I say to the Republicans on the other side of the aisle: Please do your job. Your constituents elected you to this position to follow the Constitution. If you don't like the nominee the President has selected, vote no, but at least follow the process. After the President selects his nominee, we then go through a courtesy process where the nominee calls upon each Senator. Then there is a hearing—and maybe there are several days of hearings—and then there is a vote.

I am calling on the Senate to follow the process that was mandated by the Constitution and mandated by our traditions. After the President nominates someone, let's meet with the nominee. Let's hold the hearings and follow the process, and then let's bring it to a vote. Over the last 40 years, the average time it has taken for the Senate to act has been only 67 days from nomination to confirmation, so to say we don't have enough time just doesn't work. We have 10 months, or 330 days, left in this President's administration to do this job.

Some of my colleagues say there is precedent for this obstructionism. Chairman GRASSLEY, the chair of the Judiciary Committee, cited four times in our history where a President did not nominate someone to fill a vacancy during an election year. Well, those numbers are right, but guess what. The vacancy occurred after the Senate had adjourned for the year. None of those Presidents could have nominated a candidate because the Senate wasn't in session.

For the past 100 years, every Supreme Court nominee has been acted upon. Even if they got a disapproval vote in the committee, they still got a vote in the Senate.

In 1987, Robert Bork was voted down in the committee, but he still got a vote on the floor where he was voted down.

In 1991, Clarence Thomas, one of the most contentious and controversial Supreme Court nominations that I ever participated in, was voted on by the committee without a recommendation. He got a vote on the floor and was approved 52 to 48.

Each of these candidates had their day to be evaluated. Each Senator had the ability to apply their advice and consent or, in some cases, nonconsent. I didn't always vote yes on the nominee, but I certainly supported the process that we have here. We have never denied a sitting President his duty to provide a nominee. This is of utmost importance to our Nation. It really is.

The Supreme Court is unique. It is the highest Court of the land with real and lasting impacts on American lives. To obstruct a Supreme Court nominee for political reasons would be absolutely unprecedented. Until this vacancy is filled, the Supreme Court is left with eight members with the potential for tie votes. If there is a tie vote in a decision, the ruling of the lower court remains as if the Supreme Court never heard the case. In some cases, that leaves disagreement among courts, leaving our laws at odds with each other.

If this vacancy lasts until the next President, the Supreme Court could be left without eight members for two terms on the Court. Some of the cases with the most impact on our history have been decided in 5-to-4 votes. That brings up some cases that are of particular concern to me.

What if there were a tied decision in a case and we were left stuck in a gridlock? The Senate knows that I am very involved with equal pay for equal work. There was the famous Lilly Ledbetter case—Lilly Ledbetter v. Goodyear Tire and Rubber Company. It was decided by a 5-to-4 vote. She faced injustice not only at her job, but also in the courts. At the urging of Justice Ginsburg, the Senate provided a legislative remedy to correct that injustice. If we had a tie, we might not have ever been able to resolve that issue both through the Court and through the Senate. This is what democracy is supposed to be.

There was another amazing case, which was Bush v. Gore. Everyone remembers the election in 2000 when we had the hanging chads in Florida and we really weren't sure who won the election—Al Gore or George Bush. This is America, so banks stayed open, there were no tanks in the street, school children were able to go about learning what America was all about and get ready for the new century. We were moving ahead because the process moved through the courts.

The Bush v. Gore case was decided with a 5-to-4 vote. Can you imagine if we had a tied Court now? We would have a constitutional crisis, and we would have a crisis over who was the legitimate President of the United States. We can't have that happen again.

When the voters make their decisions in November on who they want to have as the next President, I hope it is clear and decisive and we don't end up before the Supreme Court, but surely we need to have a Court that is not going to end in a tie and that we have done our job to make sure that there are nine—N-I-N-E—on the Supreme Court.

First of all, follow the Constitution. It is in the best interest of our country. Do your job so we can say to the world: We are a Nation of laws. We encourage people all over the world that are emerging from authoritarian regimes or chaotic political situations to write a Constitution and live by it. Well, we wrote a Constitution, so let's live by it. We need to follow what we say we were elected to do and that we swore an oath to do.

President Obama must do his job. I urge the Republicans to do their job. Let's follow and live up to the Constitution. When the President makes his nomination, let's open our doors so we can meet with that nominee. Let's hold a hearing or multiple hearings, if necessary, and then let's hold a vote on the Senate floor. Let's be accountable by the deeds of our vote and not simply avoid our responsibility.

I yield the floor and 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.

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

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

ORDER OF BUSINESS

Mr. MCCONNELL. Mr. President, for the information of all Senators, Senator MURKOWSKI and Senator CANTWELL and many others continue to work diligently on a way to wrap up the Energy bill and to deal with the Flint issue. In the meantime, I will be shortly filing cloture on a motion to proceed to the opioid bill, and I am hopeful we can reach an agreement to finish this bill with just a handful of amendments next week.

COMPREHENSIVE ADDICTION AND RECOVERY ACT OF 2015—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to Calendar No. 369, S. 524.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 369, S. 524, a bill to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use.

CLOTURE MOTION

Mr. MCCONNELL. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 369, S. 524, a bill to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use.

Mitch McConnell, Daniel Coats, Dan Sullivan, Orrin G. Hatch, Shelley Moore Capito, John Cornyn, Lindsey Graham, Roy Blunt, Ron Johnson, Chuck Grassley, Rob Portman, Susan M. Collins, Jeff Flake, Cory Gardner, Lamar Alexander, John Barrasso, John McCain.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum call under rule XXII be waived.

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

Mr. MCCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to called the roll.

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

The PRESIDING OFFICER (Mr. CASSIDY). Without objection, it is so ordered.

WASTEFUL SPENDING

Mr. COATS. Mr. President, I am on the Senate floor for my 34th edition of ''Waste of the Week.'' As you know, I do these speeches each week to highlight waste, fraud, and abuse and simple ways that we can save the taxpayers' dollars from being misused.

Last year, in my 18th ''Waste of the Week'' speech, I detailed an investigation by the nonpartisan Government Accountability Office that discovered that fraudulent applications were being accepted by healthcare.gov, the government Web site for choosing ObamaCare plans. I discussed the waste, fraud, and abuse of ObamaCare subsidies that were being awarded to fraudulent applicants.

As part of that investigation, the Government Accountability Office investigators purposefully submitted 12 fraudulent applications. They wanted to test the system. They wanted to see how well the system worked. So they drew up 12 deliberately fraudulent applications just to see what the response would be. They submitted them to healthcare.gov. Eleven of them came back as approved. Only one application was called out, where someone said, ''Wait a minute, we don't have the appropriate information'' or ''we didn't do the fact-checking.'' But 11 apparently weren't even fact-checked.

