

they rebuilt, by 1928, right on that same spot.

Dr. Turner there is a friend and is a pastor there. He made this statement:

I'm humbled every day to walk through a place that has seen so much terror but has also been a vessel of hope for so many people. After the massacre, people who lost their homes and their belongings still went to church on Sunday morning.

Believing in a God of reconciliation, whom I still believe in today, let's continue to get better, but let's not forget where we came from so it never ever happens again.

As we think about the summer of 1919, when the Nation was on fire from so many riots around the country, let's continue to finish what has begun in our hearts until that is complete.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

ABORTION

Mr. CARDIN. Mr. President, I rise to express my deep concern over the constant attacks on women's health we are seeing all across America. From this administration's policies, to Donald Trump's judicial nominees, to Governors and legislators in States like Alabama, Georgia, and Missouri under Republican leadership—they are denying women their constitutional right to make their own personal and healthcare decisions.

Women and their healthcare should not be under constant threat. We as a nation have made great efforts to promote equal rights for women and men. In this Congress, we will celebrate the 100th anniversary of women's suffrage. It took a long time for women to get the right to vote, and we continue to make progress on equality. Yet, in the 21st century, the Trump administration continues to push and adopt policies that are setting this country and women in a wrong direction.

The Supreme Court made it clear in *Griswold v. Connecticut* and *Roe v. Wade* that there is a constitutional right to privacy that includes making healthcare decisions such as the use of contraception and the right to access abortion.

Through advancements in women's health and access to contraception and education, the number of unintended pregnancies has significantly been reduced, with a corresponding reduction in abortion. Yet we see Republican leaders trying to reverse the advancements our Nation has made in women's health, access to contraception, and education.

For nearly 50 years, the Supreme Court has upheld the legal precedent of *Roe v. Wade*, including its affirmation in *Planned Parenthood v. Casey* in 1992. In that case, the Supreme Court held that "our law affords constitutional protection to personal decisions relating to marriage . . . contraception, family relationships, child rearing, and education. . . . These matters, involving the most intimate and personal choices a person may make in a life-

time, choices central to personal dignity and autonomy, are central to the liberty protected by the Fourteenth Amendment."

The Court prohibited States from passing statutes that placed undue burdens on a woman's right to make her own healthcare decisions. Yet Republican leaders continue to introduce and pass laws that interfere with a woman's autonomy over her health and well-being.

Last week, for instance, the Republican Governor of Alabama signed a bill into law banning almost all abortions in that State, with no exceptions for the cases of rape or incest. The law not only prosecutes women, but it also includes unprecedented criminal penalties against doctors, threatening them with life in prison for treating women. The Alabama law exposes doctors to felony charges punishable by up to 99 years in prison for providing or attempting to provide an abortion, making this the most extreme ban of its kind to pass in nearly 30 years.

Since the beginning of 2019, bills attempting to restrict abortion have been filed in 45 States, including Alabama, Missouri, and Georgia.

Earlier this year, Georgia's Republican Governor signed a 6-week ban into law that would make it illegal for women to terminate a pregnancy and a doctor to perform the termination after a fetal heartbeat is detected. I must tell you, many women don't even realize they are pregnant at 6 weeks.

The Alabama and Georgia bills impose burdensome and medically unnecessary limitations on women and their doctors, particularly those in low-income, medically underserved areas. The bills harm women who are victims of sexual assault and minors who are victims of incest. These provisions appear to be designed to perpetrate a culture of not believing women and trying to discredit the victims of assault.

It is hard to understand how many Republicans are talking about getting Big Government out of people's lives but not when it comes to one of the hardest and most intimate decisions a woman can make—a decision that she wishes to make between herself and her doctor. In those circumstances, these same colleagues believe that Big Government, and not the woman herself, knows better. They believe that government, and not the woman, should dictate whether she can or cannot have control of her own body. They believe that government should have the power to force a woman to forgo a medically necessary procedure.

They believe that women should be stripped of that power and stripped of the choice to decide what is best for herself. Many believe that even in cases of incest and rape, where the woman is a victim of a crime, that the woman should be compelled to bear the child against her will and bring the pregnancy to term. Talk about being intrusive.

Basically, the rights of women are being trampled to death. I thought we

had gotten beyond that, and now we see that we are moving in the wrong direction.

Empowering women is one of the most important things we can do for the future of our country. Core to women's constitutional liberties is autonomy over their own health and well-being. If we truly want to support women, we need to safeguard and improve, not limit, access to comprehensive healthcare.

