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House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, February 23, 2016, at 2 p.m.

Senate

MONDAY, FEBRUARY 22, 2016

The Senate met at 3 p.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.

Our Father in Heaven, Your counsel stands firm and sure. Fashion the hearts of our lawmakers so that they desire to do Your will. Today, as we remember George Washington's Farewell Address, may we not forget that our Nation is not strong merely because of military might, but that integrity and righteousness are also critical to national security. Lord, keep our Senators from forgetting Your promise to surround the righteous with the shield of Your Divine favor. Help us all to continue to find hope in Your loving kindness, for we trust in Your Holy Name. May we take refuge in the unfolding of Your loving providence.

And, Lord, thank You for the life and integrity of Justice Antonin Scalia.

We pray in Your sacred 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.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mrs. ERNST). Under the previous order, the leadership time is reserved.

READING OF WASHINGTON'S FAREWELL ADDRESS

The PRESIDING OFFICER. Pursuant to the order of the Senate of January 24, 1901, the Senator from Delaware, Mr. COONS, will now read Washington's Farewell Address.

Mr. COONS, at the rostrum, read the Farewell Address, as follows:

To the people of the United States

FRIENDS AND FELLOW-CITIZENS: The period for a new election of a citizen to administer the executive government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed, to decline being considered among the number of those out of whom a choice is to be made.

I beg you at the same time to do me the justice to be assured that this resolution has not been taken without a strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country—and that, in withdrawing the tender of service which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest, no deficiency of grateful respect for your past kindness, but am supported by a full conviction that the step is compatible with both.

The acceptance of, and continuance hitherto in, the office to which your suffrages have twice called me have been a uniform sacrifice of inclination to the opinion of duty and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this, previous to the last election, had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our affairs with foreign nations, and the unanimous advice of persons entitled to my confidence, impelled me to abandon the idea.

I rejoice that the state of your concerns, external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety and am persuaded, whatever partiality may be retained for my services, that in the present circumstances of our country you will not disapprove my determination to retire.

The impressions with which I first undertook the arduous trust were explained on the proper occasion. In the discharge of this trust, I will only say that I have, with good intentions, contributed towards the organization and administration of the government the best exertions of which a very fallible judgment was capable. Not unconscious in the outset of the inferiority of my qualifications, experience in my own eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself, and every day the increasing weight of years admonishes me more and more that the shade

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

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of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given peculiar value to my services, they were temporary, I have the consolation to believe that, while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment which is intended to terminate the career of my public life, my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country for the many honors it has conferred upon me, still more for the steadfast confidence with which it has supported me and for the opportunities I have thence enjoyed of manifesting my inviolable attachment by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise and as an instructive example in our annals that, under circumstances in which the passions agitated in every direction were liable to mislead, amidst appearances sometimes dubious, vicissitudes of fortune often discouraging, in situations in which not unfrequently want of success has countenanced the spirit of criticism, the constancy of your support was the essential prop of the efforts and a guarantee of the plans by which they were effected. Profoundly penetrated with this idea, I shall carry it with me to my grave as a strong incitement to unceasing vows that Heaven may continue to you the choicest tokens of its beneficence; that your union and brotherly affection may be perpetual; that the free constitution, which is the work of your hands, may be sacredly maintained; that its administration in every department may be stamped with wisdom and virtue; that, in fine, the happiness of the people of these states, under the auspices of liberty, may be made complete by so careful a preservation and so prudent a use of this blessing as will acquire to them the glory of recommending it to the applause, the affection, and adoption of every nation which is yet a stranger to it.

Here, perhaps, I ought to stop. But a solicitude for your welfare, which cannot end but with my life, and the apprehension of danger natural to that solicitude, urge me on an occasion like the present to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments which are the result of much reflection, of no inconsiderable observation, and which appear to me all important to the permanency of your felicity as a people. These will be offered to you with the more freedom as you can only see in them the disinterested warnings of a parting friend, who can possibly have no personal motive to bias his counsel. Nor can I forget, as an encouragement to it, your indulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

The unity of government which constitutes you one people is also now dear to you. It is justly so; for it is a main pillar in the edifice of your real independence, the support of your tranquility at home, your peace abroad, of your safety, of your prosperity, of that very liberty which you so highly prize. But as it is easy to foresee that, from different causes and from different quarters, much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth; as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed, it is of infinite moment that you should properly estimate the immense value of your national Union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think and speak of it as of the palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can in any event be abandoned; and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens by birth or choice of a common country, that country has a right to concentrate your affections. The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism more than any appellation derived from local discriminations. With slight shades of difference, you have the same religion, manners, habits, and political principles. You have in a common cause fought and triumphed together. The independence and liberty you possess are the work of joint councils and joint efforts—of common dangers, sufferings, and successes.

But these considerations, however powerfully they address themselves to your sensibility, are greatly outweighed by those which apply more immediately to your interest. Here every portion of our country finds the most commanding motives for carefully guarding and preserving the Union of the whole.