The Government Accountability Office said, ''I think this might be the canary in the coal mine.'' This ought to be a signal that this program is being abused; when 11 out of 12 applications come back with a stamp for approval and the subsidies are given, you would think the government would take notice of that and simply say, ''We have to get ahold of this.''

After the investigation, after this was made public it ought to have been embarrassing to the agencies that are handling this, the Centers for Medicare & Medicaid disbursement. You would think they would jump on this. If I were heading up this agency, if I had anything to do with this at all, I would either fire someone or I would put reforms in place to make sure this never happened again. You would think this report would have spurred some kind of action.

But this week, the Government Accountability Office released a new report detailing how the Obama administration continues to take—and this is in their words—''take passive approach to dealing with the potential fraud'' in the ObamaCare program. The GAO report outlines how healthcare.gov is still plagued by serious operational problems that lead to fraud and abuse. They found that in 2014, over 4 million ObamaCare applicants received a total of $1.7 billion in taxpayer subsidies despite these unresolved documentation errors. What this means is that the healthcare.gov site is allowing people to sign up for and receive ObamaCare benefits without proper verification.

When you have had a previous investigation that said that 11 out of 12—more than 90 percent—of the applications were stamped ''approved'' and subsidies were paid without verification or with faulty verification, you would think by now they would have cleaned this up. Hundreds of thousands of people have been able to get their ObamaCare applications approved without having their eligibility verified. That has become clear. As GAO investigators bluntly stated in the report, healthcare.gov ''is at risk of granting eligibility to, and making subsidy payments on behalf of, individuals who are ineligible to enroll.''

The GAO said that one of the biggest problems with healthcare.gov is that the Centers for Medicare & Medicaid Services, CMS, which is responsible for the oversight and management of ObamaCare, did not resolve Social Security number inconsistencies for thousands of applications. When you submit your identity, you give your Social Security number. It goes to CMS. They are supposed to check it to see if it is a legitimate Social Security number, and if it isn't, they obviously cannot or should not issue the subsidy and approve the application. But, instead, CMS approved subsidized coverage without verifying those numbers from the applicants. It potentially allows access to subsidies by illegal immigrants or other ineligible individuals.

So word gets around: Hey, you don't even need to put your Social Security number on there or you can put a false Social Security number on there, and you are going to get the subsidy.

This is how your government is spending your tax dollars. It is an outrageous way, to pump up ObamaCare. And we keep hearing the White House touting the fact that millions are signing up for this. Of course they are. Millions are signing up for this because whether they are eligible or not, they are getting a subsidy. Who wouldn't want to get a check from the government every month? But it is done through fraud. It is done through waste, and it is done through something that hasn't been documented.

People have to realize that under ObamaCare, you have to be a citizen or a legal resident, fall within a certain income range. Healthcare.gov is supposed to verify all of this when you sign up. But the GAO found that the program does not check new applications against existing approved applications. The resulting failure is that millions of people have been approved for benefits while using the same Social Security number.

Here is another situation. Not only are people using false Social Security numbers on the application and they are still getting subsidies, but a lot of people are using the same Social Security number. This is not the era of having mountains of paperwork stored in warehouses around Washington, DC, because the agencies have been flooded with paper applications; this is an age of computerizing and digitizing all of this information. So all you have to do is push a button to find out whether that is a legitimate Social Security number. I mean, how hard is it?

To make matters worse, we have learned that in thousands of ObamaCare applications, it wasn't even clear if the beneficiary was serving a prison sentence. The law basically says you are not eligible for Obamacare subsidies if you are serving a prison sentence. The GAO found that the Centers for Medicare & Medicaid Services ignored many opportunities for reducing ObamaCare fraud. Basically, it appears that CMS is willing to look the other way. Maybe they were ordered to, maybe they are just doing it, or maybe they are just purely incompetent. But they are looking the other way as the President continues to tout the benefits of this law.

If that isn't bad enough, GAO also found that CMS actually knew that millions of applications were potentially fraudulent and still approved the applications. I am not making this up. We have information provided by the Government Accountability Office that the Centers for Medicare & Medicaid Services knew about these fraudulent practices, so they couldn't plead ''Well, we didn't know this was happening'' or ''This was a computer glitch'' or ''We are just so overwhelmed with paperwork or applications that we can't handle it.'' They knew about it. They knew it was happening, and yet they still haven't cleared the situation up.

It really drives you up the wall—and it is no wonder the American people are so unbelievably frustrated with this government and have deemed that this government is simply wasting their tax dollars. It is the biggest bureaucratic mess they have ever seen and they are paying for it. Doesn't it just practically make you want to scream?

CMS told GAO ''that they currently do not plan to take any actions on individuals with unresolved incarceration or Social Security number inconsistencies.'' Does anybody find that outrageous? We know there is a problem. We have documented there is a problem. But they currently are not willing to undertake any kind of reforms or action to deal with this problem.

To address this mess, I will introduce legislation that will mandate CMS to recoup all improperly paid subsidies. I am going to continue to press the agency to take action to enforce the existing requirements.

What does it take to get the Congress to take the steps to insist that these agencies—entrusted with taxpayer

money carry out their programs and then not act in such a cavalier, dismissive way—deal with this situation? What does it take?

I guess what it takes is what is happening in our election process right now, and that is the example of the reason American people saying: We have had enough and we are blazing mad, and we ought to tear the place down and start all over. And this is all because this behemoth of a dysfunctional government continues to rob the taxpayer of its hard-earned money. Yet it is not providing job opportunities for people, despite all the best efforts of this administration.

It kind of reminds me of back when Obamacare was being debated in the House of Representatives and the then-Speaker of the House, a Democrat, said: Well, we have to pass this bill so we can find out what is in it. Well, Madam Speaker of the House of Representatives, we are finding out not only what is in this bill, but we are also finding out we need an efficient, effective government enforcement of this to ensure that waste, fraud, and abuse is not occurring.

So once again, I am down here adding to the ever-growing amount of money is been documented as waste, fraud, and abuse of. Today we stand at $157 billion of documented waste, fraud, and abuse, and we are just scratching the surface. I probably could come down here every hour of every day the Senate is in session and point out another waste of taxpayer money.

When are we going to step up to the plate and stop this charade that is happening here? When are we going to deal with this problem? I am urging my colleagues to support my efforts and other efforts to at least address known documented problems of waste, fraud, and abuse.

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

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

IRAN

Mr. COONS. Mr. President, tomorrow the people of Iran will go to the polls to elect 285 members of the Iranian Parliament, or the Majlis, and 88 members of the so-called Assembly of Experts, which is the body that will eventually choose the successor to the current Supreme Leader, Ayatollah Ali Khamenei.

Last December, Secretary of State John Kerry cautioned that having an election does not of itself make a democracy, and I think his words are equally fitting this week. Iran's elections, in truth, are neither free nor fair. Iran is not a democracy. Power brokers in Iran have already rigged these elections and even the results of a potential runoff in April will not tell us much we don't already know about the Iranian regime or its foreign policy objectives in the Middle East.