I hope we can all agree that on this 100th anniversary of women's suffrage, we should be looking at ways to remove discrimination based upon sex and not moving in the wrong direction by taking away from women their right to make their own healthcare decisions.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

SENATE LEGISLATIVE AGENDA

Mr. VAN HOLLEN. Mr. President, we are now 5 months into the new 116th Congress. During that 5-month period, the new Democratic majority in the House of Representatives has passed a series of bills on issues important to the overwhelming majority of the American public. They include legislation to reduce the death toll from gun violence by requiring universal criminal background checks and legislation to end the millions and millions of dollars of secret money flowing into elections and polluting our politics. The House legislation includes a bill to ensure that women receive equal pay for equal work, and the House has also passed legislation to strengthen the protections under the Violence Against Women Act. Those are just some of the initiatives the House has passed in the last 5 months.

Here in the Senate, what has the Senate done on those important issues? What has the Senate done with the legislation that the House has passed and is now sitting in this body? We have done nothing—zip. We haven't taken up any of those bills. In fact, the Senate Republican leader has refused to allow this body to consider those important measures.

What are we doing instead? Instead, the Senate is consuming all of its time not on the matters most important to the public but on debating and confirming judicial and executive branch nominees. Here is the thing: If you look at these judicial nominees—let's just take the ones we are looking at this week—you will find a very dangerous pattern.

This week, in looking at the five nominees, the pattern is selecting judges who will strip away women's reproductive choices and who will strip

away and potentially eliminate the rights under Roe v. Wade. That is the clear pattern.

If you look at the records of these nominees, they indicate hostility toward a woman's right to choose and hostility to Roe v. Wade. Take, for example, Stephen Clark. He is the nominee for the Eastern District of Missouri. He drew the outrageous comparison between Dred Scott and Roe v. Wade, including Roe as bad law. He also opposed provisions in the Affordable Care Act that would expand access to contraception to help people avoid unintended pregnancies.

Then there is the nomination of Kenneth Bell to be a judge in the Western District of North Carolina. He has argued that abortion rights, the pro-choice position, is "indefensible" and went on to say that "there is no middle ground" on this issue. In other words, he is another judge who would deny women the right of reproductive choice, and the list goes on if you look at the list of judges who are before the Senate this week.

This would be alarming at any point in time, but the timing of these nominations is no coincidence. Just in the last couple of months, we have seen States around the country passing laws to take away a woman's right to choose.

Let's take a look at Alabama. In the case of Alabama, they passed a law that denies a woman's right to choose to have an abortion even in the case of rape or incest. Under the Alabama law, doctors who perform abortions could be locked up in prison for up to 99 years—a prison term longer than that of a rapist.

We also have Candidate Trump arguing that not only should doctors be punished but women who exercise their rights to reproductive choice should be punished too.

Meanwhile, in addition to Alabama, five other States have passed laws that would outlaw abortion at a very early stage—in fact, at a stage of pregnancy when many women do not realize they are yet pregnant, especially if the pregnancy is unplanned and unexpected.

I think people recognize how outrageous it is to see State legislators and other elected officials who normally take the position that the government has no place in regulating or being involved in any aspect of our lives, who then take the position that they want the government right between a woman and her most sensitive decisions with respect to reproductive choice.

We have legislators who say they don't want the government protecting people from air pollution. They don't want to pass any regulations to protect people from air pollution or water pollution. We have some legislators who say they don't want any legislation to protect consumers from predatory lending or other scams in the economy. They don't think the government has a role there, but, by God, when it comes

to interfering with a woman's right to choose, they want the government smack in the middle of that decision. That is what Alabama has done. That is what the other five States have done.

Now we have judicial nominees coming before the Senate who are going to sign off potentially on those State laws.

It gets even more alarming because we also see a pattern from the judicial decisions that have been made and from the records of a lot of the nominees who are before us now of judges or people being appointed, who not only want to strip away a woman's right to reproductive choice but who actually want to go after programs that help provide family planning, programs that help prevent unwanted and unplanned pregnancies. So, on the one hand, States are passing these laws restricting a woman's right to choose, but at the same time they are saying that they want to get rid of or severely limit programs that prevent unintended pregnancies.

Looking at the figures from the Centers for Disease Control and Prevention—and they keep statistics on all sorts of health indicators—you will find that from 2006 to the year 2015, there was a 24-percent drop in the number of abortions in the United States. There was a 24-percent drop in the years between 2006 and 2015. Researchers who have looked into this have determined that the biggest driver behind this decline in abortion has been increased access to contraception and family planning. Yet the Trump administration is going after and targeting for elimination the very programs that help reduce unintended pregnancy and, therefore, also help reduce abortions. So this administration is trying to take a hatchet to title X. They want to essentially take Planned Parenthood out of the equation, even though Planned Parenthood provides family planning services to 4 in 10 women.