The North, in an unrestrained intercourse with the South, protected by the equal laws of a common government, finds in the productions of the latter great additional resources of maritime and commercial enterprise and precious materials of manufacturing industry. The South in the same intercourse, benefitting by the agency of the North, sees its agriculture grow and its commerce expand. Turning partly into its own channels the seamen of the North, it finds its particular navigation invigorated; and while it contributes, in different ways, to nourish and increase the general mass of the national navigation, it looks forward to the protection of a maritime strength to which itself is unequally adapted. The East, in a like intercourse with the West, already finds, and in the progressive improvement of interior communications by land and water will more and more find a valuable vent for the commodities which it brings from abroad or manufactures at home. The West derives from the East supplies requisite to its growth and comfort—and what is perhaps of still greater consequence, it must of necessity owe the secure enjoyment of indispensable outlets for its own productions to the weight, influence, and the future maritime strength of the Atlantic side of the Union, directed by an indissoluble community of interest as one nation. Any other tenure by which the West can hold this essential advantage, whether derived from its own separate strength or from an apostate and unnatural connection with any foreign power, must be intrinsically precarious.

While then every part of our country thus feels an immediate and particular interest in union, all the parts combined cannot fail to find in the united mass of means and efforts greater strength, greater resource, proportionably greater security from external danger, a less frequent interruption of their peace by foreign nations; and, what is of inestimable value! they must derive from union an exemption from those broils and wars between themselves which so frequently afflict neighboring countries not tied together by the same government, which their own rivalships alone would be sufficient to produce, but which opposite foreign alliances, attachments, and intrigues would stimulate and embitter. Hence likewise they will avoid the necessity of those overgrown military establishments, which under any form of government are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty. In this sense it is, that your Union ought to be considered as a main prop of your liberty, and that the love of the one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind and exhibit the continuance of the Union as a primary object of patriotic desire. Is there a doubt whether a common government can embrace so large a sphere? Let experience solve it. To listen to mere speculation in such a case were criminal. We are authorized to hope that a proper organization of the whole, with the auxiliary agency of governments for the respective subdivisions, will afford a happy issue to the experiment. It is well worth a fair and full experiment.

With such powerful and obvious motives to union affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who in any quarter may endeavor to weaken its bands.

In contemplating the causes which may disturb our Union, it occurs as matter of serious concern that any ground should have been furnished for characterizing parties by geographical discriminations—northern and southern—Atlantic and western; whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts is to misrepresent the opinions and aims of other districts. You cannot shield yourselves too much against the jealousies and heart burnings which spring from these misrepresentations. They tend to render alien to each other those who ought to be bound together by fraternal affection. The inhabitants of our western country have lately had a useful lesson on this head. They have seen in the negotiation by the executive—and in the unanimous ratification by the Senate—of the treaty with Spain, and in the universal satisfaction at that event throughout the United States, a decisive proof how unfounded were the suspicions propagated among them of a policy in the general government and in the Atlantic states unfriendly to their interests in regard to the Mississippi. They have been witnesses to the formation of two treaties, that with Great Britain and that with Spain, which secure to them everything they could desire, in respect to our foreign relations, towards confirming their prosperity. Will it not be their wisdom to rely for the preservation of these advantages on the Union by which they were procured? Will they not henceforth be deaf to those advisers, if such there are, who would sever them from their brethren and connect them with aliens?

To the efficacy and permanency of your Union, a government for the whole is indispensable. No alliances, however strict, between the parts can be an adequate substitute. They must inevitably experience the infractions and interruptions which all alliances in all times have experienced. Sensible of this momentous truth, you have improved upon your first essay by the adoption of a Constitution of government better calculated than your former for an intimate Union and for the efficacious management of your common concerns. This government, the offspring of our own choice uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers uniting security with energy, and containing within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our political systems is the right of the people to make and to alter their constitutions of government. But the Constitution which at any time exists, until changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power and the right of the people to establish government presupposes the duty of every individual to obey the established government.

All obstructions to the execution of the laws, all combinations and associations under whatever plausible character with the real design to direct, control, counteract, or awe the regular deliberation and action of the constituted authorities, are destructive of this fundamental principle and of fatal tendency. They serve to organize faction; to give it an artificial and extraordinary force; to put in the place of the delegated will of the nation the will of a party, often a small but artful and enterprising minority of the community; and, according to the alternate triumphs of different parties, to make the public administration the mirror of the ill concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans digested by common councils and modified by mutual interests. However combinations or associations of the above description may now and then answer popular ends, they are likely, in the course of time and things, to become potent engines by which cunning, ambitious, and unprincipled men will be enabled to subvert the power of the people and to usurp for themselves the reins of government, destroying afterwards the very engines which have lifted them to unjust dominion.

Towards the preservation of your government and the permanency of your present happy state, it is requisite not only that you steadily discountenance irregular oppositions to its acknowledged authority but also that you resist with care the spirit of innovation upon its principles, however specious the pretexts. One method of assault may be to effect in the forms of the Constitution alterations which will impair the energy of the system and thus to undermine what cannot be directly overthrown. In all the changes to which you may be invited, remember that time and habit are at least as necessary to fix the true character of governments as of other human institutions, that experience is the surest standard by which to test the real tendency of the existing constitution of a country, that facility in changes upon the credit of mere hypotheses and opinion exposes to perpetual change from the endless variety of hypotheses and opinion; and remember, especially, that for the efficient management of your common interests in a country so extensive as ours, a government of as much vigor as is consistent with the perfect security of liberty is indispensable; liberty itself will find in such a government, with powers properly distributed and adjusted, its surest guardian. It is indeed little else than a name, where the government is too feeble to withstand the enterprises of faction, to confine each member of the society within the limits prescribed by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property.

I have already intimated to you the danger of parties in the state, with particular reference to the founding of them on geographical discriminations. Let me now take a more comprehensive view and warn you in the most solemn manner against the baneful effects of the spirit of party, generally.