Some observers do hope that moderate voices will make some progress in Iran, and I agree that is good to hope for, but I remain deeply skeptical. In many ways tomorrow's elections are nothing more than a rubberstamp because an unelected Guardian Council, which vets all candidates for office, has already prevented most moderates from even running.

Let me explain. Aspiring candidates for Iran's national Parliament and the Assembly of Experts must be approved by the unelected Guardian Council before they appear on a ballot. Unless they make it through a multiweek vetting process and unless they are deemed sufficiently loyal and conservative, these aspiring candidates will not get a chance to be candidates at all. That is why the candidate list for tomorrow's election has already told us more about Iran's intentions than the election results will.

A willingness to allow reform-minded or moderate Iranians to stand for election would have suggested some real hope for genuine reform for real change in the Iranian regime. Sadly, the disqualification of both female and reformist candidates indicates that Iran is instead doubling down on its decision to avoid long-awaited and much needed democratic reforms and instead will continue to isolate itself from broader membership in the international community. Sixteen women applied to run to serve on the Assembly of Experts. They were all prohibited from running. Three thousand reform-minded candidates sought to run for the Iranian Parliament, but only 1 percent of those 3,000 were approved. Even Hassan Khomeini, the grandson of Ayatollah Khomeini, who founded the Islamic Republic of Iran, was rejected as a candidate for being too modern. These disqualifications reflect the regime's rejection of basic democratic norms and serve as reminder of the urgency with which we have to continue to scrutinize Iran's behavior.

Tomorrow's elections will not change Iran's aggressive behavior in the region or transform the political power structure within the Islamic Republic of Iran, which is still dominated by Supreme Leader Ayatollah Ali Khamenei. Despite what some may hope, the Supreme Leader seems unwilling to allow even a modicum of dissent inside Iran. These elections are likely nothing more than a guise to give the international community the impression that Iranians have a real voice in choosing their elected officials.

While we should hope for future moderation, we should expect the status quo because at its core Iran remains a revolutionary regime that supports terrorism as a central tool of its national foreign policy. U.S. policymakers have to remain clear-eyed about that reality as we seek to effectively and aggressively enforce the nuclear deal and push back against Iranian aggression in the region.

I urge my colleagues, the administration, and the American people to pay close attention not just to tomorrow's Iranian elections but to Iran's actions in the weeks, months, and years to come.

I commend the administration for one action it took this week. It indicted four individuals who violated previously existing U.S. sanctions against Iran. This decision sends another important signal that despite the nuclear deal, sanctions that remain on the books and companies that violate them remain a significant barrier and that companies should not rush to do business with Iran. Only by continuing to enforce existing sanctions, only by continuing to hold Iran to its commitments in the nuclear agreement, and only by pushing back against Iran's support for terrorist proxies, its human rights abuses, and its illegal ballistic missile tests will we demonstrate that we are serious about holding the regime accountable for its actions. Only by viewing Iran through the right lens—a lens of weariness and suspicion, not trust—can we continue to protect our national security and the safety of our regional allies, especially Israel.

A nuclear deal with a nation like Iran does not make that regime our ally or friend and having an election does not make a democracy, but it does make a statement.

FILLING THE SUPREME COURT VACANCY

Mr. President, on Monday I had the privilege of serving as the first Senator from the State of Delaware—the first State—to ever read George Washington's Farewell Address on the Senate floor on February 22, the appointed day every year when we recognize Washington's contributions to our country and its history by repeating his Farewell Address on this floor.

In the more than two centuries since President Washington wrote and delivered those words, I am struck by how relevant they still remain in warning Americans of the dangers of partisanship, factionalism, and division. Today the constitutional order for which President Washington and so many of our Founding Fathers and so many Americans risked and dedicated their lives, and which has sustained our experiment in democracy for generations, is now threatened not by one person or by one political party but rather by the relentless division and dysfunction that has come to define our current political discourse.

Just over 2 years ago, this discord led to an unprecedented shutdown of our whole Federal Government for 17 days. At stake today is nothing less than the capability of the Supreme Court of the United States to continue to function meaningfully. If we fail to reverse this increasingly divisive—and, I think, dangerous—trend, we won't just be facing a series of undecided legal policy

issues. We will also be looking at a direct threat to our constitutional quarter—a new normal in which Supreme Court vacancies remain just that for months upon months or even years.

Sadly, the rhetorical warfare on filling the vacancy on the Court began just an hour after the world first learned of Justice Scalia's passing, when the majority leader issued a statement in which he ruled out any hearing or vote or any consideration whatsoever of a Supreme Court nominee. The back and forth between our parties has grown even more heated in the days since. Much has been made of what Senators of both parties have said and done in response to past Supreme Court vacancies, but the precedent that I think matters most is what this Chamber actually did the last time there was a Supreme Court vacancy during an election year. As many of my colleagues have pointed out, the last time that happened was in 1988, and that year Justice Kennedy was confirmed unanimously and by a Democratic-controlled Senate.

Recently, some of my colleagues have also pointed to a speech that Vice President BIDEN—then chairman of the Senate Judiciary Committee—gave back in 1992, as evidence that there is some clear, strong precedent for the level of obstructionism that we are seeing today. But that reading of his remarks both misrepresent his remarks and obscures the real facts. It is easy to take much of what we say and do here on the floor of the Senate out of context. In fact, I am sure it has happened to each Member of this Chamber more than once, but a full reading of then-Chairman BIDEN's full remarks shows that at the end of his speech, Senator BIDEN promised to consider not just holding hearings, not just a vote but also supporting a consensus nominee. To quote directly:

> I believe that so long as the public continues to split its confidence between the branches, compromise is the responsible course for both the White House and for the Senate. Therefore, I stand by my position. Mr. President, if the President—

Then-President Bush—

> consults and cooperates with the Senate or moderates his selections absent consultation, then his nominees may enjoy my support as did Justices Kennedy and Souter.

So when it comes to setting Senate precedent, I think it is important to get the Vice President's words right, but I also think it is important to pay attention to his actions, which speak more loudly than his words. His record as chairman of the Senate Judiciary committee is unmistakable. In case after case, he convened and held appropriate and timely hearings for judges of all backgrounds and experiences when nominated by President Bush in an election year. Even in a deeply contentious election year, he considered dozens of district and circuit court nominees all the way up until September, just 2 months before the Presidential election.

So today I echo then-Chairman BIDEN's 1992 request. I urge President Obama to nominate a moderate and eminently qualified jurist by whose record should clearly, under normal circumstances, be confirmed and who can become a consensus nominee in this Chamber. You don't have to look very far to find a number of candidates who would easily fit this description.

I am not asking my Republican colleagues to commit to support such a nominee, but I am asking for us to be able to fulfill the constitutional obligations of advice and consent that we have sworn to uphold. Here is just another important piece of factual record. Since the formation of the Senate Judiciary Committee a century ago, every single Supreme Court nominee has received a vote, a hearing or both. The only exceptions were candidates whose nominations were withdrawn before they could be considered or that proceeded directly to the floor for a confirmation vote.