As we all know, Planned Parenthood is barred by law from spending any Federal dollars on abortion. They spend most of their time counseling their patients on family planning and helping people make decisions about contraception to avoid unplanned pregnancies.

This administration tried to target the Teen Pregnancy Prevention Program. I know that because it went after a program in Baltimore City that has been very successful in reducing teenage pregnancy.

In fact, if you look at Baltimore from a period during the year of 2000 to 2016, we saw a 61-percent decline in teen pregnancy. That was as a result of a number of programs, easier access to contraception, the Teen Pregnancy Prevention Program that was targeted for elimination by the Trump administration, and, after the Affordable Care Act went into effect, the ability to access contraception as a result of the Affordable Care Act.

All of these measures to help prevent unplanned pregnancies have also helped to significantly reduce the number of abortions. Yet we have an administration that wants to go after those family planning programs, and we have a number of judges who would side with the administration. I will mention a couple of important family planning programs.

One is title X. This administration wanted to severely undermine title X. It has not been successful. Why not? Because it was taken to court. So far, the courts have stayed the administration's decision.

Let's look at the Teen Pregnancy Prevention Program, which I mentioned, that is so important in Baltimore. The administration wanted to eliminate it, and so we had to go to court. The judge said that it was an illegal action—an unauthorized action—by the Trump administration.

Let's look at the contraception provisions—the provisions on access to contraception—in the Affordable Care Act. This administration wants to wipe them out. The only reason they are still there is due to the courts. The courts have been very important not only in protecting a woman's right to choose but in protecting these important family planning programs that have prevented unintended pregnancies and, therefore, have also reduced the number of abortions.

Now we have a whole bunch of judges who are coming before the Senate who would rule differently in all of these cases. That is why I believe the American people need to really be alarmed about what is happening here. We are not acting on important measures that are coming out of the House that I mentioned earlier. What we are doing is spending the full time passing through judges—in a factory-like procedure here—who will undermine a woman's right to choose and go after important family planning programs. We have a lot to think about, and I hope all of our colleagues will recognize what is happening here.

I will go back to where I started.

Instead of churning out judges who are going to strip away the rights of women—and other nominees who side with big corporations against consumers—let's take up the legislation that is in front of us right now that has come over from the House.

We have before us H.R. 8. It is the Bipartisan Background Checks legislation. It was bipartisan because it came out of the House on a bipartisan vote.

It was bipartisan because, if you ask the public, 85 percent of the public is in favor of the simple idea that we should have criminal background checks and that the people who have committed crimes shouldn't be able to go to gun shows and purchase guns. If you have a record of posing a danger to the community, my goodness, why would we want to put a gun in your hand and endanger the community?

It is a pretty straightforward piece of legislation, and it has been in this Senate for 83 days now. For 83 days, it has been sitting right here in the Senate, but the Republican leader will not let us take it up to debate it or to vote on it.

I mentioned another bill that came over from the House that would get rid of secret money in politics. What do I mean by that?

After the Supreme Court decision in *Citizens United*, we had two things happen. One was that just a flood of corporate money flew into elections because, before that decision, corporations could not spend money directly to try to elect public officials. The Congress had previously passed a law to prevent that, and previous Supreme Courts had upheld that ban on corporate spending to try to elect public officials. In *Citizens United*, they decided, well, corporations are people, too, for the purpose of spending money in elections. So they got rid of that law.

If you read that opinion, even those who voted to overturn those laws said that what is going to protect the system will be the public's knowing who will be spending all of that money. They said: All right, we are going to let corporations spend all of that money. We are going to let 501(c)(4)s spend all of that money. Do you know what? The public will know, and that will serve as a check on the system. That will provide transparency, and the transparency will provide accountability.

Guess what. It didn't happen. In fact, the Senate's Republican leader has been one of the arch opponents of any kind of transparency and disclosure. I have had a long-running back-and-forth with him on this issue because, even if you look at the proponents of the terrible *Citizens United* decision, as I said, those Justices said: Well, transparency will take care of it. The reality is that people spend millions and millions of dollars in secret money in elections.

Let me just tell people that it may be secret to the public, but it is not a big secret to the candidates who are running. It is not a big secret to them who is spending millions of dollars to try to get them elected or to defeat them. That is a farce. Years ago, when I was in the House, I authored something called the *DISCLOSE Act*. It passed the House. It died here by one vote. We got 59 votes on an almost identical bill. It didn't get 60. So we still have secret money in politics today.

My view is that voters have a right to know who is spending millions of dollars to try to influence their decisions, and that is a big part of the bill that came over from the House 74 days ago. It is called the *For the People Act*. It has a lot of other important provisions in it to protect our elections and important provisions to make sure that we uphold the right to vote.

