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House of Representatives

The House was not in session today. Its next meeting will be held on Monday, April 11, 2016, at 3:30 p.m.

Senate

THURSDAY, APRIL 7, 2016

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.

Almighty God, we are safe with You. Give our lawmakers the wisdom to put their entire trust in You. Help them to remember Your promise to guide their steps on the right path. Lord, fill them with courage so that they will stand for right in every circumstance. When they experience setbacks, may they rest in the victory of Your love. Help them to experience the length, breadth, and height of Your sovereign grace.

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.

FAA REAUTHORIZATION BILL

Mr. McCONNELL. Mr. President, I was glad to see Senators in both par-

ties vote to advance the FAA Reauthorization Act yesterday. We will now continue our work to pass this bipartisan legislation that will support American jobs. It will also enhance safety and security measures to help protect travelers in our airports and in the skies. It will look out for consumers' interests by providing more information on things such as seat availability and baggage fees. It will maintain rural access and promote American manufacturing as well. That is what the FAA bill before us will do. Here is what it won't do: It won't raise taxes or fees on airline passengers or enact heavyhanded regulations that could diminish choices or services for travelers.

I appreciate the diligent work of Chairman THUNE and Senator AYOTTE, the chair of the committee's aviation panel, as well as that of their Democratic counterparts, Senators NELSON and CANTWELL.

The FAA Reauthorization Act has been a bipartisan effort from the very start. Let's keep working together in the same spirit today. I urge colleagues to work with the bill managers to process amendments, if they have them.

FILLING THE SUPREME COURT VACANCY

Mr. McCONNELL. Mr. President, President Obama will fly to Chicago, where he will try to convince Americans that, despite his own actions while in the Senate to deny a Supreme Court nominee a vote, the Constitution somehow now requires the Senate to have a vote on his nominee no matter

what, and thereby deny the American people a voice in the future of the Supreme Court. In the words of the Washington Post's Fact Checker, he will be "telling supporters a politically convenient fairy tale." That is the Washington Post. I am sure he will gloss over the fact that the decision about filling this pivotal seat could impact our country for decades, that it could dramatically affect the most cherished constitutional rights, such as those contained in the First and Second Amendments. I am sure he will continue to demand that Washington spend its time fighting on one issue where we don't agree rather than working together on issues where we do. I am sure he will spend some time refuting the words of his own Vice President. I am sure he will repeatedly claim that his nominee is "moderate"—not that he means it; it is just a useful piece of spin that has been dutifully echoed across the spans of the left and in the media for years.

Consider the recent Democratic Supreme Court nominees. One Washington Post columnist hailed the "moderate" record of President Obama's first pick to the Supreme Court. One New York newspaper proclaimed his second nominee a "pragmatic centrist." When President Clinton made his Supreme Court nominations, the Post declared one a—you guessed it—"moderate," and the New York Times practically fell all over itself exalting the "resolutely centrist" style of the other. That last nominee—who said it would be a good idea to abolish Mother's Day, by the way—was not just firmly centrist, not

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



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just decisively centrist, but resolutely centrist, in the Times' opinion. The records of every one of these Supreme Court Justices have been anything—anything—but moderate or centrist in the years since. They have been resolutely leftwing. But that is the point. "Moderate" isn't exactly a true descriptor for Democratic Supreme Court nominees; it is just burned into the printing presses of the editorial boards.

Yet, even the New York Times has had to admit that President Obama's current nominee would give Americans the most leftwing Supreme Court in 50 years—in 50 years. That is why the far left is squarely behind President Obama's campaign to deny the American people a say in this momentous decision.

The American people understand what is at stake. The administration doesn't want the American people messing this up for them, and they will say what they always say to get what they want today: a far-left Supreme Court for decades to come. That is just one more reason why the American people are lucky to have a Judiciary chairman like Senator GRASSLEY in their corner. Senator GRASSLEY is passionate about giving the people of this country a voice in such a critical conversation. He has stood strong for the people throughout this debate, and he has proven himself a dedicated legislator throughout this new majority, with yet another Judiciary Committee-passed bill clearing the Senate on a bipartisan basis just this week. He understands that we don't need to get stuck fighting about one issue. He understands that we can let the American people have their voices heard on this matter while the Senate continues doing its work on important legislation.

REMEMBERING STEPHANIE AND JUSTIN SHULTS

Mr. MCCONNELL. Mr. President, I was deeply saddened by the death of Lexington, KY, native Stephanie Moore Shults. Ms. Shults, 29, along with her husband Justin Shults, 30, was killed in the terrorist attacks in Brussels last month. Funeral services for the young couple will be held in Lexington tomorrow.