Even nominees whose confirmations were voted down by the Senate Judiciary Committee ultimately received a vote by the full Senate. That is the precedent that matters. The American people, I think, aren't deeply interested in what this Senator said 2 years ago or that Senator said two decades ago. This back-and-forth, he said/she said rhetoric is exactly what they have sadly come to expect from this Congress, but it is not why they sent us here.

It is not just our constituents who are watching. Around the world, believers in a democratic system of government, in a system of separation of powers in our constitutional framework, some of whom have risked life and limb to bring democracy to their countries, are watching. Those who believe democracy can't work and who advance that argument around the world are watching too.

At stake in this debate is not just a key vote on the Supreme Court but, more importantly, a key indicator of whether our American experiment can still function. Over the past two-plus centuries, our experiment in democracy has not just survived but even thrived. But in recent years, Members of Congress have been playing a risky game, employing increasingly obstructionist tactics that probe the very boundaries of our system of government. How the Senate conducts itself in the weeks and perhaps even months to come, I think, will set a strong precedent for how future Supreme Court vacancies will be filled and more importantly, about whether our constitutional order can still function. We have an opportunity to show the world that even in the midst of a strikingly divisive Presidential campaign, our democratic system can still work.

President Washington's Farewell Address of 220 years ago warned of the many threats to that full and fair experiment that is American democracy. One of the threats he highlighted most pointedly was that of partisanship and division. The issues facing our Senate today represent nothing less than a direct and serious challenge to the vibrancy of that very democratic experiment for which so many suffered, struggled, and died.

It is my prayer that we will find a way forward through this together.

Thank you.

The PRESIDING OFFICER. The Senator from Minnesota.

ANNA WESTIN ACT

Ms. KLOBUCHAR. Mr. President, I rise today in recognition of National Eating Disorders Awareness Week and bring attention to millions of Americans struggling with eating disorders. It is not something we often talk about on this floor, but eating disorders are more common in our country than breast cancer and Alzheimer's and do not discriminate by class, race, gender or ethnicity. The all-too-sad truth is that eating disorders take the lives of 23 Americans every day and nearly 1 life every hour.

Our understanding of how eating disorders develop and progress is constantly evolving. We know there are between—and, again, because we don't have statistics except for when people die—15 and 30 million people across the country struggling with an eating disorder. We know that anorexia has the highest morality rate of any mental health disorder. Listen to that. Of any mental health disorder that you can think of, anorexia has the highest morality rate. We know that eating disorders affect women 2½ times more than men, making this the important women's mental health issue.

Unfortunately, far too few of these people are getting the help they need. Only 1 in 10 people with an eating disorder will receive treatment for that disease, and for those who don't receive any treatment, the rate of recovery sharply declines, while the likelihood they will be hospitalized rises. The numbers illustrate a grim reality. Too many Americans are suffering in silence, unable to access a treatment they need to conquer their eating disorder and to go on to live healthy lives.

To help the millions of people suffering from eating disorders get the treatment they need, I have introduced the Anna Westin Act with Senator AYOTTE, Senator CAPITO, and Senator BALDWIN. We are very proud that this is a bipartisan bill that is supported by both Democrats and Republicans. As to the fact that it is led by all women Senators, it may be that our time has come, given that women are 2½ times more likely than men to suffer from this disorder.

We remember in the early days when it was the women Senators who united to do something about breast cancer research or when it was women Senators who said: Why are we just studying men when it comes to various drugs and various diseases and cancer? Women have different interactions. Women have different problems. In

fact, these eating disorders affect women 2½ times more than men, yet, literally, hardly anything is going on with this in terms of help and funding. The number one mental health disorder that leads to death and has the highest morality rate is anorexia.

The bill is named in honor of Anna Westin of Chaska, MN, who was diagnosed with anorexia when she was 16 years old. Her health started deteriorating quickly after she completed her sophomore year at the University of Oregon. She began suffering from liver malfunction and dangerously low body temperatures and blood pressure. Even though her condition was urgent, Anna was told she had to wait until the insurance company certified her treatment. This ultimately delayed and severely limited the treatment that she received. After struggling with the disease for 5 years, she committed suicide at the age of 21.

My colleagues, we have a moral obligation to help people like Anna and families like the Westins, and we cannot afford to wait any longer. Last week marked 16 years since Anna's death, yet people with eating disorders are still not guaranteed coverage for lifesaving residential treatment by insurance companies. The bipartisan Anna Westin Act fixes this problem by clarifying that the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act specifies that residential treatment for eating disorders must be covered. We are talking about when a doctor diagnoses an eating disorder and believes, after trying different treatments, that there is an immediate emergency situation, that there should be coverage for residential treatment, which has been found to be really helpful with eating disorders because it helps to change how someone is eating and what they are doing and how they are interacting and how they are going on with their day-to-day life.

My friend, the late Senator from Minnesota, Paul Wellstone, fought hard for that Wellstone and Domenici mental health parity law. As Paul always insisted, a mental health parity bill is about equality and fairness. It is time patients struggling with an eating disorder receive that equality and fairness. It is time that so many of these women who suffer from this disease, which is much more particular to women than to men, get to receive that treatment that you get for other kinds of mental health disorders. This bill would ensure that patients like Anna Westin aren't prevented from getting the treatment they need simply because their insurance doesn't cover it. Eating disorders become life-threatening when left untreated, making early detection absolutely critical. That is why this bill would also use existing funds to create grant programs to train school employees, primary health professionals, and mental health and public health professionals on how to identify eating disorders, as well as how to intervene when behaviors associated with an eating disorder have been identified.

I think most young people today know someone who has an eating disorder. I remember in college a number of young women who had eating disorders, but they were hiding it. Nobody did anything about it. I have no idea how they are doing now.

Making this investment is a no-brainer. By drawing on existing funds for the training programs, this bipartisan bill is designed to have no cost associated with it. These commonsense and long overdue actions will help give those suffering from eating disorders the tools they need to overcome these diseases and prevent more tragedies like Anna's. We wish that Anna was still with us. We wish that she could have graduated from college, started a career, and had children of her own. Well, it may be too late for Anna. We know she would want us to do everything we can to create a world where eating disorders are acknowledged, are recognized, are treated, and are prevented.

I am so proud this bill has been out there for a few years. This is the first time this last year where it has been a bipartisan bill led by four women Senators, two Democrats and two Republicans. The time has come. With affected families in every corner of our country, I invite all of my colleagues to join us in support of this bipartisan bill. We must act now to give the millions of Americans struggling with eating disorders the help they need. Doing so will not just prevent suffering; it will help save lives.

Thank you, Mr. President.

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.

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

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

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent to speak as in morning business for approximately 15 minutes—probably less.

