

truly unprecedented amount of obstruction on President Trump's judicial nominees. As of May 2, Democrats have forced cloture votes on almost 65 percent of President Trump's judicial nominees—65 percent. At the same point in President Obama's first term, Republicans had required cloture votes on just 2½ percent of his judicial nominees—65 percent to 2½ percent. But, again, maybe that is because Democrats have serious philosophical objections to these nominees—except they don't, because again and again, Democrats have turned around and voted for the Trump judicial nominees they obstructed.

One egregious example occurred in January of 2018 when Democrats forced the Senate to spend more than a week considering four district court judges even though not one single Democrat voted against their confirmation. That is right. Democrats forced the Senate to spend more than a week considering the nomination of four judges even though not one single Democrat opposed their confirmation. These judges could have been confirmed in a matter of minutes by voice vote, but Democrats forced the Senate to spend more than a week on their consideration—time that could have been spent on genuinely controversial nominees or on some of the many important issues facing our country.

As of April 2 of this year, Democrats have forced cloture votes on 20 of the district court judges the Senate has confirmed. Ultimately, however, 19 of those 20 judges were confirmed by more than 68 votes. Now, 17 of those 20 were confirmed by more than 80 votes, and 12 of those 20 were confirmed without a single vote in opposition. Yet Democrats obstructed all of them.

One hundred judicial nominees confirmed is a solid milestone, but, as I said before, it is a milestone that should have come earlier and would have come earlier if Democrats hadn't chosen to engage in a massive campaign of partisan obstruction. Despite a lot of hard work by the Judiciary Committee and a robust pace of nominations from the President, the number of judicial vacancies is actually 25 percent higher today than it was when the President took office, and a near record number of those vacancies are designated as judicial emergencies. That shouldn't be the case, but thanks to Democrats' knee-jerk obstruction, that is where we are.

Regardless of how much the Democrats obstruct, though, Republicans will keep moving forward. Despite Democrats' best efforts, we confirmed a record number of circuit court judges during the President's first 2 years, and we are going to keep working our way through the President's nominees, judicial and otherwise. We are committed to filling vacancies in both the executive branch and the judiciary so that the American people have the fully functioning government they deserve.

Perhaps someday Democrats will decide to drop the obstruction and to join

us in the business of actually getting things done for the American people.

I yield the floor.

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.

The PRESIDING OFFICER. The Senator from Illinois.

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

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

NOMINATION OF JANET DHILLON

Mr. DURBIN. Mr. President, the Equal Employment Opportunity Commission is charged with protecting workers and job applicants against discrimination based on race, color, religion, sex, national origin, age, disability, or genetic information.

Janet Dhillon, the latest nominee to be a member of that board, has spent her career, unfortunately, doing the opposite. She has spent years advocating for corporations over workers and has a track record that puts her in direct opposition to the mission of the Equal Employment Opportunity Commission. For example, under Ms. Dhillon's leadership, the Retail Litigation Center filed briefs in support of policies making it more difficult for employers to be held liable for harassment.

I am also concerned that Ms. Dhillon has declined to answer whether she would uphold the EEOC's current position that the Civil Rights Act forbids employment discrimination on the basis of gender identity or sexual orientation. The EEOC is considering issues that are critical to protecting workers, including ongoing court cases to protect LGBTQ workers from discrimination and improve pay data collection for women in the workforce. Women, on average, make 80 cents per every dollar earned by a man. The gap is even higher for women of color. We need Commissioners at the EEOC who will fight to close this gap.

No matter your age, race, occupation, religion, or sexuality, you should be treated with dignity, and for too long, with too many people, this has not been the case. Ms. Dhillon has not demonstrated that she will be a champion for these workers.

In the past, we have always tried to move EEOC nominations in a bipartisan way, with Democratic and Republican nominees confirmed at the same time, but for months, for reasons I cannot explain, my Republican colleagues have refused to hold a vote on a Democratic nominee to this Commission. This obstruction has forced the EEOC to operate without a quorum, preventing it from conducting crucial business, such as issuing new policies, guidance, and regulations.

This is another example of Republicans changing Senate norms and traditions when it comes to their quest for nominations. We are also seeing that

this week with votes on two Second Circuit nominees from New York who are being pushed through over objections by both home State Senators. Before this year, we had never, never seen a judicial nominee receive a vote without a positive blue slip from either home State Senator.

"Blue slip" is just a formal term; it is actually an approval by the Senator of a nomination.

By the end of this week, it will have happened four times—in the State of Washington, New Jersey, and now New York. This is a terrible precedent that could end up affecting each of our States.

Republicans appear determined to ignore traditions and common sense in their effort to confirm the highest possible volume of President Trump's extreme nominees. I continue to call on my colleagues to change course. I think it is a mistake.

