healthcare system, the quality of our air and water, and much more will be at risk. This is a critical moment for our country and much too important for any Senator to rubberstamp this nominee in the name of deference to the President.

I am going to fight this nominee every step of the way, and I ask every American to join me in this fight. We will need all Americans to organize, to march, to raise their voices, and to say: Judge Kavanaugh does not represent the values we need on the Supreme Court of the United States of America.

Thank you.

I yield back.

The PRESIDING OFFICER. The Senator from Colorado.

#### COLORADO FOREST FIRES

Mr. GARDNER. Madam President, I come to the floor today to talk about fires that Colorado faces right now—some of the most devastating fires in Colorado history. As of the writing of our comments this morning, there were 40 fires so far in 2018. This is one of them. I think this is the 416 fire, which I had the opportunity to visit just a couple of weeks ago.

This past week I was in Colorado, where we were able to see the Sugarloaf fire. I drove by the Weston Pass fire. This is some distance away from the Lake Christine fire, and obviously, the Spring Creek fire in Colorado. As a result of these fires, over 355,000 acres in Colorado have burned. That is simply devastating right now.

Congress has not been inattentive to the needs of our forests. Over the past several months, we passed legislation that would fix the fire borrowing crisis that had gripped the Forest Service. That was something that was forcing them to cannibalize dollars that could be used to reduce the next year's forest fires on this year's forest fires. We fixed that. We put fixes in place for that.

We also passed legislation to give our land managers more tools to help address dead trees and insect- and disease-ridden forests so we could have healthier forests. I hope the work we do on healthy forest policies, which we have already made progress on, will continue in this Congress. These fires are certainly devastating.

These communities remain open. No matter where you are in the country, if you have a summer vacation in Colorado, I hope you will still come. These communities need you now more than ever. They need your dollars. They need your resources. They want you to come and visit.

In the meantime, we have to make sure that we provide our firefighters—the great men and women on the frontlines of these fires—the tools they need to protect our communities and the tools our land managers need to make sure they can prevent these fires from happening.

In this Congress we have also considered policies addressing categorical exclusions. That is a fancy way of saying that it gives line managers tools to reduce the fire risks in certain areas. We have helped to provide tools in fire regimes I, II, and III. There are five fire regimes: fire regimes I, II, III, IV, and V. They are defined by how likely they are to burn and how frequently they are to burn in certain conditions. Much of the West, though, is what is called fire regimes IV and V. You can see the colors of fire regimes IV and V, the orange and reddish color, and the purple color. The green, the light green, the yellowish colors are I, II, III.

We have been able to provide new tools for fire regimes I, II, and III, but we haven't provided as many tools in fire regimes IV and V. That happens to be a significant portion of the West. That is where most of the beetle and other insect kill has occurred in Colorado. When a tree is killed by an insect, it creates a significant fire hazard.

We have also been able to provide the amendments that we filed in the farm bill. Unfortunately, they didn't succeed. I hope we can get them through to provide help in these high-risk areas of disease and insect-ridden forests.

Past management practices have created conditions where we may have monoculture forests, where you have a forest with the same age of trees. You have the same conditions that allow them to be susceptible to the same insects and the same diseases, and you end up with thousands of acres that are susceptible to catastrophic wildfire.

Where a lot of Colorado's beetle kill and insect kill can be found is also where the headwaters of some of our Nation's most significant water sources are. Colorado is the only State in the country where all water flows out of and no water flows into. I know the Presiding Officer is a beneficiary of Colorado water as well—probably not enough of it, she would say. But it is important to Nebraska that we protect Colorado forests because the headwaters of the Platte River are in Colorado—the North Platte and the South Platte.

There is work we have to be doing to make sure that we protect these watersheds, because what happens when a forest burns is that you end up with hydrophobic soil conditions and that runoff from a rainstorm goes directly into the water. It destroys the watershed. If you have a forest that has four or five times the undergrowth that it should, then that takes more water out of what would naturally go to the waterway and the watershed, meaning there is less water available for other uses downstream.

I want to talk more about forest management. We had another fire in Colorado called the Buffalo fire in Summit, CO. If you have ever driven up I-70 through the Eisenhower Tunnel, toward Breckenridge, you go by a town called Silverthorne. You can see in

Summit County that the Buffalo fire threatened 1,400 homes. So 1,400 homes were evacuated as a result of this fire. The fire was 91 acres. It is about 95 percent containment, but this risk it posed was significant because there was a very densely populated area of the mountains, a community of homeowners. There were 1,400 homeowners who had to evacuate.

They had a lot of high-risk fuels, but what this community had done was something we should brag about all over the West. They actually had collaborative efforts with State and local governments in this area. They developed fuel treatments to help moderate fire activity.

This was a challenging fire. We have extreme fire behavior in Colorado this year, but because of the collaborative work they had done, that helped to reduce the risk, to thin forests, to reduce the fuel, and to create the fire breaks. They were able to keep this fire from reaching those homes. The fire treatment worked. This is an example of a process we ought to be spreading and looking at to help reduce hazardous fuels around the West to make sure we don't lose our communities when we have these devastating fires. This was just west of Silverthorne. These fuel reduction projects helped to create fire breaks, and they prescribed burns which contain a fire with extreme behavior that could have been devastating. This wasn't too far away from the Dillon Reservoir, a key source of water for Colorado.