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

FILLING THE SUPREME COURT VACANCY

Mrs. FEINSTEIN. Mr. President, at noon today a group of us on this side of the aisle went to the Supreme Court and stood in front of it and spoke about what was happening with the Republican decision to not proceed with the advice and consent provisions of the U.S. Constitution.

I have been a member of the Judiciary Committee for 23 years. I sat through six Supreme Court nominations. In those 23 years, as a nonlawyer, I really became infused with great respect for the American system of justice, for the trial courts, for the appeal courts, and for the supreme courts on the State level as well as on the national level. I don't think there is a system of justice that affords an individual, a company, or an organization a fairer way to proceed to litigate a case than the American justice system.

So as I stood there and heard some of my colleagues speaking, I began to think of the enormity of what is happening. We all know that the Constitution is clear that the President's role is to nominate and the Senate's role is to advise and consent on the nominee, nothing less, nothing more. I strongly believe that we should proceed to render the President's nominee to the highest Court of the land and proceed to consider that advice and consent process with a hearing in the Judiciary Committee. To do anything less, in my view, is to default on our responsibility as U.S. Senators.

That has been the process, no matter how controversial a nomination. That has been the process even when the President and the Senate are of different parties. And, yes, that has been the process during Presidential election years. That is what happened when Anthony Kennedy was confirmed in the last year of President Reagan's term when Democrats actually held the Senate majority. In fact, a total of 14 Justices have been confirmed in the final year of a President's term.

Now, why is this important? The Supreme Court is a coequal branch of our Federal Government. It is a vital part of the separation of powers. It is the final arbiter of the law of the land. And one of our important jobs as Senators is to ensure that the Court has the Justices it needs to decide cases.

It is impossible to overstate the importance of a functioning Supreme Court. Brown v. Board of Education desegregated our schools. Loving v. Virginia struck down laws that made interracial marriage illegal. Roe v. Wade ruled on the constitutionality of State limits on women's access to reproductive health care, which has been upheld as precedent for over 40 years. Bush v. Gore even decided who would move into the White House as President of the United States. More recently, the Supreme Court struck down limits on campaign money, nullified a key part of the Voting Rights Act of 1965, upheld ObamaCare, and legalized same-sex marriage.

Now, what does a 4-to-4 Court mean? The prospect of having more than a year—as a matter of fact, some are saying it is up to 2 years—of tie votes on the Court in major controversial issues would be terrible for our system of justice.

Justice Scalia wrote about the prospect of the split Court in 2004. In responding to a request to recuse himself, he declined. He said if he were to recuse himself, ''the Court proceeds with eight Justices, raising the possibility that, by reason of a tie vote, it will find itself unable to resolve the significant legal issue presented by the case.''

That is Justice Scalia.

He continued, quoting the Court's own recusal policy: ''Even one unnecessary recusal impairs the functioning of the court.''

So that is what we are doing. We are impairing the functioning of the Supreme Court of the United States.

What the Republicans are doing will affect cases for we think at least 2 years—cases left from this year and those to be heard next year. If Republicans are successful in blocking a hearing and a vote on the President's nominee, the Court will find itself unable to resolve important legal questions for a lengthy period of time.

Imagine that you are a plaintiff, someone who has been wrongly terminated from a business, or a business in a legal dispute, or imagine you are a person or a business held liable as a defendant for millions of dollars in a civil case or someone who has been charged with or convicted of a crime. You might spend years of your life in prison or even be subjected to the death penalty even though there may be a legal problem with your conviction or sentence. In all of these instances, as Justice Scalia pointed out, the Court ''will find itself unable to resolve the significant legal issue presented by the case.''

That will mean that individuals and businesses, as well as the American people, will be denied the full system of justice guaranteed by this Constitution. Our people should not stand for this.

There are major issues pending before the Supreme Court. There are important measures to help stop climate change, immigration issues, race in college admissions, the fundamental concept of ''one person, one vote,'' and the ability of unions representing public employees to function. The point is this: Important issues are before the Court, or will be, and there should be a full Court to hear them.

There is absolutely no reason—none—that the Senate should refuse to do its job and conduct full and fair hearings and hold a vote on the nominee.

Just a bit of history: The Senate has not left a Supreme Court seat vacant for a year or longer since the middle of the Civil War. That is a fact. It has not happened since the middle of the Civil War. That would be about 1862.

Even as the nominations process has become more contentious, the Senate has still considered Supreme Court nominees in a timely manner. This has happened regardless of who sat in the White House or which party controlled the Congress.

Here are a few historic facts to consider: Since the Judiciary Committee began holding hearings in 1916 for Supreme Court nominees, a pending nominee to the Supreme Court vacancy has never been denied a timely hearing—never denied a timely hearing—even in the final year of a President's term.

Since 1975, the average time between a Supreme Court nomination and a vote by the full Senate has been 67 days. That is about 2 months. I would remind my Republican colleagues that this includes Justice Anthony Kennedy's confirmation, which took place in February of 1988—a California judge—in the final year of President Reagan's Presidency and before a Democratic Senate. So in the final year, a Democratic Senate took a Republican President's nominee, who was a Republican, and made him a Justice of the United States Supreme Court.

This has held true even for controversial nominees. Robert Bork and Clarence Thomas both failed to win a majority vote by the Judiciary Committee, but their nominations still advanced to a full Senate vote. That was even the case for Justice Thomas, a very conservative jurist, who replaced Justice Thurgood Marshall, a very liberal jurist. And, again, this took place in a Democratic-controlled Senate.

Many of my Republican colleagues have voiced their own support for a President's right to have his nominee considered. Someone I consider a friend who was chairman of the Judiciary Committee during periods of my tenure, Senator ORRIN HATCH, who voted in favor of Justice Ginsburg, said at the time—and I know this because I was sitting right there and heard it—he believed a President deserves some deference on Supreme Court appointments. He said he would not vote against a nominee simply because he would have chosen someone else.

Senator GRASSLEY, now chairman of the Judiciary Committee, made similar comments, saying Congress must not forget its advice and consent responsibilities.

Well, those responsibilities don't cease with the death of a jurist. As a matter of fact, that is the clear intent of the Constitution, that the advice and consent responsibility is mandated, no matter what. So to refuse to hold hearings before a nominee is even announced, to me, is shocking, and it makes me think: To what extent is the partisanship in this body going when it is willing to deny the Supreme Court a vital member? It will be like denying a baseball team a pitcher. They couldn't conduct a game without a pitcher. And a case that has any controversy cannot be fairly held without nine Justices.

That is not what we were sent to Washington for. It is not how to do the people's business. To deny the American people full and fair Senate consideration for a Supreme Court nominee would be unprecedented in our history and further undermine faith in the Senate as an institution. I really deeply believe this, and I don't know why we would let this happen.

If Republicans follow through on this threat, the fairness of the process for the Supreme Court will forever be tarnished. The consequences could reverberate for generations, and it will be a serious gesture against the functioning of this great democracy. So all we ask is, do your job. It is why we were sent here after all.

