

or to the right, there was one thing that was common, and that was the value of life.

I traveled to Little Rock, AR, this weekend to speak at another Black History Month event, where Republicans and Democrats were coming together at the Governor's Mansion to have a conversation about moving this Nation forward and about reconciliation. In the room, we had conversations about the tragedies in Virginia, from the blackface tragedy to the issues with the three ranking members in the Commonwealth of Virginia. When I started talking about the value of human life, the intrinsic value of each human being, there was 100 percent support that we are a nation that should always value the life of a born-alive child. There was not a single dissent in a room of nearly 400 people.

To have to have a debate on the floor of the Senate about something that every American with whom I have spoken, in airports or at events, agrees there is nothing to debate, frustrates me. So while I am saddened and frustrated, I have been encouraged by my fellow Americans—from Arkansas to South Carolina, to Tennessee—who have all come to the same conclusion, and that is that a born-alive child deserves to live.

We may disagree on other points, but this is a place where there is universal agreement with the folks I have spoken to. These are folks who don't vote for Republicans or Democrats; they all vote for children. They all vote for life.

We are a nation that must continue to value life. For some reason, somehow, this body missed that opportunity to reinforce that value system before the American public, to say to each child born: No matter your State, no matter your challenges, you have intrinsic value.

I yield the floor.

The PRESIDING OFFICER (Mr. CRUZ). The Senator from Washington.

NOMINATION OF ERIC D. MILLER

Ms. CANTWELL. Mr. President, I rise in opposition to a nomination we are going to be vote on very soon—the confirmation of Eric Miller to serve on the U.S. Court of Appeals for the Ninth Circuit.

As a U.S. Senator, I take my obligation to advise and consent on judicial nominations very seriously, and I believe Mr. Miller's confirmation process has gone against longstanding Senate tradition and norms and limited our role to advise and consent on his nomination.

This nomination has proceeded over the objection of both myself and my colleague from Washington, Senator MURRAY. For more than 100 years, conferring with Senators and allowing them to advise and consent on judicial nominees in their home State has been our process.

Since 1936, only eight judges have been confirmed when one home State Senator objected. In every case, confirmed nominees have been supported

by at least one Senator from the nominee's State, and to this day no circuit court judge has ever been confirmed despite opposition from their home State Senators. All that would change if Mr. Miller is confirmed.

His confirmation hearing was held during a recess last Congress, when the vast majority of Senators were back in their States. In fact, only two Members of the U.S. Senate were present at the hearing, and neither one of them were Democrats. Mr. Miller was questioned for less than 5 minutes—5 minutes—and when the Judiciary Committee Democrats requested another hearing, that request was rejected.

Confirming Mr. Miller without a full vetting by both Democrats and Republicans is the wrong way to proceed on a lifetime appointment. Moreover, confirming Mr. Miller without approval from Senator MURRAY and I would set a damaging precedent.

I do have concerns about Eric Miller's record. He has spent much of his career fighting against the interests of Tribal governments and Tribal sovereignty. He has argued cases opposing Tribal fishing rights, challenging Tribal sovereignty, and fighting against the protection of Native American religious and traditional practices, so it is no surprise that organizations representing all 573 Tribal nations around the United States, including the National Congress of American Indians, oppose Mr. Miller's confirmation.

I urge my colleagues to stop this process and oppose Mr. Miller's confirmation to the Ninth Circuit Court of Appeals.

S. 47

Mr. President, I also want to comment on upcoming action in the House, where they are scheduled to take up S. 47, the Murkowski-Cantwell lands package later this afternoon, which received 92 votes in the Senate earlier this month.

It is my hope that the House will approve this bill with the same overwhelming that it received in the Senate, and send this legislation quickly to President Trump's desk.

I want to take a moment to emphasize four important provisions of this legislation as we prepare for this year's upcoming fire season.

This legislation includes four provisions that will help firefighters improve their safety and effectiveness and bring state-of-the-art technology to combating wildfires. These provisions will help firefighters and communities, and we need to do everything we can as we face longer fire seasons having more catastrophic events. We need to give communities and firefighters every tool possible.

