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Senate

The Senate met at 3 p.m. and was called to order by the Honorable JONI ERNST, a Senator from the State of Iowa.

PRAYER

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

Let us pray.

Lord of life, hear our prayers. Fill us with Your Spirit so that we may please You. Empower our lawmakers. Help them not to have an excessive focus on temporary things while ignoring an eternal perspective. May their lives bring glory and honor to Your Name, as You create in them humble and contrite hearts that are willing to serve You and humanity.

And Lord, as our Nation prepares to elect a new President, may Your providence, not our wisdom, prevail. Demonstrate Your power so that we may remember that nothing is too difficult for You.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer 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.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, February 29, 2016.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable JONI ERNST, a Senator from the State of Iowa, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mrs. ERNST thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

PRESCRIPTION DRUG ABUSE

Mr. MCCONNELL. Madam President, there is an epidemic sweeping across our Nation, ripping through communities, tearing families apart, striking at the vulnerable—even babies who have yet to take their first breath. The prescription opioid and heroin epidemic does not discriminate by demographic or socioeconomic status, by age or by gender. It touches parents and children, neighbors and coworkers in all 50 States. It is ending lives at recordbreaking rates, and it is getting worse. Deaths from opioids have surged by 200 percent over the last decade and a half alone. In my home State of Kentucky, drug overdoses continue to outpace the number of fatalities from traffic accidents.

This is an issue we have been combating for some time, and we have made some important strides along the way, but there is a lot more to do. This week we have an opportunity to take an important step forward. One of the most painful aspects of this epidemic, as I mentioned, is the increasing number of infants who are born dependent on opioids such as prescription pain killers and heroin. These children start their lives suffering from drug dependence, which is nearly as hard to imagine as it is heartbreaking.

Last year, I sponsored a bipartisan measure designed to help address this

specific issue. I appreciate the senior Senator from Pennsylvania, Mr. CASEY, for working across the aisle with me to advance the Protecting Our Infants Act through Congress, and I am proud to say it was signed into law just a few months ago. It is an example of one of the many steps we have already begun to take as we address this epidemic.

We took another step forward last week when the Senate voted to confirm a new FDA Commissioner. I have been very clear that the FDA must take a stronger approach in regard to this epidemic and its prevention efforts, which is why I appreciated Dr. Califf's expressed vision for positive change at the agency. I voted for his nomination last week, but as I told him, he should know that we will continue to ensure oversight over his agency's response going forward.

This week, we have another opportunity to take a step forward—an important step forward. Before us today is bipartisan legislation that would help combat the prescription opioid and heroin epidemic at every level. The Comprehensive Addiction and Recovery Act, or CARA, is the product of a lot of hard work and bipartisan work by a number of Senators.

I would like to recognize the chairman of the Judiciary Committee, the Senator from Iowa, and the ranking member, the Senator from Vermont, for acting swiftly to pass this bill through committee on a voice vote. I appreciate the assistance and cooperation of other leaders on this important issue, such as the chairman of the Committee on Health, Education, Labor, and Pensions and the ranking member from the State of Washington.

I also want to thank the sponsors of this bill, the junior Senators from Ohio, New Hampshire, and Rhode Island, and the senior Senator from Minnesota. These leaders understand the toll this epidemic is taking on our communities. They have studied the issue closely in their home States, and

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



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they have worked with Senators from across the aisle to advance this legislation through the legislative process. It is thanks to their hard work that we are debating this bipartisan bill today.

The junior Senator from Ohio has called CARA the only bipartisan legislation that includes a comprehensive and evidence-based approach to help communities combat this epidemic. It would strengthen prescription drug monitoring programs, it would improve treatment initiatives, it would expand prevention and education, and it would give law enforcement more of the tools it needs to fight back against this epidemic.

It is no wonder this bipartisan legislation is supported by more than 130 national anti-drug groups. In a recent letter, they noted the only way to “stop and reverse current trends” was with a comprehensive approach, such as that included in the Comprehensive Addiction and Recovery Act of 2015, that leverages evidence-based law enforcement and health care services, including treatment.

So this bill takes the kind of comprehensive approach that is needed and at the same time, as these groups also noted in their letter, “the cost of the bill is kept low” with “no impact on mandatory spending.”

I ask colleagues to join with us in working to pass this bipartisan authorization bill. We will also have opportunities through the appropriations process this spring to continue important funding, just as we did last year. Indeed, just a few months ago we appropriated \$400 million to opioid-specific programs—nearly one-third more than what the Senate appropriated the preceding year—and we understand that all \$400 million of those funds still remains available to be spent today. That is right. All \$400 million remains available to be spent.

I sincerely hope our friends across the aisle will join us in supporting this legislation to address our national crisis. This is an important bill for each of us in this Chamber, and I look forward to taking action today to get us closer to seeing it become law. I have talked about the urgency and the multifaceted complexity associated with this epidemic, and I want to underline the hard work being done in the Senate to address it.