Thank you very much.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. UDALL. Thank you, Mr. President, for the recognition, and I just want to say to Senator FEINSTEIN that this Senator has listened to many of her remarks and very much agrees with what she said, which is that we should be doing our job in terms of this Supreme Court nominee. It is our job to advise and consent. The Constitution says we shall advise and consent when we get nominations.

Ten years ago the Senate faced a critical task: to consider the nomination by President Bush of Samuel Alito to the Supreme Court. It was a fierce debate. Many opposed him, and some passionately so. I will not argue that it was an easy road, but it was a road that was traveled because that is our job and that is one of our most important duties.

At the time, the current majority leader was very clear on that duty the Senate has. He said:

> We stand today on the brink of a new and reckless effort by a few to deny the rights of many to exercise our constitutional duty to advise and consent, to give this man the simple up-or-down vote he deserves. The Senate should repudiate this tactic.

Justice Alito did get an up-or-down vote and was confirmed 58 to 42, including four Democrats who voted in favor.

The majority leader was right. We do have a duty to advise and consent, and the Constitution indeed uses the word ''shall'' advise and consent.

A President's nominee does deserve an up-or-down vote. That was true then, and it true now. I do not agree with many of Justice Alito's views, but I do believe that it was critical for the Senate to do its job.

Now, here we are with a new nomination to the Supreme Court by a different President, but the majority leader seems to have changed his mind. We are told that no nomination of anyone by this President will be considered. The current Senate majority is refusing its constitutional mandate that it ''shall'' advise and consent, refusing to do its job for blatantly partisan and political purposes. This is misguided, and it is without precedent.

The full Senate has always voted to fill a vacancy on every pending Supreme Court nominee in election years and nonelection years, every single one for the last 100 years. We can go back even further than that. The Senate Judiciary Committee was created 200 years ago. According to the Congressional Research Service, the committee's usual practice has been to report every nominee to the full Senate, even those nominees opposed by a majority of the committee. This is a bipartisan tradition that makes sense and that we should follow.

When Senator LEAHY was Judiciary Committee chairman, he and Ranking Member HATCH did just that. Nominations—even those opposed by a majority of the committee—went to the full Senate.

In 2001, the Republican leader, Senator Lott, said that ''no matter what the vote in committee on a Supreme Court nominee, it is the precedent of the Senate that the individual nominated is given a vote by the whole Senate.''

Were those Senators any less principled? I don't think so. Were those Senators any less passionate in their views? No, but they did their job. They knew how important this was to our country. They honored Senate tradition, and they made sure the highest Court in the land was not running on empty. How did we get from there to here? If the majority leader has his way, there will be no hearings, no debate, and no vote.

The confirmation of a Supreme Court Justice is critical to a functioning democracy. It has become contentious only in recent years. It wasn't always so polarizing. Take, for example, Justice Scalia, whom we just lost. Justice Scalia was confirmed 98 to 0. This Senator does not argue that either side of the aisle is 100 percent pure, but we know that a fully functioning Supreme Court is vital to ensure justice in our system of government, and that depends on a fully functioning Senate.

This obstruction is part of a bigger problem. We have seen before and we are seeing now that the Senate is broken. The American people are frustrated, fed up with political games, obstruction in the Senate, special deals for insiders, and campaigns that are being sold to the highest bidder. They see this obstruction as just another example of how our democracy is being taken away. In this case, the hammer doing the damage is the filibuster. Instead of debate, we have gridlock. Instead of working together, we have obstruction. That is why I pushed for rules reform in the 112th Congress and in the 113th Congress. That is why I continue to push no matter which party is in the majority.

We changed the Senate rules to allow majority votes for executive and judicial nominees to lower courts, but that does no good if they remain blocked, and that is what is happening in this Congress. The line gets longer and longer of perfectly qualified nominees who are denied a vote—denied even to be heard. Meanwhile, the backlog grows to 17 judges, 3 Ambassadors, and even the top official at the Treasury Department whose job is to go after the finances of terrorists. We are on track for the lowest number of confirmations in three decades.

We now have 31 judicial districts with emergency levels of backlogs. A year ago, we had 12. Thousands of people wait for their day in court because there is no judge to hear the case. That is justice delayed and justice denied.

Just when you think things can't get any worse—they do. A seat on the Supreme Court is empty, and the majority leader is actually arguing that it should stay empty for over a year.

I do not believe that the Constitution gives me the right to block a qualified nominee, no matter who is in the White House. This Senator says that today and has said it many times before. Amazingly, this obstruction may reach all the way to the Supreme Court—not just for a specific nominee, but for any nominee.

What we are seeing is bad going to worse, and what we are seeing is election-year politics. The majority leader said that the voters should have a say in who the next Supreme Court Justice is. They had their say. They overwhelmingly reelected President Obama to a 4-year term—not a 3-year term. There is no logical end point to the majority leader's position. They say no Supreme Court nominee should be considered in the President's last year. What if this were 2 months ago? Would their views be different if it was December 2015 or October?

Additionally, Presidents aren't the only ones with limited terms in office. A number of sitting Senators are retiring. Do their constitutional duties and rights as Senators expire now as well? Of course not, and neither should a President's.

Nominees should be judged on their merits. They are public servants in the executive branch, in our courts. They serve the people in this country. They should not be judged on feelings about a President you may not like. That is not governing; that is a temper tantrum.

Let's be very clear. A Presidential election year is no excuse. For example, Justice Kennedy was confirmed unanimously in the last year of President Reagan's administration by a Democratic-controlled Senate.

Our democracy works with three branches of government, not just two. This assault on the Supreme Court is without precedent, without cause, and should be without support.

The President will do his duty and will nominate a Supreme Court Justice. Any Senator has the right to say no, but the American people have the right to hear why.

I began my speech with comments by the majority leader. But this really isn't about what the majority leader said 10 years ago or what other majority leaders have said and what both sides say back and forth; it is about what the American people are saying now and what the Constitution has always said: Do your job. Uphold your oath. Move our country forward.

So I state to my colleagues: Let's get serious. Let's stop these dangerous games. The President's nominee, whoever that is, deserves consideration. The American people deserve a government that works.

Mr. President, 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.

Mr. TILLIS. 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. TILLIS. Mr. President, our Nation is in the midst of a Presidential election in which the American people are currently deciding who will be our next Commander in Chief. In my home State of North Carolina, many voters have already submitted their absentee ballots and early voting will begin soon.

This election year is especially important. In addition to electing our next President, the American people will have an opportunity to have their say in who should be our next Supreme Court Justice. This is a rare opportunity to let people determine the composition of the highest Court in the land, an institution that dramatically affects the lives of all of us.

