

are strict constructionists. Where are these people? They are hiding in the corner not doing their job. Look at what it says: The President “shall nominate, and by and with the Advice and Consent of the Senate, shall appoint . . . Judges of the supreme Court.” It doesn’t say: P.S., unless you don’t like who is President. It doesn’t say that.

So I say to everyone on the other side of the aisle who says they are strict constructionists—and most of them do—read the Constitution and read what Ronald Reagan said.

The American people have three words for Republicans: Do your job. Stop disrespecting the Constitution. Stop disrespecting our President and stop threatening to create a manmade crisis at the Supreme Court.

The Supreme Court has to do its job. This isn’t some ideological discussion in a salon somewhere, because every day the Court considers cases with profound impacts for the American people—like whether States can have voter identification laws that put an unfair burden on voters or whether the American people have the right to organize and fight for fair pay. I could go on, because almost every issue that American families face eventually winds its way to the Court. So regardless of your political position or your personal position on any individual case, we have to fill the vacancy because Americans deserve a full functioning Supreme Court.

In closing, I want to quote Sandra Day O’Connor. Now, here is a woman—the first woman on the Supreme Court, appointed by Ronald Reagan—who made history. She says this to us in the clearest of terms: “I think we need somebody there now to do the job, and let’s get on with it.” So if you don’t want to listen to the Constitution, and you don’t want to listen to Ronald Reagan, how about giving some respect to a woman who made history and understands how the Court functions. We have to get on with it.

Every one of us has to do our job. The Judiciary Committee should stop holding hearings to hurt women, and they should instead go down to the White House and advise and consent with the President on this nomination. They should stop playing politics. We should all come together. We see such division in the country. It is making a lot of our people afraid because there is no respect. How about we start off with respecting the Constitution and working together to fill this vacancy and showing the public that we can come together to have a fully functioning Supreme Court. The American people deserve nothing else.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. FLAKE). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### JUSTICE AGAINST SPONSORS OF TERRORISM ACT

Mr. CORNYN. Mr. President, I come to the floor to speak on two topics. The first is the piece of legislation that I introduced last year, along with the senior Senator from New York, Mr. SCHUMER, right after the anniversary of the September 11 attacks. This bill is entitled the “Justice Against Sponsors of Terrorism Act,” or JASTA for short. It makes minor adjustments to our laws that would clarify the ability of Americans attacked on U.S. soil to get justice from those who have sponsored that terrorist attack.

The Senate Judiciary Committee considered this bill last month and reported it to the floor without any objection, so now it is my hope that we can soon take up this legislation because this is important to the victims of the 9/11 attacks. Actually, that is an understatement. This bill, if signed into law, will hopefully help victims and their families achieve the closure that they so terribly need from this horrific tragedy. But this legislation is more than that. As our Nation confronts new and expanding terror networks that are targeting our citizens, stopping the funding source for terrorists grows even more important. So I hope Senators can work together to get this critical bipartisan bill done soon.

#### FILLING THE SUPREME COURT VACANCY

Mr. CORNYN. Mr. President, on another note, I come to the floor to make a few remarks about the Supreme Court vacancy left by the death of Justice Scalia.

It is pretty clear that our colleagues across the aisle do not believe that the American people deserve a voice in the process by which the successor to Justice Scalia is selected. We have made our position pretty clear that there will not be a new Justice confirmed until the American people, in the elections that come up in November, make their preferences known about who will make that appointment.

Instead of following the rule book of the minority leader, the senior Senator from New York, and our current Vice President—the ones that they advocated for under a Republican administration—our Democratic friends now argue that a lameduck President should be able to nominate someone to a lifetime appointment to our Nation’s highest Court, which will upset the ideological balance on that Court for a generation. As I have mentioned before, the last time a Supreme Court nominee was nominated and confirmed during an election year was 1932, and we have to go back much earlier, to 1888, to find a similar situation in divided government, which we have now.