This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind. It exists under different shapes in all governments, more or less stifled, controlled, or repressed; but in those of the popular form it is seen in its greatest rankness and is truly their worst enemy.

The alternate domination of one faction over another, sharpened by the spirit of revenge natural to party dissension, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism. But this leads at length to a more formal and permanent despotism. The disorders and miseries which result gradually incline the minds of men to seek security and repose in the absolute power of an individual; and sooner or later the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purposes of his own elevation on the ruins of public liberty.

Without looking forward to an extremity of this kind (which nevertheless ought not to be entirely out of sight) the common and continual mischiefs of the spirit of party are sufficient to make it the interest and the duty of a wise people to discourage and restrain it.

It serves always to distract the public councils and enfeeble the public administration. It agitates the community with ill founded jealousies and false alarms, kindles the animosity of one part against another, foments occasionally riot and insurrection. It opens the door to foreign influence and corruption, which find a facilitated access to the government itself through the channels of party passions. Thus the policy and the will of one country are subjected to the policy and will of another.

There is an opinion that parties in free countries are useful checks upon the administration of the government and serve to keep alive the spirit of liberty. This within certain limits is probably true—and in governments of a monarchical cast patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of

the popular character, in governments purely elective, it is a spirit not to be encouraged. From their natural tendency, it is certain there will always be enough of that spirit for every salutary purpose. And there being constant danger of excess, the effort ought to be by force of public opinion to mitigate and assuage it. A fire not to be quenched, it demands a uniform vigilance to prevent its bursting into a flame, lest instead of warming it should consume.

It is important, likewise, that the habits of thinking in a free country should inspire caution in those entrusted with its administration to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power and proneness to abuse it which predominates in the human heart is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories and constituting each the guardian of the public weal against invasions by the others, has been evinced by experiments ancient and modern, some of them in our country and under our own eyes. To preserve them must be as necessary as to institute them. If in the opinion of the people the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil any partial or transient benefit which the use can at any time yield.

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked where is the security for property, for reputation, for life, if the sense of religious obligation desert the oaths, which are the instruments of investigation in courts of justice? And let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principle.

It is substantially true that virtue or morality is a necessary spring of popular government. The rule indeed extends with more or less force to every species of free government. Who that is a sincere friend to it can look with indifference upon attempts to shake the foundation of the fabric?

Promote then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it is essential that public opinion should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering also that timely disbursements to prepare for danger frequently prevent much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions in time of peace to discharge the debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burden which we ourselves ought to bear. The execution of these maxims belongs to your representatives, but it is necessary that public opinion should cooperate. To facilitate to them the performance of their duty, it is essential that you should practically bear in mind that towards the payment of debts there must be revenue; that to have revenue there must be taxes; that no taxes can be devised which are not more or less inconvenient and unpleasant; that the intrinsic embarrassment inseparable from the selection of the proper objects (which is always a choice of difficulties) ought to be a decisive motive for a candid construction of the conduct of the government in making it, and for a spirit of acquiescence in the measures for obtaining revenue which the public exigencies may at any time dictate.

Observe good faith and justice towards all nations; cultivate peace and harmony with all; religion and morality enjoin this conduct, and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and, at no distant period, a great nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt that in the course of time and things the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it? Can it be, that Providence has not connected the permanent felicity of a nation with its virtue? The experiment, at least, is recommended by every sentiment which ennobles human nature. Alas! is it rendered impossible by its vices?

In the execution of such a plan nothing is more essential than that permanent, inveterate antipathies against particular nations and passionate attachments for others should be excluded and that in place of them just and amicable feelings towards all should be cultivated. The nation which indulges towards another an habitual hatred, or an habitual fondness, is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable when accidental or trifling occasions of dispute occur. Hence frequent collisions, obstinate, envenomed, and bloody contests. The nation, prompted by ill will and resentment, sometimes impels to war the government, contrary to the best calculations of policy. The government sometimes participates in the national propensity and adopts through passion what reason would reject; at other times, it makes the animosity of the nation subservient to projects of hostility instigated by pride, ambition and other sinister and pernicious motives. The peace often, sometimes perhaps the liberty, of nations has been the victim.

So likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest in cases where no real common interest exists and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter, without adequate inducement or justification. It leads also to concessions to the favorite nation of privileges denied to others, which is apt doubly to injure the nation making the concessions, by unnecessarily parting with what ought to have been retained and by exciting jealousy, ill will, and a disposition to retaliate in the parties from whom equal privileges are withheld. And it gives to ambitious, corrupted, or deluded citizens (who devote themselves to the favorite nation) facility to betray or sacrifice the interests of their own country without odium, sometimes even with popularity, gilding with the appearances of a virtuous sense of obligation, a commendable deference for public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition, corruption, or infatuation.

As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent patriot. How many opportunities do they afford to tamper with domestic factions, to practice the arts of seduction, to mislead public opinion, to influence or awe the public councils! Such an attachment of a small or weak towards a great and powerful nation dooms the former to be the satellite of the latter.

Against the insidious wiles of foreign influence (I conjure you to believe me, fellow citizens) the jealousy of a free people ought to be constantly awake,

since history and experience prove that foreign influence is one of the most baneful foes of republican government. But that jealousy to be useful must be impartial; else it becomes the instrument of the very influence to be avoided, instead of a defense against it. Excessive partiality for one foreign nation and excessive dislike of another cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious, while its tools and dupes usurp the applause and confidence of the people to surrender their interests.