I oppose Janet Dhillon's nomination as Chairman of the Equal Employment Opportunity Commission.

CUSTOMS AND BORDER PROTECTION

Mr. President, last month, on Friday, April 12, I visited the port of entry in El Paso, TX, that is known as Paso Del Norte and a nearby Border Patrol station known as Station No. 1. What I saw was heartbreaking.

The migrants who presented themselves at our border are being detained in cramped cells known as hieleras, Spanish for the word "iceboxes." These are metal-sided detention rooms, which the detainees complain are kept painfully cold. The sign above one of these detention room doors reads "Capacity: 35." I took a few minutes and counted the number of men in that cell. Capacity may have been 35, but there were over 150 men standing in that cell and maybe one toilet. The large, heavy glass window on the cell gave a clear view of the detainees. But for a few benches along the walls, which accommodate a very small number, there is literally no room to sit or lie down. Meals are provided to the standing migrants to eat in the cell. Many will wait for up to 3 weeks in this so-called icebox to be transferred to an ICE facility.

Next to it was a woman's cell that has a sign reading "Capacity: 16." I paused and counted about 75 women in a cell designed for 16, including nursing mothers with their babies. As our eyes would lock, some of the women would mouth the word "help."

Just outside this building, hundreds of men and women and children who were brought in from the border hours before stood in long lines. These migrants are at the end of a long and dangerous journey, and this preliminary process led them to a table where four officials were writing down information. The approach was clearly designed to be slow, and it was clearly understaffed.

I stood in line with a translator speaking to those who were waiting. One was a young mother holding a 1-

year-old child. She told me of taking 4 weeks—1 month—to escape Honduras and to cross Mexico to escape the narco gangsters in her country. Another young Honduran woman, pregnant and obviously close to delivering, stood patiently in line. The young father-to-be hovered behind her, holding two disposable diapers. The previous night, they had come to our border looking for protection. I asked them why, in her condition, she would make such a journey. She told me she was threatened with not only her death but the death of her infant if her husband refused to work with the drug gangs in Honduras. As a result, she told me her family sold absolutely everything they had to pay for the transporters—also known as smugglers or coyotes—to transport them across Mexico to our border.

Included in the omnibus appropriations bill that we wrote this year was more than \$400 million for humanitarian assistance for the border. We could do so much more even in the midst of our political debate—so much more to treat these desperate people in a humane way.

I am sorry to report that I do not believe the detention facilities that we have for detained migrants could possibly pass any inspection by the International Red Cross. We are America. We are better than this.

It is clear the Trump administration's border security policies have failed. They have destabilized the region, encouraged more migration, and are driving more families into the arms of human traffickers. The Trump administration has shut down legal avenues for vulnerable families and children fleeing persecution.

There was a program called the Central American Minors Program under President Obama. It was straightforward. Children and certain relatives seeking protection who lived in a country such as Honduras could present themselves in-country at the consulate, fill out the forms, and determine whether they were eligible for refugee status or humanitarian parole. These children and family members didn't have to make a dangerous journey, liquidate everything they owned on Earth, and risk their lives. President Trump closed down that program. Why? Wouldn't you want them to learn their status, if they could, in their country of origin?

Migrants fleeing persecution are also being blocked from using legal ports of entry. They have been forced to use human traffickers to cross the border illegally. They may have gone through ports of entry and presented themselves, but when we started queuing them up and limiting the number each day, some of them, in desperation, went to present themselves at the border between ports of entry. Make no mistake. This is not an invasion, as the President has described over and over. This is actually a person making his or her way across that desert land and presenting themselves voluntarily to

the first person in an American uniform.

The President terminated temporary protected status for El Salvador and Honduras, which could force a quarter of a million people back to these countries—exactly the opposite of what we should be doing at this moment.

The President has also proposed slashing the humanitarian and security assistance to the Northern Triangle. That is illogical. The notion that we would cut off funds to these desperate countries that lack civil government and that are controlled by drug gangs will make the situation worse. It will make these people more desperate.

The President is doing and saying exactly the opposite of what he should be saying. I understand his emotion. We see it regularly. I understand his anger, but someone should sit down with him and explain to him that he is making the matter worse. Each of these policy mistakes could be reversed by the President immediately. Let's not forget that just a few short months ago, the President shut down the Federal Government in his desperate pursuit of taxpayer-funded border walls so he could fulfill a campaign promise. We all remember, of course, that Mexico was supposed to pay for this wall. That has been forgotten by most, but not by those of us who have a memory of the last campaign.