The chairs of the Judiciary Committee and the Health, Education, Labor, and Pensions Committee, whom I recognized earlier, have been looking at ways to both improve law enforcement tools and increase education and awareness respectively. The chair of the Committee on Finance has, as his committee explored in a hearing last week, been focused on how this issue affects our child welfare system. And of course, we again recognize the cooperation of Members of both parties—chairs and ranking members and a bipartisan list of sponsors on both sides of the aisle.

Working together across the aisle—with State and local governments,

agencies and law enforcement—we can help end this crisis once and for all. I look forward to taking the next step toward that objective later today.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

FILLING THE SUPREME COURT VACANCY

Mr. REID. Madam President, “History won’t forget this misstep by Grassley,” this poster says. “History won’t forget this misstep by Grassley.” That is from the Burlington Hawk Eye, Iowa’s oldest newspaper. That is what they said. It is the headline from the oldest newspaper, as I indicated—the Burlington Hawk Eye.

The misstep referenced here is the unprecedented statement by the senior Senator from Iowa and the Republican leader to deny the President the right to fill the current Supreme Court vacancy. The article ends with this declaration:

A few weeks back, when the longest-tenured U.S. Senator from Iowa passed a vote that gave him the record of most consecutive votes in the Senate, we lauded his service to us. We noted in casting votes on matters before the Senate, he was doing what Iowans elected him to do. We gave Grassley an attorney for that. We take it back.

“We take it back.” That is a blistering statement, a revealing statement, a substantive statement. “We take it back.”

There is a lesson that Senator GRASSLEY and my Republican colleagues should learn from this editorial. By refusing to give President Obama’s Supreme Court nominee a meeting, a hearing or a vote, they are abandoning the oath of office they swore when they became Senators. This abdication of their constitutional responsibilities will epitomize their work as Senators. Whatever they may have accomplished during their careers will be secondary to their decision to place electoral politics over their job.

Remember that our job here is to vote. That is what we swore to do—to follow the Constitution. And the Constitution couldn’t be clearer on this issue. So the stakes should even be higher for Senator GRASSLEY and the other Republican Senators. Why? Because as chairman of the Judiciary Committee, Senator GRASSLEY presides over one of the most important and prestigious committees in the entire Senate. This has been the case for 200 years—200 years.

The Senate Judiciary Committee was established 200 years ago. In 1816, it was one of the original 11 standing committees. Twenty decades have passed. That is how long the committee has been in operation. Throughout history, Judiciary Committee

chairs have traditionally wielded immense power—from President Martin Van Buren, when he was in the Senate, to Senator Ted Kennedy, Senator Arlen Specter, and Senator JOE BIDEN.

Judiciary Committee chairmen have historically prized their independence and guarded it at all costs from being manhandled for partisan purposes. It was so independent, in fact, that past chairmen have stood firm in the face of opposition from Presidents and Senate leadership.

At crucial times in American history, the Senate and the Nation have looked to the Judiciary Committee to do the right thing. During the Civil War, Chairman Lyman Trumbull of Illinois and his committee authored the Thirteenth Amendment. The Thirteenth Amendment abolished slavery during the Civil War. We know that during that period of time there was great consternation as to what should be done. Even the great President Lincoln had trouble deciding what should be done during the early days of the Civil War.

In 1889, Chairman George Hoar of Massachusetts and his committee drafted the Sherman Antitrust Act, refusing to give in to the special interests of Carnegie, Vanderbilt, and the Rockefeller monopolies. That was big-time independence.

In 1937, Chairman Henry Ashurst from Arizona, who was born in Winnemucca, NV, led his committee in standing firm against President Franklin D. Roosevelt’s attempt to pack the Supreme Court. Chairman Ashurst was a Democrat, just like President Roosevelt. Yet Ashurst and his committee maintained their independence, even against the wishes of Senate Majority Leader Alben Barkley, a longtime Senator who became Vice President later. Imagine that. He was the Senate majority leader. He was from Kentucky. Imagine that Judiciary Committee chair standing up to a majority leader from Kentucky.

The accomplishments of these powerful chairmen and many others are the historic models against which the senior Senator from Iowa will be measured. If he keeps his current obstruction, history will not be kind to his tenure as chairman of the committee. As of today, the chairman has yielded his committee’s long-held authority and independence to the Republican leader for the sole purpose of weakening President Obama, of weakening the Presidency of the United States, and obstructing the Senate’s work.

The chairman has turned the impartial reputation of the Judiciary Committee into an extension of the Trump campaign. Just last month Chairman GRASSLEY spoke at a rally for Donald Trump in Iowa. At that rally, the chairman said:

We’ve had this trend going this way, away from the basic principles that established our government. And so we have an opportunity, once again, to make America great again.