I also want to talk about some of the language we have in the farm bill. We have language in the farm bill that addresses vegetation management. This picture shows what happened after a forest fire. This is a power line, obviously. You can see the power lines going through it.

We have risks to our forests, our communities, our homes, and risks to our watersheds. We also have risks to our power supply systems. You can see that this pole has been simply disintegrated as a result of the fire. This has cost at least one utility over \$10 million in the Basalt area, as a result of the fire.

We are working on language dealing with vegetation management. Senator BENNET and I sponsored language that would allow utilities to do work on their own dime outside of the rights of way to prevent this fire from impacting our electricity and energy system. The Lake Christine fire, which is near Basalt, put a lot of different types of electric infrastructure out of commission. This utility, as I mentioned, is estimating that it will be millions of dollars for them to repair. It makes sense for us to give tools to these utilities on their own dime to prevent this kind of damage, because they would be creating fire breaks. They would be creating more resilient systems that would allow our communities a little bit more security, I guess, in knowing that their electricity systems would be protected and safe.

These kinds of bills that we have been able to produce have had and will have great impact on how we can prevent and how we respond to catastrophic wildfires. Certainly, a \$10 million cost from one fire, as well as other costs, will increase rates. It has the potential to increase rates dramatically if we can't get a handle on the right kinds of policies.

Finally, I want to turn to another disturbing aspect of what we have seen in Colorado with these forest fires. We have seen an uptick of drones flying over active forest fires and firefighting areas. If you fly a drone and do that without interfering with the firefighter—following all the rules—then I don't think anybody has a problem with it. If you are flying a drone and violating the rules and you are flying it over an active fire, stop it. I talked to far too many incident commanders who had to call off air tankers because there was a drone in the area. There is a video on YouTube where you can see footage from the drone taking a picture of the forest, while you see the shadow of a tanker on the ground because the tanker went right over it.

The pilots of that tanker were asked: Did you see the drone?

They said: No.

What would have happened if that drone had hit that plane, perhaps causing an accident, perhaps costing lives, perhaps starting a new fire because the plane could have crashed as a result?

If you call off an air tanker already in the air, that tanker can't land with the slurry that it has onboard already. So the air tanker gets called off. It then has to dump the slurry somewhere else. That could be \$10,000 worth of slurry at a time wasted because they got called off because somebody decided they would rather fly their drone and get videos that they can post on YouTube, instead of allowing firefighters to do their job.

This is what the Forest Service put out: "If you fly, we can't."

You have a 110,000-acre fire in the Spring Creek fire right now. Over 200 homes are lost. An hour a day without supertankers—without air tankers—is a big problem for those communities and the men and women putting their lives at risk trying to defend and protect our forests and our communities. I hope people will use a little bit of common sense and not fly their drones over an active firefighting.

I introduced legislation with Senator BENNET and Congressman TIPTON to make it a felony to interfere with a firefighter operation over a forest fire if you are flying a drone illegally.

We met with individuals from Oregon and from all over the West when I visited the fire at the incident command center in Southern Colorado when we visited the Spring Creek fire. We talked to fire men and women who spent their Fourth of July not watching fireworks or picnicking with their family but defending and protecting our communities in Colorado. We

thank them for their work. We thank them for their tireless efforts and sacrifice.

It is dangerous. In fact, just last week, as we were at the fire on Friday, we commemorated and recognized the anniversary of the Storm King Mountain fire and the 14 persons who were killed near Glenwood Springs about 24 years before. This is a very serious fire season. Thankfully, we have serious policies in place that are addressing it. There is more work we can do.

I thank my colleagues.

#### RESTORE OUR PARKS ACT

Madam President, I come to the floor today also to talk about a bill called the Restore Our Parks Act and a committee hearing that we had yesterday before the Energy and Natural Resources Committee. That legislation would provide billions of dollars to address the most pressing maintenance needs at our Nation's national park units. National parks and monuments are an important part of Colorado's history and heritage and of our Nation's shared love of our public lands system.

We know that in 2016, the year the National Park Service was celebrating its centennial, Colorado's 12 units managed by the National Park Service saw over 7.5 million visitors who spent around \$485 million visiting our national parks in Colorado. However, after years of increasing visitation popularity, national park units across the country are showing signs of stress and overuse for which programmatic funding has not kept up.

National park units in Colorado account for over \$238 million of the \$11.6 billion in maintenance needs our national parks now face.

Rocky Mountain National Park, which is one of the Nation's most visited parks in the country and boasts the highest altitude paved road in the continental United States, has \$84 million alone in deferred maintenance needs.

Mesa Verde, Colorado's oldest national park and the first established to protect the works of man, needs \$70 million to address its deferred maintenance backlog.

The list goes on for Dinosaur National Monument, the Great Sand Dunes, and even Bent's Old Fort.

I have been happy to join with a bipartisan group of colleagues—Senators ALEXANDER, PORTMAN, KING, and WARNER, among others—to craft and advance legislation that fulfills our promise to the public that the upkeep of our public lands is a priority.

I am also pleased that it is based on a funding model that has worked so successfully for the Land and Water Conservation Fund—one of the crown jewels of our Nation's conservation programs.

I would point out that just 20 days ago another group of bipartisan Senators was holding a press conference to highlight the need to reauthorize LWCF in the next 100 days before that