The great rule of conduct for us in regard to foreign nations is, in extending our commercial relations, to have with them as little political connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith. Here let us stop.

Europe has a set of primary interests, which to us have none or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence therefore it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics or the ordinary combinations and collisions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation; when we may choose peace or war, as our interest guided by justice shall counsel.

Why forgo the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rival-ship, interest, humor, or caprice?

It is our true policy to steer clear of permanent alliances with any portion of the foreign world—so far, I mean, as we are now at liberty to do it, for let me not be understood as capable of patronizing infidelity to existing engagements (I hold the maxim no less applicable to public than to private affairs, that honesty is always the best policy)—I repeat it therefore, let those engagements be observed in their genuine sense. But in my opinion it is unnecessary and would be unwise to extend them.

Taking care always to keep ourselves, by suitable establishments, on a respectably defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony, liberal intercourse with all nations, are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand: neither seeking nor granting exclusive favors or preferences; consulting the natural course of things; diffusing and diversifying by gentle means the streams of commerce but forcing nothing; establishing with powers so disposed—in order to give to trade a stable course, to define the rights of our merchants, and to enable the government to support them—conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary, and liable to be from time to time abandoned or varied, as experience and circumstances shall dictate; constantly keeping in view, that it is folly in one nation to look for disinterested favors from another—that it must pay with a portion of its independence for whatever it may accept under that character—that by such acceptance it may place itself in the condition of having given equivalents for nominal favors and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish—that they will control the usual current of the passions or prevent our nation from running the course which has hitherto marked the destiny of nations. But if I may even flatter myself that they may be productive of some partial benefit, some occasional good, that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures of pretended patriotism—this hope will be a full recompense for the solicitude for your welfare by which they have been dictated.

How far in the discharge of my official duties I have been guided by the principles which have been delineated, the public records and other evidences of my conduct must witness to you and to the world. To myself, the assurance of my own conscience is that I have at least believed myself to be guided by them.

In relation to the still subsisting war in Europe, my proclamation of the 22d of April 1793 is the index to my plan. Sanctioned by your approving voice and by that of your representatives in both houses of Congress, the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.

After deliberate examination with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take—and was bound in duty and interest to take—a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it with moderation, perseverence, and firmness.

The considerations which respect the right to hold this conduct it is not necessary on this occasion to detail. I will only observe that, according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without anything more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity towards other nations.

The inducements of interest for observing that conduct will best be referred to your own reflections and experience. With me, a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions and to progress without interruption to that degree of strength and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

Though in reviewing the incidents of my administration I am unconscious of intentional error, I am nevertheless too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never cease to view them with indulgence and that, after forty-five years of my life dedicated to its service with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love towards it which is so natural to a man who views in it the native soil of himself and his progenitors for several generations, I anticipate with pleasing expectation that retreat, in which I promise myself to realize without alloy the sweet enjoyment of partaking in the midst of my fellow citizens the benign influence of good laws under a free government—the ever favorite object of my heart, and the happy reward, as I trust, of our mutual cares, labors and dangers.

GEO. WASHINGTON.

UNITED STATES, *19th September 1796*.

Mr. MCCONNELL. Madam 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.

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

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

MOMENT OF SILENCE IN MEMORY OF JUSTICE ANTONIN SCALIA

Mr. McCONNELL. Madam President, I ask unanimous consent that the Senate observe a moment of silence in memory of Justice Antonin Scalia.

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

(Moment of silence.)

REMEMBERING JUSTICE ANTONIN SCALIA

Mr. McCONNELL. Madam President, I wish to say a few words about a towering figure of the Supreme Court who will be missed by many. Antonin Scalia was literally one of a kind. In the evenings, he loved nothing more than a night at the opera house. During the day, he often starred in an opus of his own.

For most watchers of the Court, even many of Scalia's most ardent critics, the work he produced was brilliant, entertaining, and unmissable. Words had meaning to him. He used them to dissect and refute, to amuse and beguile, to challenge and persuade. And even when his arguments didn't carry the day, his dissents often gathered the most attention anyway.

President Obama said that Justice Scalia will be ''remembered as one of the most consequential judges and thinkers to serve on the Supreme Court.'' I certainly agree. It is amazing that someone who never served as Chief Justice could make such an indelible impact on our country. He is, in my view, in league with Oliver Wendell Holmes, Louis Brandeis, and John Marshall Harlan as perhaps the most significant Associate Justices ever.

I first met him when we both served in the Ford administration's Justice Department. I was fortunate, as a young man, to be invited to staff meetings that featured some of the most influential conservative judicial minds of the time. Robert Bork was there. He was the Solicitor General. Larry Silverman was there. He was the Deputy Attorney General. Everyone in the Department agreed on two things: One, Antonin Scalia was the funniest lawyer on the staff; and, two, he was the brightest.

Scalia was usually the smartest guy in whatever room he chose to walk into. Of course, he didn't need to tell you he was the smartest. You just knew it.

I came back to Washington a few years later as a Senator on the Judiciary Committee, serving there when Scalia was nominated to the Supreme Court. His views on the Court were strong, and they were clear. Some tried to caricature his judicial conservatism as something it was not. It was not political conservatism.

Scalia's aim was to follow the Constitution wherever it took him, even if he disagreed politically with the outcome. We saw that when he voted to uphold the constitutional right of protesters to burn the American flag. He upheld their right to do that. This is what he said: ''If it was up to me, I would have thrown this bearded, scandal-wearing flag burner into jail, but it was not up to me.''