First, this legislation allows for the use of drones to create real-time fire mapping, as well as GPS to track firefighter crews. These advances will help enable real-time tracking and location of both the fire and the firefighters.

Why is this so important? It is because our firefighters need real-time

data to do their job more safely and effectively. The combination of real-time mapping and GPS locaters has been referred to by the industry as the "Holy Grail of Wildland Firefighter Safety."

Last month's report on the devastating Mendocino Complex fire shows why this is the case. According to this report, one of the challenges frontline firefighters had to face was the fact that they weren't sure exactly where the fire was. The safety officers didn't always know where the firefighters are. In one case, no one knew where six entrapped firefighters were. The result was that all six suffered injuries because it took quite a while to locate and rescue them.

Under this legislation that will be voted on by the House today, we will have more drones orbiting high over the fires, constantly updating fire maps and doing it more than just once a day, which has been the standard until now. These drones employ infrared cameras that can penetrate through thick smoke and better identify hotspots. Air tankers will be able to more accurately drop their fuel retardants, and we can tell firefighters on the frontlines how to steer away from areas that are just too dangerous to tackle.

When I heard the stories of brave firefighters who battled fire that raged in many parts of my State, I knew we needed to do more to protect these unbelievable heroes. Whether it is in Eastern Washington or Central Washington—in the Okanagon and Wenatchee forests or around Spokane—we have to do more to help those communities and firefighters who are putting themselves on the line for us.

This legislation also allows the Forest Service to access NASA's mapping technology to help prevent mudslides that are all too common after these horrific fires. We all know erosion can happen shortly after the devastation of vegetation, and that creates more damage in the community. The fact that we will be getting NASA access, we will then be able to come up with strategies to prevent erosion, cutting the time significantly from where it is today.

The fourth provision is improving smoke forecasting by assigning meteorologists to every large fire. I know some people are thinking this probably has already been done. Believe me, we haven't given the Forest Service every tool it needs.

Over the last few years, summers in the Puget Sound region have suffered as fires have blanketed our normally pristine air with smoke and unhealthy air. We know this is becoming a new normal. As the Western United States continues to become hotter and drier, fires become more and more likely, and as the fuels get drier, the number of fires increase and get even bigger.

This isn't just an Eastern Washington problem. Our Washington State Department of Natural Resources responded to 1,800 fires last year, and 40

percent of those were in Western Washington. According to researchers at the University of Washington, just 20 years from now, we will see the median annual burned area in the Northwest double from what we have seen in the last 50 years.

We know we need more tools to combat these challenges, and the legislation we have already passed in the Senate and that is before the House today will provide these new technology and training tools to empower the Forest Service to help our communities and our firefighters: real-time fire mapping, more drone technology to give us real-time information about the fires, using NASA data to help us plan post-fires, and giving us more smoke forecasting information to better help our communities and to deal with those who are impacted by heavy smoke.

I hope our colleagues will act expeditiously on this legislation. We know that wildland fire funding, as we increased it in an agreement last year, was so important, but we need to keep working on this problem.

I thank my colleague from Colorado for helping to sponsor the inclusion of this legislation and hope that the President will sign this legislation very quickly so that tools can be put in place for this upcoming fire season.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. LANKFORD. I yield the floor.

RECESS

Mr. CRUZ. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:45 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mrs. CAPITO).

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The Senator from Texas.

S. 311

Mr. CORNYN. Madam President, yesterday evening the Senate had an opportunity to go on record and show our constituents that we supported the most vulnerable among us. The Born-Alive Abortion Survivors Protection Act would require doctors to treat a baby, once it is born, with ordinary medical assistance, something they would do under any other circumstances, even though this entailed surviving an abortion.

If you ask the American people, they would say this is just common sense. In a recent poll, more than three-fourths

of Americans said they support providing medical treatment for babies who survive abortions. I can't imagine what the other 25 percent are thinking. But there are no Federal laws requiring healthcare providers to care for these babies just as they would any other infant in their care, and for some Members of the opposing party, they are just fine with that.