While the stakes weren't as high in 2014 as they are today, the voice of the American people was still heard loud and clear nonetheless. In 2014, the American people sent a message about their displeasure for the President's disregard for our Nation's system of checks and balances. The American people sent a message about their opposition to the President's misuse of Executive orders to bypass the will of the Congress, and the American people sent a message by electing a new Senate majority.

Perhaps the memo the Nation sent to the President in 2014 is the reason the minority leadership is now attempting to deny the American people's full voice from being heard in this election. The minority doesn't want the people to decide the composition of the Supreme Court, so they have claimed there is a constitutional requirement for the Senate to give the President's Supreme Court nominee a vote.

That couldn't be further from the truth. Article II, section 2 of the Constitution makes this clear. While the President may nominate individuals to the Supreme Court, the Senate holds the power to grant or withhold consent for those nominees. This is not difficult or unique in a constitutional sense. In fact, in 2005, the senior Senator from Nevada took to this very Senate floor and this is what he declared:

> The duties of the Senate are set forth in the U.S. Constitution. Nowhere in that document does it say the Senate has a duty to give the Presidential nominees a vote. It says appointments shall be made with the advice and consent of the Senate. That is very different than saying every nominee receives a vote.

The Senate is doing its job by withholding consent, and that is exactly why the rules of the Senate provide further guidance on what happens when the Senate exercises its authority not to advance a judicial nominee.

Senate rule XXXI states: ''Nominations neither confirmed nor rejected during the session at which they are made shall not be acted upon at any succeeding session without being again made to the Senate by the President.''

The Constitution states and the Senate rules anticipate that the Senate

can exercise its clear authority to withhold consent on any nominee offered by the President. It is not a novel concept that the Supreme Court vacancy should not be filled during an election year.

We can look back to 1992, probably before these pages were even born, when Senate Judiciary Committee then-Chairman JOE BIDEN eloquently explained the need for the Supreme Court vacancy during a Presidential election cycle and that it should be addressed after the American people had their say in the election.

Chairman BIDEN, now Vice President BIDEN, said:

> The senate too, Mr. President, must consider how it would respond to a Supreme Court vacancy that would occur in the full throes of an election year. It is my view that if the president goes the way of Presidents Fillmore and Johnson and presses an election year nomination, the Senate Judiciary Committee should seriously consider not scheduling confirmation hearings on the nomination—until after the political campaign season is over.

He went on to say:

> And I sadly predict, Mr. President, that this is going to be one of the bitterest, dirtiest presidential campaigns we will have seen in modern times.

The Vice President concludes by saying:

> I'm sure, Mr. President, after having uttered these words, some will criticize such a decision and say that it was nothing more than an attempt to save a seat on the court in hopes that a Democrat will be permitted to fill it.
>
> But that would not be our intention, Mr. President, if that were the course we were to choose as a senate to not consider holding the hearings until after the election. Instead it would be our pragmatic conclusion that once the political season is underway, and it is, action on a Supreme Court nomination must be put off until after the election campaign is over. That is what is fair to the nominee and essential to the process. Otherwise, it seems to me, Mr. President, we will be in deep trouble as an institution.

Vice President BIDEN's remarks may have been voiced in 1992, but they are entirely applicable in 2016. The campaign is already underway.

It is essential to the institution of the Senate and to the very health of our Republic not to launch our Nation into a partisan, divisive confirmation battle during the very same time the American people are casting their ballots to elect our next President.

Vice President BIDEN—and this is not something I have said very often—was absolutely right. There should be no hearings. There should be no confirmation. The most pragmatic conclusion to draw in 2016 is to hold the Supreme Court vacancy until the American people's voices have been heard.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

REMEMBERING OFFICER JASON DAVID MOSZER

Ms. HEITKAMP. Mr. President, I join with my colleague and senior Senator, Mr. HOEVEN, to honor and to bear witness to a great North Dakotan and a great officer of the Fargo Police Department, Jason Moszer, who lost his life in the line of duty.

I begin by yielding the floor to my senior Senator, Mr. HOEVEN.

Mr. HOEVEN. Mr. President, I join my colleague from North Dakota to honor a brave young man, Jason David Moszer, who made the ultimate sacrifice for his community.

Jason Moszer was an officer since 2009 with the Fargo Police Department. He died in the line of duty 2 weeks ago today while responding to a domestic violence report in Fargo, ND. It is a tragedy that he was torn from his family and friends and torn from his life while protecting the lives of others. He dedicated himself to serving our State, and we are all grateful for his commitment to devoting his energy and talents to serve as a member of the Fargo Police Department.

While at his funeral earlier this week, I appreciated the opportunity to learn more about the person Jason was and the life he lived. From his youth, he led a life of continuous service—service with the National Guard as a combat medic for 8 years, service in Bosnia, service in Iraq, and, until his passing, service to the people of Fargo as a policeman. In 2012 he and fellow officer Matthew Sliders were awarded the Department's Silver Star Medal for pulling two children from an apartment fire.

Even in death he served by donating his organs to others in need. In dying, his organs and tissue helped save the lives of at least five other people. Clearly, Officer Moszer was a man committed to doing things for others and, consequently, he was respected and admired by everyone who came into contact with him.

Hearing stories about the pranks he pulled, the friends he brought together, his love of camping and cooking all round out the picture of a man who touched the lives of so many, a man who was loved by so many. We owe him and those who love him a tremendous debt for their sacrifice because his family and friends paid a high price.

We in North Dakota pride ourselves on being a safe State, but incidents like this remind us we are not immune to violent crime. They also remind us of the enormous debt we owe to Officer Moszer and to all the men and women in law enforcement who leave home every day and go to work to protect us and help make ours the wonderful State North Dakotans are so proud of.

Mikey and I extend our heartfelt condolences to Officer Moszer's wife Rachel and their children, Dillan and Jolee. It is difficult to lose a loved one, and, more so, to lose one so young and under such circumstances. During this difficult time, we pray that the Moszers are able to find comfort in the love of their family and friends, the support of their community, and the warm memories they have of Jason, which they will carry for the rest of their lives. Please know that you will continue to be in our thoughts and prayers.

One final note. Senator HEITKAMP and I were at the funeral. I think there were about 6,000 people at the funeral, which is a testament to Officer Moszer and his life. He truly epitomizes sacrifice and service to others. May God bless him and his family.

Mr. President, I turn the floor back to my colleague, Senator HEITKAMP.

Ms. HEITKAMP. I thank my senior Senator from North Dakota, Mr. HOEVEN.

As we sat quietly in the hockey arena that Jason loved so much, we felt the pain of so many, including the literally hundreds of thousands of North Dakotans who watched the broadcast of the funeral but also listened on the radio.

On the evening of Wednesday, February 10, Officer Jason Moszer did what so many police officers do on a daily basis—he went toward the danger to answer the call to serve and protect the citizens of Fargo, ND. Jason and the other officers who responded to that initial call knew they were encountering a dangerous situation. The domestic violence call that brought them there that evening had mentioned there might be a firearm involved. Yet those officers did not hesitate that night.