When Vice President BIDEN was chairman of the Senate Judiciary Com-

mittee, he made perfectly clear that a Supreme Court nominee should not be considered until after a Presidential election has concluded. As we all know, both Democrats and Republicans are well down the road to making their selection for their nominee for President, and obviously we will have that election in the coming November. But our friends across the aisle continue to contradict themselves and their previous statements, insisting that this decision is somehow unprecedented. Well, we know it is not, because if the shoe were on the other foot, they have made clear what they would do.

I thought I might share with my friends across the aisle what so many of my constituents in Texas have told me about our decision to let them have a voice in the selection of the next lifetime appointment to the Court.

Killeen, TX, is the home of Fort Hood, one of the largest military installations in the world. Last Friday, the town decorated a memorial to honor those who lost their lives in the terrorist attack of 2009, when MAJ Nidal Hasan went on his violent rampage. But John from Killeen wrote:

President Obama is free to make any nomination he wants under the Constitution. The Senate, under the same Constitution, has no obligation to hold hearings on or confirm that nomination. The Judiciary Committee’s decision to observe the so-called Biden Rule is absolutely correct. The replacement for Justice Scalia should be nominated by the next president.

I agree with the letter writer, and the minority leader agreed with him in 2005 as well. That is basically what Senator REID said in 2005 during the Bush 43 administration. While the President could nominate anybody he wanted, the Senate was not obligated under the Constitution to vote on that nominee.

At the end of the letter, John asked me to “hold the line” on this decision. He, like many Americans, is passionate about having a say in the selection of the next Supreme Court nominee. I intend to do everything I can to make sure they do have that voice.

Another constituent from Plano—just north of Dallas—was emphatic that the Senate should “Give We The People a say.” I couldn’t agree with him more.

The American people made clear they wanted a check on the Obama administration in November of 2014 when they put Republicans in the majority of the Senate. Now we have an obligation to use that mandate from the people for issues that matter most to our country, and that includes the direction of the Supreme Court.

My constituents are right to care deeply about this because there is so much at stake. As I said, the next Supreme Court Justice could well change the balance of the Supreme Court for a generation and fundamentally reshape American society in the process. So the people should have a chance for input and should have a voice. I am proud to stand alongside my Republican colleagues and make sure their voice is

heard in the next selection of a lifetime appointment to the Court.

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RECESS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Senate stand in recess, as under the previous order.

There being no objection, the Senate, at 12:18 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

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CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

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NATIONAL SEA GRANT COLLEGE PROGRAM AMENDMENTS ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the House message to accompany S. 764, which the clerk will report.

The senior assistant legislative clerk read as follows:

House message to accompany S. 764, a bill to reauthorize and amend the National Sea Grant College Program Act, and for other purposes.

Pending:

McConnell motion to concur in the House amendment to the bill with McConnell (for Roberts) amendment No. 3450 (to the House amendment to the bill), in the nature of a substitute.

McConnell motion to refer the bill to the Committee on Commerce, Science, and Transportation.

Mr. ROBERTS. Mr. President, I suspect a quorum call has been initiated. If so, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. The Senate is not in a quorum call.

The Senator from Kansas.

Mr. ROBERTS. Mr. President, today is National Agriculture Day, and I wish to thank the farmers and ranchers of America. The Senate is considering legislation on an issue that is critically important to our Nation's food supply. It affects everyone from our producers in the fields to our consumers in the aisles of grocery stores. Without Senate action, this country will be hit with a wrecking ball—an apt description—that will disrupt the entire food chain. We need to act now to pass my amendment to S. 764. This is a compromised approach that provides a permanent solution to the patchwork of biotechnology labeling laws that will soon be wreaking havoc on the flow of interstate commerce, agriculture, and food products in our Nation's marketplace, and that is exactly what this is about. Let me repeat that. This is about the marketplace. It is not about safety. It is not about health or nutrition. It is about marketing. Science has proven again and again and again

that the use of agriculture biotechnology is 100 percent safe.