It was up to the Constitution.

''If you had to pick . . . one freedom . . . that is the most essential to the functioning of a democracy, it has to be freedom of speech,'' Scalia once said. He went on:

> Because democracy means persuading one another. And then, ultimately, voting. . . . You can't run such a system if there is a muzzling of one point of view. So it's a fundamental freedom in a democracy, much more necessary in a democracy than in any other system of government. I guess you can run an effective monarchy without freedom of speech. I don't think you can run an effective democracy without it.

Justice Scalia defended the First Amendment rights of those who would express themselves by burning our flag just as he defended the First Amendment rights of Americans who wished to express themselves by participating in the changemaking process of our democracy: the right to speak one's mind, the right to associate freely, the rights of citizens, groups, and candidates to participate in the political process.

Numerous cases involving these kinds of essential First Amendment principles came before the Court during his tenure. I filed nearly a dozen amicus curiae briefs in related Supreme Court cases in recent years, and I was the lead plaintiff in a case that challenged the campaign-finance laws back in 2002.

These core First Amendment freedoms may not always be popular with some politicians who would rather control the amount, nature, and timing of speech that is critical of them, but Scalia recognized that protecting the citizenry from efforts by the government to control their speech about issues of public concern was the very purpose of the First Amendment. He knew that such speech—political speech—lay at its very core.

It is a constitutional outlook shared by many, including the members of an organization such as the Federalist Society. You could always count on him attending the Society's annual dinner. One of his five sons, Paul, is a priest, and he always gave an opening prayer. This is what Scalia said about that.

> If in an old-fashioned Catholic family with five sons you don't get one priest out of it, we're in big trouble. The other four were very happy when Paul announced that he was going to take one for the team.

That is the thing about Antonin Scalia. His opinions could bite. His wit could be cutting. But his good humor was always in abundant supply. One study from 2005 concluded decisively—or as decisively as one can—that Scalia was the funniest Justice on the Court.

He was also careful not to confuse the philosophical with the personal.

> I attack ideas. I don't attack people. If you can't separate the two, you gotta get another day job.

These qualities endeared him to many who thought very differently than he did—most famously, his philosophical opposite on the Court, Ruth Bader Ginsburg. Their friendship began after Ginsburg heard him speak at a law conference. Here is what she said: ''I disagreed with most of what he said,'' she recalled, ''but I loved the way he said it.''

Scalia put it this way:

> She likes opera, and she's a very nice person. What's not to like?

Well, he continued, ''except her views on the law.''

Ginsburg called him Nino. Scalia referred to the pair as ''the Odd Couple.'' They actually vacationed together. They rode elephants. They parasailed. And just a few months ago, their relationship was captured in the perfect medium: opera, their shared love.

''Scalia/Ginsburg: A (Gentle) Parody of Operatic Proportions'' premiered last summer. In it, a jurist named Scalia is imprisoned for ''excessive dissenting,'' and it is none other than Ginsburg, or an actress faintly resembling her, who comes crashing through the ceiling to save him. It is the kind of show that is larger than life, and so was Nino Scalia.

He leaves behind nine children and a wife who loved him dearly, Maureen. Maureen would sometimes tease her husband that she had her pick of suitors and could just as well have married any of them. But she didn't, he would remind her, because they were wishy-washy, and she would have been bored.

''Whatever my faults are,'' Scalia once said, ''I am not wishy-washy.''

Far from wishy-washy and anything but boring, Justice Scalia was an articulate champion of the Constitution. He was a personality unto himself, and his passing is a significant loss for the Court and for our country. We remember him today. We express our sympathies to the large and loving family he leaves behind. We know our country will not soon forget him.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

REMEMBERING JUSTICE ANTONIN SCALIA AND FILLING THE SUPREME COURT VACANCY

Mr. REID. Madam President, we were all shocked by the sudden passing of Supreme Court Justice Antonin Scalia. Justice Scalia and I had our differences. However, there was no doubting his intelligence or dedication to the country. I offer my condolences to the entire Scalia family, who laid to rest a devoted husband, father, and grandfather this weekend.

I watched the funeral from Nevada, and I was deeply impressed with Justice Scalia's son, Reverend Paul Scalia, and the moving eulogy he gave his father. It was quite remarkable.

But now President Obama must nominate a qualified individual to the Supreme Court. Once the President has sent a nominee to the Senate, it is our responsibility to act.

Unfortunately, it appears that the Republican leader and his colleagues have no intension of filling this important vacancy. The Republican leader has repeatedly declared himself to be ''the proud guardian of gridlock.'' That is a quote. He has lived up to that moniker, and that is an understatement.

In recent years, the Republican leader and the Republican Senators have done everything possible to grind the wheels of government to a halt. But now we are seeing something from the Republican leader that is far worse than his usual brand of obstruction. We are seeing an unprecedented attempt to hold hostage an entire branch of government.

The damage already done to the legislative branch has been written about. The last 7 years, the Republicans have done everything they can to stop President Obama's legislative ability to move forward. As leader of this democracy, it is too bad that President Obama has had to put up with this obstruction of everything dealing with the legislature.

The statement the Republican leader issued less than an hour after Justice Scalia's death announcement argued that starting now, any President should be denied the right to fill a Supreme Court vacancy in a Presidential election year.

Think about that. This is a foolish gambit, one to deny President Obama his constitutional right to appoint nominees to the Supreme Court. This is a full-blown effort to delegitimize President Obama, the Presidency, and undermine our basic system of checks and balances, which is integral to our Constitution.