A short time later, shots rang out, and then those words—those words that will never be forgotten by his fellow officers—were heard: ''Officer down.''

Yet, even in the darkest of hours, the men and women of the Fargo Police Department maintained their composure and continued the critical work of securing the surrounding neighborhood and trying to bring this dangerous situation to a resolution.

Later that night the city of Fargo, the State of North Dakota, our neighboring community of Moorhead, ND, and certainly his home community of Sabin, lost one of its finest when Officer Moszer succumbed to his injuries. The loss of an officer in the line of duty is something that devastates an entire community—and in a small State like North Dakota it has taken a toll on every law enforcement officer and every resident throughout our entire State.

I am here this evening to honor Officer Moszer, and I am here this evening to honor the brave men and women of the Fargo Police Department. These officers wake up every morning, and they put on a uniform that requires that they frequently place themselves in dangerous situations in order to protect and to serve the citizens of their State, their community or their tribe. Few among us know what it is like to make that choice.

We have a proud history in North Dakota of law enforcement officers serving their State and local community with distinction. I have had the privilege over the years to work with law enforcement officers in my State who span the spectrum—from highway patrol to State and local officers, to various Federal officers, and the tribal communities. Let me tell you, without any hesitation, these are some of the finest men and women I have ever met or worked with. The officers of the Fargo Police Department have proven beyond a doubt that they are some of the finest law enforcement officers in the Nation.

The men and women of the Fargo Police Department, led by Chief David Todd, performed admirably and heroically that night 2 weeks ago. The courage, strength, and leadership displayed by Chief Todd during this incredibly difficult period has been nothing short of remarkable, and those qualities have certainly spread throughout his department to each and every officer under his charge. Remember, these officers chose this path. They chose to selflessly put themselves in harm's way so they could make the city of Fargo a safer place for each and every person who lives there or who may by chance be passing through. They chose to put the needs of others before their own. They chose a more difficult path to tread than most of us would ever be willing to follow.

One of the stories we heard was from one of his best friends who said: Jason, quite honestly, would have been embarrassed by the outpouring. He suggested that maybe what Jason would have liked is just for people to have a few beers and remember him quietly. Well, Jason's loss was a loss not only for the people of our State, but it was a tremendously devastating loss for the Fargo Police Department and the community of Fargo. Those officers who put on that uniform each and every day are a unique and very special group, a tight-knit group. Very few people can understand what it takes to do the job they do.

Unfortunately, I have attended a number of funerals—two during my time as attorney general—of officers who were killed violently in the line of duty. One of the most moving tributes to a fallen officer is when the radio dispatcher goes through an End of Watch Roll Call. This moving and emotional moment shows that even in death, the men and women of the Fargo Police Department stand shoulder to shoulder with their colleagues, that they will support each other the way they support the city of Fargo each and every day, and that even when a colleague has fallen in the line of duty, they will always have his back.

Officer Moszer, Chief Todd, and the men and women of the Fargo Police Department, I thank you from the bottom of my heart for your service and for your sacrifice to the people of Fargo and to the State of North Dakota.

I wish to end with the End of Watch:

Edward 143 Status Check. . . . Edward 143 Status Check. . . . Last Call Edward 143 Status Check.

Adam One Central—Edward 143 is 1042. End of Watch, February 11th 2016 at 1245 hours.

Those were the final words that their comrades spoke to Officer Moszer and his family.

Without brave men and women willing to step up and willing to stand on the wall for every one of us, we would be a much lesser society.

My thanks to my colleague Senator HOEVEN for joining me. It is in a great North Dakota spirit that we join together as colleagues in a bipartisan way to say thank you and to say goodbye to a wonderful officer, Officer Moszer.

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

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

MORNING BUSINESS

AMERICAN HEART MONTH

Mr. DURBIN. I come to the floor today in recognition of American Heart Month.

For more than 50 years, Congress has recognized February as American Heart Month. During this time, we have seen many advances in reducing congenital heart defects, heart disease, stroke, and other forms of cardiovascular disease through improvements in research, education, prevention, and treatment.

Over 1 million cardiovascular disease deaths are now averted each year thanks to advances in biomedical research, prevention programs, and the development of new drugs and therapies; yet every 15 minutes, a child is born with a heart defect, and nearly 86 million adults are living with some form of cardiovascular disease. Congenital heart defects are the most common type of birth defect, and heart disease alone remains our Nation's leading cause of death.

For millions of families across the country, including mine, the impact of heart defects and disease can be overwhelmingly painful.

Thanks to the Affordable Care Act, parents can now afford health insurance, and coverage can no longer be denied for a preexisting condition. Also, insurers cannot set arbitrary lifetime or annual limits on care. These protections can be lifesaving, literally, when dealing with congenital heart conditions.

And while I am so proud of what we did in health reform to improve access to care, we must do more to improve quality of care—and that means finding ways to better treat and even prevent these diseases.

Thankfully, there is hope for patients and families across the country. Breakthroughs in research are getting us closer to understanding the risk factors and causes of these diseases. We are developing new drugs and therapies to help those who are suffering, and we are improving standards of care for those living with and managing these diseases.

Increases in funding for the NIH and CDC in the fiscal year 2016 omnibus bill will support these critical efforts in prevention, research, and treatment. We provided a historic funding increase of $2 billion for the NIH, and the CDC's budget was increased by nearly 5 percent. These increases will support leading research efforts at the NIH on the causes of cardiovascular diseases and possible treatments; community prevention programs at the CDC; as well as initiatives to gather data and track the incidence of congenital heart disease. These cannot be onetime increases. We must commit to sustained long-term investments in our Federal health agencies—that means ensuring robust funding increases above inflation year after year. That is why I will again fight for funding equal to five percent real growth in the fiscal year 2017 appropriations bills for NIH, CDC, and seven other research agencies that contribute to medical and scientific advancements consistent with two bills I have introduced.

The American Cures Act would provide annual budget increases of five percent over inflation every year for 10 years at American's top four biomedical research agencies: the National Institutes of Health; the Centers for Disease Control and Prevention; the Department of Defense health programs; and the VA's Medical and Prosthetic Research Program, its biomedical research arm.

The American Innovations Act would invest an additional $110 billion over 10 years in the critically important basic science research at America's top research agencies: the National Science Foundation; the Department of Energy Office of Science; the Department of Defense Science and Technology Programs; the National Institute of Standards and Technology Scientific and Technical Research; and the NASA Science Directorate.

We can't afford not to invest in the work these critical agencies are doing. And let me tell you why.

A few weeks ago, I was in Peoria, IL, touring the OSF Hospital there. Researchers from the University of Illinois Medical School are teaming up with the engineering department in joint efforts to bring new technologies to medical breakthroughs. They showed me a model of an infant's heart. It was an exact 3–D printed replica of an actual infant heart with serious congenital defects that would be operated on. The model was produced