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Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, You have withheld nothing we need. Today, meet the needs of our lawmakers. Give them so much more than they expect or deserve that they will sing praises for Your goodness. In these days of unprecedented challenges and opportunities, empower them with faith, courage, and good will to make the world a better place. Lord, use them as Your servants to bring healing to our Nation and world.

Today we also pray for the ill, the bereaved, the infirmed, the discouraged, and the lonely. Keep them as the apple of Your eye; hide them in the shadow of Your wings.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. HELLER). The majority leader is recognized.

PROTECTING FAMILIES AFFECTED BY SUBSTANCE ABUSE ACT

Mr. McCONNELL. Mr. President, by now, many know the numbers. Overdose deaths in Kentucky were responsible for more than 1,000 deaths in 2014

alone. This is a devastatingly high number, among the highest rates in the Nation, but it is even more heart-breaking when you consider the real-world toll substance abuse can take on friends and family members, not to mention their children.

The trickle-down effects of opioid and heroin abuse are palpable and widespread, lasting and cyclical, but there are steps we can take today to help families impacted by drug abuse and keep more families from ever going through it to begin with. That is why I am proud to join my colleague, the senior Senator from Iowa, in introducing the Protecting Families Affected by Substance Abuse Act, which would reauthorize grants to help children in foster care or at risk of being placed there because of their parents' drug habits. This is what one Kentucky group said about their experience with these grants:

The Regional Partnership Grants have been integral to the implementation of Kentucky-START, which has helped more than 800 Kentucky families and more than 1,600 Kentucky children. It's programs like these, which focus on better outcomes for children and safely reuniting families, that are helping combat the negative effects of the opioid, heroin, and other drug epidemics facing the Commonwealth.

I am also proud of the work that is being done in the Commonwealth to address the opioid crisis, particularly in rural communities. For instance, the Appalachia High Intensity Drug Trafficking Areas Program, HIDTA, was recently recognized by Director Botticelli and the Office of National Drug Control Policy as the top program of its type for 2015. I recognize all they have done in the fight against drug trafficking and illegal drug use. I have no doubt that without their efforts and those of the other leaders in the Commonwealth, the toll of the epidemic would be much greater than it already is.

So whether it is working to support the local HDTAs or working together

with the senior Senator from Iowa and me to pass our legislation to reauthorize grants for local communities, there are many opportunities for Senators to help ensure we respond to the drug epidemic wreaking havoc on our communities at home. For example, there are a number of other important pieces of related legislation in the Senate.

This week Senators discussed one of these bills in the Finance Committee. It would allow Medicare Advantage and Part D plans to implement a prescription drug abuse prevention tool similar to what is already available and used in Kentucky in the Medicaid Program and in private plans. I was proud to join the junior Senator from Pennsylvania as a cosponsor of that bill as well.

Of course, there is the Comprehensive Addiction and Recovery Act, CARA. The junior Senators from Ohio and New Hampshire have been leading the charge on that effort, and I thank the chairman of the Judiciary Committee, Senator GRASSLEY, and the chairman of the HELP Committee, Senator ALEXANDER, for working together to have the bill reported out of Judiciary, and it came out of the Judiciary Committee on a voice vote.

In the coming days we will be working to move that important bipartisan bill forward. It has garnered a great deal of support from both sides of the aisle because of its provisions to expand prevention and educational efforts, strengthen prescription drug-monitoring programs, improve treatment programs, and give law enforcement officials more of the tools it needs to address this awful epidemic.

With bipartisan support, we can pass legislation such as CARA and the others I have discussed today in order to promote healthier families and a healthier country.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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CONFIRMATION OF ROBERT CALIFF

Mr. McCONNELL. Mr. President, in the meantime, we took a step forward yesterday by confirming the new FDA Commissioner, Dr. Robert Califf. In a recent meeting with Dr. Califf, I expressed my concerns regarding the epidemic at hand and the need for more action by the FDA.

I was encouraged by Dr. Califf's recognition that the opioid epidemic is a serious problem and the FDA must do a better job of addressing it. Dr. Califf received broad bipartisan support yesterday in the Senate, and we look forward to working with him. I will continue to hold him accountable to lead the FDA in a new direction to help prevent dependence and abuse of prescription opioids.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

OPIOID ADDICTION

Mr. REID. Mr. President, I join the Republican leader on the need to address the scourge of opioid addiction. It is a scourge. That is why it is more important than ever that we back our words with real solutions, real resources.

That is why the amendment by Senator SHAHEEN to the opioid bill will be important. I hope it gets every consideration, and I hope it passes.

FILLING THE SUPREME COURT VACANCY

Mr. REID. Mr. President, I start with a statement the Republican leader made on the Senate floor in 2007: "I will never agree to retreat from our responsibility to confirm qualified judicial nominees."