I can find no limits on the President's legal authority to nominate Supreme Court Justices during an election year in our Constitution. I can find no mention of a 3-year Presidency in our Constitution. What I do find in the Constitution is article II, section 2, which clearly provides President Obama with the legal obligation to nominate Justices to the Supreme Court, contingent on the advice and consent of the Senate.

This is how our system of government has operated for more than 200 years. This constitutional prerogative is essential to the basic functioning of our coequal branches of government. What the Republican leader is suggesting runs contrary to two centuries of precedent and is inconsistent with the Constitution.

Our Founding Fathers constructed this American democracy while maintaining certain assumptions of us as elected officials in the future. They expected us to be rational. They expected us to operate in good faith. They expected this government to be effective. The Republican leader's proposal is none of those things. It is, instead, an attempt to nullify what James Madison and the other constitutional architects envisioned.

The Founding Fathers never intended the Senate to simply run out the clock on its constitutional duties, subverting the President's authority and leaving the judiciary in limbo. The authors of the Constitution never envisioned the level of cynicism and bad-faith governance that we see exhibited by today's Republican Party—a Republican Party that so loathes this President that it is willing to render useless our government's system of checks and balances.

Senate Republicans would have the American people believe that is a long-held practice to deny the President the right to fill a Supreme Court vacancy. That is simply not true. I have heard several of my Republican colleagues repeat this line in public statements. It grieves me to say it, but the fact is, when Republicans repeat this statement, they are clearly spreading a falsehood. It is not true. I have enormous respect for my Republican friends, but repeatedly skirting the truth is beneath the dignity of their office.

According to Amy Howe, an expert on Supreme Court proceedings and editor at the popular SCOTUSblog—the Supreme Court of the United States blog—there is no such precedent. She writes:

> The historical record does not reveal any instances since at least 1900 of the president failing to nominate and/or the Senate failing to confirm a nominee in a presidential election year because of the impending election.

There is not one shred of evidence in the last 116 years to back the Republicans' claims. Democrats never stopped a Republican Supreme Court nominee from receiving a hearing and ultimately getting a vote on confirmation—never, never, never.

Republicans want to talk about precedent. Well, let's talk about precedent. As recently as 1988, which was both an election year and the last year of a Presidency, the Senate confirmed Supreme Court nominees. That year, a Democratic Senate confirmed President Ronald Reagan's nomination of Justice Anthony Kennedy in the final year of his administration. I voted to confirm Justice Kennedy's nomination, as did my friend, the current chairman of the Judiciary Committee, Senator GRASSLEY.

I think it is well that the Presiding Officer today is the junior Senator from Iowa. I hope she will listen to what Senator GRASSLEY, the senior Senator from Iowa, has said time and time again. Senator GRASSLEY had no trouble supporting Justice Kennedy's nomination then, notwithstanding the fact that it occurred during President Reagan's last year in office. Since that time, the senior Senator from Iowa has been on record defending the President's right to put forward nominees during a Presidential election year. In 2008, in fact, Senator GRASSLEY said: ''The reality is that the Senate has never stopped confirming judicial nominees during the last few months of a president's term.'' I will repeat that quote. ''The reality is that the Senate has never stopped confirming judicial nominees during the last few months of a president's term.'' I agree with Senator GRASSLEY—or at least I agreed with him. Frankly, now I am not sure where the senior Senator from Iowa stands. He issues a contradictory statement, it seems, every day on this one issue.

Another person who voted to confirm Justice Kennedy in 1980 was a first-term Senator from Kentucky, Senator MCCONNELL. In fact, for 40 years the Republican leader was remarkably consistent in asserting that the Senate has a duty to consider the Supreme Court's Presidential nominations.

As a law student at the University of Kentucky, he wrote in 1970:

> Even though the Senate has at various times made purely political decisions in its consideration of Supreme Court nominees, certainly it could not be successfully argued that it is an acceptable practice.
>
> If political matters were relevant to senatorial consideration it might be suggested that a constitutional amendment be introduced giving to the Senate rather than the president the right to nominate Supreme Court justices.

My friend the Republican leader carried that belief with him into public service. As a freshman Senator in 1986, during a Senate Judiciary Committee hearing, he said:

> Under the Constitution, our duty is to provide advice and consent to judicial nominations, not to substitute our judgment for what are reasonable views for a judicial nominee to hold.

Again, in 1990, the Senator from Kentucky said:

> It is clear under our form of government that the advice and consent role of the Senate in judicial nominations should not be politicized.

In 2005, the Senator from Kentucky reaffirmed his stance, stating:

> Our job is to react to that nomination in a respectful and dignified way, and at the end of the process, to give that person an up-or-down vote as all nominees who have majority support have gotten throughout the history of the country. It's not our job to determine who ought to be picked.

Finally, just 6 years ago, the Republican leader put it in the simplest terms possible:

> Americans expect politics to end at the courtroom door.

These are just a few examples, but there are pages of similar quotes from the Republican leader spanning four decades on this subject. Unfortunately, he seems to no longer believe that politics end at the courtroom door. The reason for the Republican leader's about-face is clear: He and his party want to undermine this President,

Barack Obama. Senate Republicans would upend our Nation's system of checks and balances rather than afford President Obama the same constitutional authority his 43 predecessors enjoyed.