Stephanie Shults graduated from Bryan Station High School and Transylvania University and was looking forward to the promising future ahead of her. She found part of that future when she met Justin, a native of Tennessee, at Vanderbilt University, where the two earned their master's in accounting. The pair moved to Brussels in 2014 for work and loved to travel extensively through Europe. They recently visited Barcelona. They were planning a future trip to Finland, where they hoped to stay in a glass igloo under the Northern Lights. Now that spirit of adventure is gone, stolen by a brutal act of terror that targeted the innocent.

My wife Elaine and I join all Kentuckians in sending our deepest condolences to the families and loved ones of this young couple. We share their heartbreak over the fact that Stephanie and Justin were taken from us entirely too soon. And we extend our prayers and sympathies to all the families who lost loved ones in Belgium.

Attacks like these remind Americans everywhere that we must defeat ISIL and other terrorist groups who not only threaten our interests but critically, importantly, threaten innocent civilians.

Today we honor the lives of Stephanie and Justin. We mourn their loss. And we rededicate ourselves to our important fight against terror.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

FAA REAUTHORIZATION BILL

Mr. REID. Mr. President, I agree with the Republican leader that it is important that we get the FAA bill done as soon as possible, but I would just have everyone reflect—when we were in the majority, we tried to bring up the FAA bill, and that went on for weeks and weeks, with unnecessary filibusters. The FAA came to a screeching halt.

As we have said, if you are a responsible minority, you work to get things done. That is what we have done. We have worked hard with the majority to come up with an FAA bill we can support. So I hope everyone understands that obstruction doesn't work. We understand that. That is why we have tried to be as collegial as we can be on legislation.

I just finished my "Welcome to Washington" this morning. A little boy asked me: How do you get things done?

I said: Well, you know, things in Congress are done just like in life. I have had the good fortune in my time in public service, my time in Congress, to be able to have things with my name on them, bills that have passed, but I have never ever gotten something that I wanted—it was always a compromise. We always have had to compromise to get something passed.

Frankly, that is the way life is. Life is a time where we work with people to try to get along to work things out. That is the way things used to be done here, but with the untoward obstruction during the Obama years, it has been difficult to get things done.

So I agree that the FAA bill is something we need to pass. As I have said, we are constructively working with the Republicans—those on the other side of the aisle—to get things done.

FILLING THE SUPREME COURT VACANCY

Mr. REID. Mr. President, we can play around all we want with the Supreme

Court and what the Constitution says or doesn't say, but we know that the Constitution says that the President shall—not may, but shall—nominate Supreme Court Justices. He has an obligation. He has to do that. The Constitution is also very affirmative: There has to be advice and consent. That is what we are instructed in the Constitution.

It is a little strange how we can have from the Republicans advice and consent when the vast majority of the Republicans won't even meet with the man. They refuse to hold hearings and certainly to have a vote.

So I don't know how anyone is reading the Constitution, but we need to do our job. We are not doing our job when we don't hold hearings and have a vote. We shouldn't be here talking about Supreme Court nominees being far left or far right or moderate.

To show how off track this has gotten, 2 days ago the chairman of the Judiciary Committee, the senior Senator from Iowa, gave a speech here. Guess who he was attacking. Justice Roberts, the Chief Justice of the Supreme Court. He said to the Chief Justice: Heal yourself. The Chief Justice. Is there anyone in the world—anyone in the United States, anyone in the legal field, anyone in the political field—who thinks he is some kind of crazy liberal, John Roberts, who worked on the court with Merrick Garland? They wrote opinions together. They agreed almost 90 percent of the time on their opinions.

So it is really too bad that now we are here with a Supreme Court Justice—for the first time in the history of the country, because we are in the final year of a Presidency, we are not going to do anything. We are going to wait. In the meantime, justice will be delayed. We have already had a significant number of tied, 4-to-4 decisions by the Court, and, using the logic of the Republicans, this is going to go on for another 18 months. So it is unfortunate that this has turned into something that has never happened before.

They go back and keep repeating: The Biden rule. The Biden rule. The Biden rule.

The year he gave that speech—and he gave a speech at Georgetown University just a week ago saying: Read my speech. Read the whole thing.

And what was the result of his action as chairman of the committee that year? He brought nominations to the floor even though they didn't get enough votes in the committee to be reported. The nominees lost in the Judiciary Committee, but Biden brought them here anyway.

There was an op-ed written by one of my predecessors, former Democratic leader George Mitchell, a stunningly good Senator from Maine. He wrote that 2 days ago. It appeared in a Boston newspaper. He said that when Clarence Thomas came before the Senate, he had lost in the committee. He didn't get enough votes to be reported out of the