I wish to repeat: "I will never agree to retreat from our responsibility to confirm qualified judicial nominees."

My Republican counterpart said that. They are his own words.

Fast forward 9 years to today, now. Not only is the senior Senator from Kentucky abandoning his responsibility to confirm a Supreme Court Justice, he is leading the entire Republican caucus to retreat from their constitutional obligation. This is unfortunate because the Republican leader was right 9 years ago. As Senators, we have a responsibility to uphold a number of things, but one certainly is the Constitution. That responsibility is clearly outlined in the oath we take before we are sworn into office—right there. Every one of them has done it. What are we asked to confirm, to swear to? We swear to "support and defend the Constitution of the United States." We swear to "bear true faith and allegiance to the same." We swear to "faithfully discharge the duties of of-

fice." I wish to repeat that. We swear to "faithfully discharge the duties of office."

One cannot see how Republicans can claim to uphold this oath as they block the President from appointing a new Supreme Court Justice. Senate Republicans are making pledges of a different sort these days. They have vowed to not hold hearings—even though denying a hearings is unprecedented in history. They have sworn not to meet with the President—I am sorry, with his nominee and maybe even him. He has been waiting for word from the chairman of the Judiciary Committee and the Republican leader to find out if they are willing to come and meet with him in the White House. That has been going on for several days now. They have sworn not to meet with the President's Supreme Court nominee, even though they don't know who that person might be. By refusing to hold confirmation hearings for President Obama's Supreme Court nominee or to hold a vote, they undermine the Presidency, the Constitution, and the Senate.

Senate Republicans are known—and have been for some time now—as a set of human brake pads, obstructing, filibustering virtually everything President Obama has had on his agenda, but this raises obstruction to a new level never seen before in this country—the Supreme Court: no hearings, no vote, and yesterday even more. They even refuse to meet with this man or woman who is going to be nominated—no meetings, no meetings with the nominee to the Supreme Court, a person put forth by the President of the United States because the Constitution states he shall nominate. He has no discretion, he shall nominate.

By refusing to even sit or talk with any nominee, they make a mockery of the office to which the American people elected them.

Think about this. Republicans will not do their due diligence by speaking with a nominee to assess his or her qualifications. Meeting with the nominee is basic. Holding a hearing is routine. These things are common sense, so why won't Republican Senators make an effort to uphold their constitutional responsibilities?

U.S. Senators have an obligation to evaluate the Presidential nominations, not only for the Supreme Court but for every nomination that comes forward—but especially the Supreme Court. That means sitting down with the nominee. That means holding hearings to learn about their record and qualifications for the position, and that means a vote.

The senior Senator from Texas said the same about 7 years ago. After Justice Sonia Sotomayor was nominated, the assistant Republican leader told C-SPAN that "my own view is that we ought to come with an open mind and do the research and do the reading . . . and then be able to ask the nominee about them."

What he said, the senior Senator from Texas, is that his view is that we

ought to come with an open mind, do the research, do the reading, and then be able to ask the nominee about them. I agree. The Senate should be able to research the background of the President's Supreme Court nominee and ask any questions they may have about them. Why—why—for the first time in history, do we have this situation? Why do Republicans—the Republican Senator from Texas, whom I just quoted, and all Republicans—refuse to even meet with a nominee?

I say to my Republican friends, you cannot offer advice and consent on a nominee you have never met, never considered. It is impossible. Maybe Republicans are hoping the Supreme Court vacancy will just go away, but it will not. Maybe Senate Republicans think they will only endure a few weeks of negative stories—and there have been negative stories, of course. There are no positive stories that I am aware of saying: That is great. For the first time in history you are not even willing to meet with a nominee. I guess they believe the American people will forget about this vacancy, but they will not.

Democrats are going to fight every day to ensure that this important nominee gets a dignified confirmation process that past Senates have afforded all Supreme Court nominations. I, along with every other Member of the Democratic caucus, will be on the floor next week, the week after that, and the week after that, as long as it takes, to bring to the attention of America the failure of this Republican Senate to meet its constitutional mandate.

Pretending the nominee doesn't exist will not make the Supreme Court vacancy go away. It will not make the President's nomination vanish. Rather, it leaves the American people with a Senate full of Republicans who, as the Republican leader said, are "retreating from their responsibilities." That is what the Republican leader said. Their obstruction of the President's Supreme Court nominee is abdication of the oath my Republican colleagues took when they assumed the title of U.S. Senator.

Once again I tell my Republican friends: Don't run away from your responsibilities, just do your job. Do your job.

Mr. President, will the Chair announce the business of the day.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.