Did you realize that while the government was shut down, the President shut down the immigration courts? In not paying or not allowing them to meet the immigration court backlog, it started growing, making the situation even worse. Every time the President's emotion takes over on immigration, his instincts are 180 degrees off course. When the President blocks all assistance to the Northern Triangle countries—Guatemala, Honduras, and El Salvador—and shuts down avenues to legal migration, he guarantees that more refugees will flee to our border. When he talks about “dumping” these migrants into sanctuary cities, he shows contempt for these human beings and their plight. When he uses words like “murderers,” “rapists,” and “invasion,” he appeals to base emotions of fear and hate. At every turn, the President has responded to this heartbreaking humanitarian challenge at the border with threats and meanness that only makes the matter worse.

When Attorney General Barr is not busy trying to make the Justice Department the President's personal law firm, he is enthusiastically carrying out Attorney General Sessions' and Secretary Nielsen's legacy of failed immigration policies.

One year ago, on May 7, 2018, then-Attorney General Sessions made an announcement. He announced that the Department of Homeland Security was referring 100 percent of the border cases to the Justice Department to be prosecuted under criminal statutes, under what they characterized as the

“zero-tolerance” policy. The targets of those prosecutions included mothers seeking safety from gang violence and domestic violence.

We know the result. I remember that last August I went to an immigration court in Chicago. I didn't know it was there. It was in the Loop, downtown, in an office building, and one whole floor was dedicated to a U.S. immigration court. This was after the announcement of the zero-tolerance policy. I could barely get off the elevator. The hallways were packed for the hearings that were scheduled. It was a long, long docket.

I went into the courtroom before it started and sat down with the immigration court judge who had been on the job for almost two decades. I believe she is a caring person who really wanted to follow the law and do it in a thoughtful, humane way. She asked me if I wanted to stay for the first docket call. I said I would.

So I watched as she asked everyone in the courtroom to take their seats before the two clients who would be called first. One of these clients had difficulty getting into the chair. Maria was 2 years old. She wasn't old enough to climb in the chair by herself. She had been separated from her parent under this policy announced by Attorney General Sessions. So they lifted her up and put her in the chair and handed her a stuffed animal that she clung to. She obviously didn't understand a thing about what was happening in that room—2 years old and in an immigration court of the United States.

The other client was much more agile. He was able to get into the chair. His name was Hamilton, and he was 4 years old. The reason he scrambled into the chair is that he saw a Matchbox car on top of the table.

Those were, I believe, the first two clients under the zero-tolerance policy in a Chicago courtroom. Can we possibly be proud of that? Were those children separated from their mothers and fathers in an effort to deter others from coming to the United States? Is that what this was all about?

It didn't take long for President Trump to abandon the zero-tolerance policy. Thankfully, after a few months, a Federal judge in San Diego, CA, said: That is it. Reunite those kids with their parents.

It turned out that there were more than 2,800 of these children who had been separated from their parents. Some of them are still in the system. Even after several months the government was unable to locate their families so the children could be reunited with them. There have been hints by the President that he is going to return to that policy. Really? Really? Is that what America is all about—snatching children away from their parents?

Those who are experts in the area, psychologists and doctors, tell us that this could have a long-term dramatic negative impact on a baby. It is understandable. I have seen cases and met

the mothers, when, finally, after months they were reunited and the child wanted nothing to do with them, feeling that they had been abandoned by their parents. America is better than that.

In an investigation by the inspector general of Health and Human Services that I requested with Senator PATTY MURRAY, it now turns out that 1 year ago, even before the announcement of zero tolerance, thousands of kids may have been separated by this same administration, and we still don't know their plight. The Federal judge in San Diego has once again asked for a human accounting of what happened to those kids.

I stand ready to work with my Republican friends on smart, effective, and humane border security, but we need the Trump administration to drop the cruel campaign of targeting families and children and focus on the real threats to America—the lethal narcotics that still flood our communities, 80 to 90 percent which come through ports of entry that we were discussing today.

In the last Congress, Democrats introduced the Central America Reform and Enforcement Act as a comprehensive response to the problem. The bill addresses measures like the root causes of migration from the Northern Triangle countries. If our laws are so bad and so welcoming to people who shouldn't be here, why is it that overwhelmingly these people are coming from three countries? They are not coming from Mexico or other Central American countries. There is something going on in these three countries—Honduras, Guatemala, and El Salvador—that needs to be addressed. We need to crack down on the cartels and the traffickers.

Make no mistake. Our thirst and appetite for narcotics coming into this country has created a cycle of violence and death. As we purchase the narcotics and send drug money back to the cartels in Central America and Mexico, that money fuels their further efforts to export narcotics to the United States, as well the export of firearms. The GAO found that seventy percent of the guns confiscated and traced in Mexico came from the United States, most purchased legally in gun shops and at gun shows. In the name of the Second Amendment and not doing a background check, we are literally arming the drug cartels that are terrorizing people in Central America.