Among the important provisions is the *DISCLOSE Act*—to get rid of secret

money in politics. That is sitting over here and has been for 74 days.

What else has the House sent over? It sent over the *Equal Pay Act*, which has a pretty straightforward idea, and I think most Americans agree with it. In fact, public surveys show that people agree that if you put in an equal day's work—if you put in the sweat equity, if you do the job—and if a woman does the job just like the man does the job, by God, obviously, she should get paid the same amount. It is a pretty simple concept. That came over from the House. In fact, it came over from the House just 55 days ago. For 55 days, it has been sitting here.

Another bill that has come over from the House also relates to making sure that we address issues that are important to all of us, but it has specifically dealt with the *Violence Against Women Act*. What we say within the *Violence Against Women Act*, in the House bill, is that if you have someone who is abusing you in a relationship—it doesn't have to be your spouse; it could be someone else who is abusing you in a relationship—they shouldn't be able to go out and buy a gun. What we have seen from the sad statistics is that those kinds of situations often escalate into somebody's getting killed when someone is in a relationship in which one of the people in that relationship is abusing the other.

Just as we prevent the sale of guns to spouses who have records of domestic violence and domestic abuse, we should extend that prohibition on running out and getting guns to other abusive relationships. That was the reauthorization of the *Violence Against Women Act*, and it passed out of the House 47 days ago. So, 47 days ago, the House passed the reauthorization of the *Violence Against Women Act*.

It passed the *Paycheck Fairness Act*—equal pay for equal work—55 days ago.

It passed the *For the People Act* 74 days ago, which includes the provision to get rid of secret money in politics.

It also passed the *Bipartisan Background Checks Act*—to reduce the death toll from gun violence in our country—83 days ago.

All of those bills are sitting right here in the Senate. We could be debating them today if the Republican leader would allow them to come up. Instead of taking up that important work, we are here, acting like those in a factory who churn out more judges who have records of stripping women of their right to reproductive choice. It is a very, very dark time in the Senate, and I hope that we will get about the business of the American people and stop stripping women of their constitutional rights.

I yield the floor.

The PRESIDING OFFICER (Mr. PERDUE). The Senator from Missouri.

NOMINATION OF STEPHEN R. CLARK

Mr. BLUNT. Mr. President, I think, by any standard, it is a stretch to suggest that we are churning out judges.

We are doing our constitutional job of confirming judges that the President is constitutionally required to nominate. We are going to vote on a Missouri judge today, Judge Stephen Clark, to be a judge on the U.S. District Court for the Eastern District of Missouri.

In the process of churning out judges, Judge Clark—or soon-to-be Judge Clark, I hope—was told by the White House in July of 2017 that he was going to be its nominee for this place on the court. If it were July of 2017 and it is now May of 2019, the churning is, obviously, not going very well. In fact, to get people to even serve in these jobs is going to get increasingly difficult.

In the case of Steve Clark and his family, he had a pretty unique practice that was focused on him and a couple of associates. I am not even sure of the kind of law they practiced, but I am sure it was not the kind of law that was referred to a minute ago. His wife was the assistant in the office, and I think they had an associate or two.

Yet, if all of your clients have been told for 20 months or so that you are going to be a district judge, the first question they ask is, Can you handle this case?

The answer you give is, Well, I don't know, but probably not. Eventually, Congress will get to this, and, eventually, I will be confirmed.

From the time of July 2017 to November 2018, there was nobody coming in the door anymore, and the law practice closed, as it should. It was not forced to close. Clearly, the best thing to do was to go ahead and admit that the supporting effort of that practice had gone away but that the overhead was still there. Since November, Stephen Clark has been waiting for this day to happen. This is not churning out judges, and I may get back to this topic in just a minute.

Certainly, for nominees like him who are willing to have their names submitted—who are willing to say yes when asked if they would be willing to be nominees—we have to do a better job, not the job of suggesting that somehow this happens easily to people who aren't qualified.

Steve Clark has been a respected, practicing attorney in the Eastern District of Missouri for 28 years. He knows the law; he knows the community. The American Bar Association rated him "well qualified" to hold this job.

He has been approved by the Senate Judiciary Committee twice now, once in 2016—see if I have that right; there is so much history here, it is hard to even know what the book would look like—and once before the 2018 election. Then all of these nominees had to be sent back to the White House, so after the 2018 election, after the Congress started work again in January of 2019, his name had to be resubmitted. The committee had to vote on him again. They had to look once again to see that he was "well qualified" to hold this job. They had to once again verify that he had 28 years in private practice.