Throughout the news today, it is said by all the Republican think tanks—or a lot of them—that it is more important for the Republicans to make sure Obama does not get a Supreme Court nominee on the floor of the Senate than it is for them to maintain the majority in the Senate. Think about that. That is not what I am saying; that is what they are saying.

A few minutes ago, the junior Senator from Delaware was here on the Senate floor reading George Washington's Farewell Address. He did a remarkable job. This man, who was the national debate champion twice, did a very good job.

In his address, President Washington warned of the partisan party politics that Republicans are now employing. He warned of their negative influence on our government. He said:

> All obstructions to the execution of the laws, all combinations and associations, under whatever plausible character, with the real design to direct, control, counteract or awe the regular deliberation and action of the constituted authorities, are destructive of this fundamental principle, and of fatal tendency. They serve to organize faction, to give it an artificial and extraordinary force; to put, in the place of the delegated will of the nation, the will of a party.

The American people are watching. They are watching the Republicans' obstruction on this issue and the direct contravention of the belief of President George Washington. The vast majority of Americans are wondering how Republicans can say the Senate is back to work—we hear that all the time from my friend the Republican leader—while at the same time denying a vote on a nominee who hasn't even been named yet.

I say to my friends across the aisle: For the good of the country, don't do this.

I hope my Republican colleagues will heed the counsel offered by the senior Senator from Iowa and chairman of the Judiciary Committee, CHARLES GRASSLEY, just a few short years ago when he said:

> A Supreme Court nomination isn't the forum to fight any election. It is the time to perform one of our most important Constitutional duties and decide if a nominee is qualified to serve on the nation's highest court.

Elections come and go, but the centerpiece for our democracy, the U.S. Constitution, should forever remain our foundation.

I say to my Senate Republican colleagues: Do not manipulate our nearly perfect form of government in an effort to appease a radical minority.

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

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 5:30 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Iowa.

Mr. GRASSLEY. Madam President, it is my understanding that I can have 40 minutes at this point, and if I don't have that time, I ask unanimous consent for that time.

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

REMEMBERING JUSTICE ANTONIN SCALIA

Mr. GRASSLEY. Madam President, I rise today to pay tribute to Associate Justice Scalia of the Supreme Court. His recent death is a tremendous loss to the Court and the Nation.

He was a defender of the Constitution. Since his death, a wide range of commentators—even many who disagreed with him on judicial philosophy—have hailed him as one of the greatest Supreme Court Justices in our history. Justice Scalia was a tireless defender of constitutional freedom. In so many cases when the Court was divided, he sided with litigants who raised claims under the Bill of Rights. This was a manifestation of his view that the Constitution should be interpreted according to the text and as it was originally understood.

The Framers believed that the Constitution was adopted to protect individual liberty, and, of course, so did Justice Scalia. He was a strong believer in free speech and freedom of religion. He upheld many claims of constitutional rights by criminal defendants, including search and seizure, jury trials, and the right of the accused to confront the witnesses against them.

Justice Scalia's memorable opinions also recognize the importance the Framers placed on the Constitution's checks and balances to safeguard individual liberty. Their preferred protection of freedom was not through litigation and the Court's imperfect after-the-fact redress for liberty deprived.

Justice Scalia zealously protected the prerogatives of each branch of government and the division of powers between Federal and State authorities so that none would be so strong as to pose a danger to freedom.

We are all saddened by the recent death of Supreme Court Justice Antonin Scalia. I extend my sympathies to his family. His death is a great loss to the Nation.

This is true for so many reasons. Justice Scalia changed legal discourse in this country. He focused legal argument on text and original understanding, rather than a judge's own views of changing times. He was a clear thinker. His judicial opinions and other writings were insightful, witty, and unmistakably his own.

Even those who disagreed with him have acknowledged he was one of the greatest Justices ever to serve on the Supreme Court.

Today I would like to address a common misconception about Justice Scalia, one that couldn't be further from the truth. Some press stories have made the astounding claim that Justice Scalia interpreted individual liberties narrowly. This is absolutely untrue.

It's important to show how many times Justice Scalia was part of a 5-to-4 majority that upheld or even expanded individual rights.

If someone other than Justice Scalia had served on the Court, individual liberty would have paid the price.

The first time Justice Scalia played, such a pivotal role for liberty was in a Takings clause case under the Fifth Amendment. He ruled that when a State imposes a condition on a land use permit, the government must show a close connection between the impact of the construction and the permit condition.

Even though I disagreed, he ruled that the First Amendment's Free Speech clause prohibits the States or the Federal Government from criminalizing burning of the flag.

Congress cannot, he concluded, claim power under the Commerce clause to criminalize an individual's ownership of a firearm in a gun-free school zone.

Justice Scalia was part of a five-member majority that held that under the Free Speech clause, a public university cannot refuse to allocate a share of student activity funds to religious publications when it provides funds to secular publications.

He found the Tenth Amendment prohibits Congress from commandeering State and local officials to enforce Federal laws.

The Court, in a 5-to-4 ruling including Justice Scalia, concluded that it didn't violate the First Amendment's Establishment of Religion clause for public school teachers to teach secular subjects in parochial schools, as long as there is no excessive entanglement between the State and the religious institution.

Justice Scalia believed that the Sixth Amendment right to a jury trial requires certain sentencing factors be charged in the indictment and submitted to a jury for it to decide, rather than a judge.

He concluded with four other Justices that the First Amendment's freedom of association allowed the Boy Scouts to exclude from its membership individuals who'd affect the ability of the group to advocate public or private views.