We have to put two and two together. We have to expand third-country resettlement in Mexico and other Central American countries. We have to have in-country processing of refugees, as I mentioned earlier, and we have to eliminate the immigration court backlog.

I will be introducing legislation soon to achieve these goals. I am willing to work with colleagues on both sides of the aisle to address this crisis on our border.

Mr. President, there is no one else on the floor to speak. I ask unanimous consent to address another subject for the record.

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

WOMEN'S HEALTHCARE

Mr. DURBIN. Mr. President, everyone knows that this Sunday is Mother's Day, a day when we honor our moms, step moms, our mothers-in-law, our grandmothers, our wives and all the women who chose to love, sacrifice, and care for a child. It is also a day when we celebrate new moms-to-be. I am happy to report to you that I am just a few days away from having a new granddaughter, which I am really excited about. There is a lot of excitement and happiness in our family, and it will be intensified coming this Sunday on Mother's Day.

My wife and I have three beautiful kids, and we have now five wonderful grandchildren, with a sixth one on the way. There is nothing more exciting than learning of a new addition to your family, and there is nothing more sobering than the state of maternal and infant healthcare in this great Nation. I can think of no better way to celebrate and honor Mother's Day than to immediately commit on a bipartisan basis to enact change that will improve the health outcomes for new moms and babies nationwide. Too often in our country, new moms and infants, especially women and babies of color, are dying from completely preventable health complications.

Listen to this. The United States is 1 of only 13 countries in the world where the maternal mortality rate is worse today than it was 25 years ago. Over the past 30 years, our maternal mortality rate has more than doubled. In the United States of America, with all of our hospitals and doctors and medical knowledge, nationwide more than 700 women die every year as a result of pregnancy. More than 70,000 experience severe, near-fatal complications. In my home State of Illinois, 73 women die every year due to pregnancy-related complications, and 70 percent of these deaths are preventable.

These deaths impact women of color at significantly higher rates. Black women in the United States are three to four times more likely than White women to die as a result of pregnancy. In Illinois, African-American women are six times more likely than White women to die of pregnancy-related complications.

I had a press conference at a University of Chicago hospital on this subject. One of the presenters had done even deeper research than we had in preparation, and she reported to me something that really opened my eyes. This racial distinction bears no relation to poverty or education. An African-American woman, well educated, from a family with resources, is still just as vulnerable as those in a lesser position economically when it comes to this racial disparity. Not only are

we losing moms, we are losing babies. This is incredible.

Currently the United States ranks 32 out of 35 of the wealthiest nations when it comes to infant mortality. Every year more than 23,000 infants die in this country, largely due to factors that, in many cases, can be prevented—birth defects, low birth weight, and maternal complications. Again, the African-American community is impacted more severely. In the United States, babies of color are twice as likely to die as White babies. The racial disparity is greater than it was in the year 1850 in the United States. Something has to be done.

I joined with Congresswoman ROBIN KELLY of Illinois and my colleague Senator TAMMY DUCKWORTH, and we introduced the appropriately named MOMMA Act.

First and foremost, our bill would expand the length of time that a new mom can keep her Medicaid health coverage.

Currently, Medicaid has to cover women for only 2 months postpartum. Our bill expands it to a year. Given that 60 percent of maternal deaths occur in the weeks and months after delivery, it is imperative that new mothers be able to keep their health coverage longer.

Next, the MOMMA's Act would improve access to doulas. Too often, disparities in maternal and infant mortality are rooted in structural racism in healthcare, meaning African-American women often receive poorer quality care than White women simply because of the color of their skin. Black women are not often listened to or taken seriously by healthcare providers. Doulas can help provide education, advocacy, and support for women whose voices are being ignored.

To this point, our bill would also improve implicit bias and cultural competency training among healthcare providers.

Lastly, our bill would provide improved hospital coordination reporting on maternal health outcomes and ensure implementation of services to improve care.

My bill is not the only one on this subject. Senator KAMALA HARRIS has introduced a bill to help train medical providers to avoid racial bias. Senator ELIZABETH WARREN suggests giving hospitals a financial bonus for successful health outcome improvements. Senator CORY has a bill to improve access to primary care providers and doulas. Senator KIRSTEN GILLIBRAND has a bill to provide States and hospitals with needed funding to develop and implement maternal safety best practices. There is no shortage of legislative ideas that would help improve maternal and infant health outcomes. Yet, unfortunately, we are not considering them.

We even changed the rules in the Senate a few weeks ago, and the Republican leader came to the floor and said we need more time for legislation.