In fact, last year the Agriculture Committee heard from three Federal agencies tasked with regulating agriculture biotechnology: the Department of Agriculture's Animal and Plant Health Inspection Service, the Environmental Protection Agency—yes, the EPA—and the Food and Drug Administration, the FDA. Their work is based on sound science and is the gold standard for policymaking, including this policy we are debating today—one of the most important food and agriculture decisions in recent decades.

At our hearing, the Federal Government expert witnesses highlighted the steps their agencies have already taken to ensure that agriculture biotechnology is safe—safe to other plants, safe to the environment, and safe to our food supply. It was clear our regulatory system ensures biotechnology crops are among the most tested in the history of agriculture in any country. At the conclusion of the hearing, virtually all Senate Agriculture Committee members were in agreement. What happened? When did sound science go out the window? Since that hearing, the U.S. Government reinforced their decisions on the safety of these products.

In November, the FDA took several steps based on sound science regarding food produced from biotech plants, including issuing final guidance for manufacturers that wish to voluntarily label their products as containing ingredients from biotech or exclusively nonbiotech plants.

More important, the Food and Drug Administration denied a petition that would have required the mandatory labeling of biotech foods. The FDA stated that the petitioner failed to provide the evidence needed for the agency to put such a requirement in place because there is no health safety or nutritional difference between biotech crops and their nonbiotech varieties, regardless of some of the rhetoric we have heard on the floor of the Senate.

Thus, it is clear that what we are facing today is not a safety or health issue, despite claims by my colleagues on the Senate floor; it is a market issue. This is about a conversation about a few States dictating to every other State the way food moves from farmers to consumers in the value chain. We have a responsibility to ensure that the national market can work for everyone, including farmers, manufacturers, retailers, and, yes, consumers.

This patchwork approach of mandates adds costs to national food prices. In fact, requiring changes in the production or labeling of most of the Nation's food supply for a single State would impact citizens in our home States. A recent study estimates that the cost to consumers could total as much as—get this—\$82 billion annually, which comes to approximately \$1,050 per hard-working American fam-

ily. This Vermont law, which is supposed to go into effect in July, will cost each hard-working family \$1,050. Let me repeat that. If we fail to act, the cost to consumers could total as much as \$82 billion annually and will cost each hard-working American family just over \$1,000. Now is not the time for Congress to make food more expensive for anybody—not the consumer or the farmer.

Today's farmers are being asked to produce more safe and affordable food to meet the growing demands at home and around a troubled and very hungry world. At the same time, they are facing increased challenges to production, including limited land and water resources, uncertain weather patterns, and pest and disease issues. Agriculture biotechnology has become a valuable tool in ensuring the success of the American farmer and meeting the challenge of increasing their yields in a more efficient, safe, and responsible manner. Any threat to the technology hurts the entire value chain—from the farmer to the consumer and all those who are involved.

I also hear—and I do understand the concern from some of my colleagues about consumers and available information about our food. Some consumers want to know more about ingredients. This is a good thing. Consumers should take an interest in their food, where it comes from, and the farmers and ranchers who also produce their food. I can assure you the most effective tool consumers have to influence our food system or to know more about food is by voting with their pocketbooks in the grocery stores and supermarkets. This legislation puts forward policies that will help all consumers not only find information but also demand consistent information from food manufacturers. However, it is important, as with any Federal legislation on this topic, for Congress to consider scientific fact and unintended consequences.

The committee-passed bill created a voluntary national standard for biotechnology labeling claims of food. I have heard concerns that a voluntary-only standard would not provide consumers with enough information, even though there is no health, safety, or nutritional concern with this biotechnology. So we worked out a compromise to address these concerns by providing an incentive for the marketplace to provide more information.

This legislation will allow the markets to work. However, if they do not live up to their commitments and information is not made available to consumers, then this legislation holds the market accountable. Under this proposal, a mandatory labeling program would go into effect only if a voluntary program does not provide significant information after several years. The marketplace would then have adequate time to adjust and utilize a variety of options—a menu of options—to disclose information about ingredients, along