We all know that a few weeks ago, Virginia Governor Ralph Northam made disturbing comments about how to not care for certain newborns. He was asked: What would you do with a child with birth defects?

He said: Well, the infant would be delivered. The infant would be kept comfortable. The infant would be resuscitated, if that is what the mother and the family desired, and then a discussion would ensue between the physicians and the mother.

Let me be clear. The Governor, who is a pediatrician, by the way, essentially advocated for infanticide—killing a child who was born alive. Instead of saying, “well, it is my duty as a physician under the Hippocratic Oath to provide care to save the child,” he believes the child ought to be made comfortable, and then the mother and doctor sit down and decide whether the child should live or die.

That is not healthcare. That is murder. I believe the Senate has a duty to act and ensure that no child born alive is subjected to the treatment described by Governor Northam.

The bill we voted on last night would protect newborns who have survived abortions and ensure that they receive the same level of care that any other newborn baby would. It builds upon a previous law, which the Senate passed unanimously, called the Born-Alive Infant Protection Act. That bill passed unanimously in 2002, and it clarified that every infant born alive at any stage of development is a person, regardless of the manner in which they were born. Yet yesterday, 44 Senators voted to allow that same person's life to be ended with impunity.

The legislation we voted on yesterday would simply clarify that the infants who survive abortions are entitled to the same lifesaving care that other babies should receive. That is why it is so shocking to me that 44 of our colleagues chose to vote against even proceeding to a debate and a vote on the matter.

I am trying to think of a historical counterpart to this. I was reminded of a book I read not long ago called “Eichmann in Jerusalem.” This is about the trial of Adolf Eichmann after the atrocities of the holocaust, during which 5 million Jews were killed. The author, Hannah Arendt, was trying to figure out what kind of monster could basically provide for the machinery that ultimately would take the lives of 5 million Jews.

What she saw when she looked at Eichmann was not some monster that looked different from you or me. Unfor-

tunately, what she saw was somebody who looked exactly like you and me. She wrote about the moral collapse associated with the holocaust. She noted that “in the Third Reich, evil lost its distinctive characteristic by which most people had, until then, recognized it.” She said that the problem is that at that point it became a “civil norm.”

She wrote:

Evil comes from a failure to think. It defies thought, for as soon as thought tries to engage itself with evil and examine the premises and principles from which it originates, it is frustrated because it finds nothing there.

“That,” she said, “is the banality of evil.”

She concluded by saying:

Nearly everybody who attended the trials of mass killers after the war, some of them respected doctors and pharmacists, came away with the disconcerting impression that the killers looked pretty much like you and me.

So while Republicans and Democrats disagree on a range of issues, this should not be one of them. If we have one shred of our humanity left, we ought to agree that protecting human life is essential. This should have been a simple vote for every single Member of this body. I can't tell you how disappointed I am that 44 of our colleagues decided to vote no. I was proud to vote yes on the bill, yes to protecting these newborn babies, yes to equal medical care for all infants, and yes to life.

PRESCRIPTION DRUG PRICES

Madam President, this morning, the Senate Finance Committee held the second in a series of hearings on prescription drug pricing. We all know that across the country, the rising costs of prescription drugs is placing a strain on families.

A survey last summer found that many Texans are struggling to afford the rising cost of healthcare, and three out of five people surveyed reported foregoing or postponing care because of the cost. That includes cutting pills in half, skipping or rationing doses, or not filling a prescription because they simply can't afford to do so. Some, though, are taking even more drastic steps.

Last year, a widow in Austin considered selling her house to pay for the expensive drugs she needed to treat hepatitis C, which had killed her husband years earlier. Many Texas families have begun the dangerous practice of buying their drugs in Mexico—even though they may be counterfeit—because they think they are more affordable than filling a prescription in the United States.

With healthcare costs continuing to press more and more of our hard-working families, things aren't expected to get any easier any time soon. The Centers for Medicare and Medicaid Services estimated that between 2018 and 2027, consumers could expect to see prescription drug spending increase by an average of 6.1 percent a year. That is a