Showing that original intent can't be lampooned for failing to take technological changes into account, Justice Scalia wrote the Court's majority opinion holding that under the Fourth Amendment, police can't use thermal imaging technology or other technology not otherwise available to the general public for surveillance of a person's house, even without physical entry, without a warrant.

He decided that notwithstanding the Establishment clause, a broad class of

low-income parents may receive public school vouchers to defray the costs of their children's attendance at private schools of their choice, including religious schools.

He voted to strike down as a violation of the Sixth Amendment's right to a jury trial Federal and State sentencing guidelines that permit judges rather than juries to determine the facts permitting a sentence to be lengthened beyond what is otherwise permissible.

Justice Scalia found placing the Ten Commandments on the Texas State House grounds doesn't violate the First Amendment's Establishment clause when the monument was considered in context, and conveyed a historical and social message rather than a religious one.

He was part of a 5-to-4 Court that concluded the denial of a criminal defendant's Sixth Amendment right to his counsel of choice, not only denial of counsel generally, automatically requires reversal of his conviction.

He wrote for a 5- to-4 majority that the Second Amendment protects an individual's right to possess a firearm for traditionally lawful purposes, such as self-defense within the home, in Federal enclaves such as Washington, DC. A later 5-to-4 decision applies this individual Second Amendment right against State interference as well.

According to Justice Scalia and four other Justices, a warrantless search of an automobile of a person who has been put under arrest is permissible under the Fourth Amendment only if there is a continuing threat to officer safety, or there is a need to preserve evidence.

Justice Scalia also voted that it is a violation of the Sixth Amendment right of the accused to confront the witnesses against him for the prosecution to use a drug test report without the live testimony of the particular person who performed the test.

He was part of a 5-to-4 majority that found that the First Amendment requires that corporations, including nonprofit corporations such as the Sierra Club and the National Rifle Association, are free to make unlimited independent campaign expenditures.

And under the Free Exercise of Religion clause, according to Justice Scalia and four other Justices, a closely held corporation is exempt from a law that its owners religiously object to, such as ObamaCare's contraception mandate, if there is a less restrictive way to advance the law's interests.

Think about the liberty lost, had Justice Scalia not served our Nation.

A different Justice might have ruled against individual liberty in each of these cases. It is a frightening prospect. But in each instance, that is what four of Justice Scalia's colleagues would have done.

Of course, these are only the 5-to-4 opinions. There were many others where Justice Scalia ruled in favor of constitutional liberty, and more than four other Justices joined him.

And then there were other decisions where Justice Scalia voted to accept the claim of individual liberty, but a majority of the Court didn't. Some of those cases unquestionably should've come out the other way.

When considering Justice Scalia's contribution to individual liberty, it's vital to consider his great insight that the Bill of Rights are not the most important part of the Constitution in protecting freedom.

For him, as for the Framers of the Constitution, it is the structural provisions of the Constitution, the checks and balances and the separation of powers that are most protective of liberty.

These were made part of the Constitution not as ends unto themselves, or as the basis to bring lawsuits after rights were threatened, but as ways to prevent government from encroaching on individual freedom in the first place.

For instance, Justice Scalia protected the vertical separation of powers that is federalism. Federalism keeps decisions closer to the people but also ensures we have a unified nation.

And it prevents a Federal government from overstepping its bounds in ways that threaten freedom.

He also maintained the horizontal separation of powers through strong support of the checks and balances in the Constitution. He defended the power of Congress against Executive encroachment, such as in the recess appointments case.

Justice Scalia protected the judiciary against legislative infringement of its powers. He defended the Executive against legislative usurpation as well.

The best example, and the one that most directly shows the connection between the separation of powers and individual freedom, was his solo dissent to the Court's upholding of the Independent Counsel Act.

Contrary to the overwhelming views of the public, the media, and politicians at the time, Justice Scalia correctly viewed that statute not as a wolf in sheep's clothing, but as an actual wolf.

Dismissively rejected in 1988 by nearly all observers, his dissent understood that the creation of a prosecutor for the sole purpose of investigating individuals rather than crimes not only was a threat to the Executive's power to prosecute, but was destined to produce unfair prosecutions.

It's now viewed as one of the most insightful, well-reasoned, farsighted, and greatest dissents in the Court's history. But his powerful and true arguments didn't convince a single colleague to join him.

As important as his 5-to-4 rulings were, in so many ways, the difference between having Justice Scalia on the Court and not having him there, was what that meant for rigorous analysis of the law.

Justice Scalia's role as a textualist and an originalist was vital to his voting so frequently in favor of constitutional liberties. He reached conclusions supported by law whether they were popular or not, and often whether he agreed with them or not.

He opposed flag burning. And he didn't want to prevent the police from arresting dangerous criminals or make trials even more complicated and cumbersome.

He acted in the highest traditions of the Constitution and our judiciary.

We all owe him a debt of gratitude. And we all should give serious thought to the kind of judging that, like his, is necessary to preserve our freedoms and our constitutional order.

FILLING THE SUPREME COURT VACANCY

Mr. GRASSLEY. Madam President, we find ourselves in a very unusual situation. We are in a Presidential election year. The campaign for our next Commander in Chief is in full swing. Voting has begun. Some candidates for President have dropped out of the race after disappointing finishes in the primaries. Republicans hold the gavel in the U.S. Senate, and a term-limited Democrat in the twilight of his Presidency occupies the White House. It is within this context that our Nation has lost one of the greatest legal minds ever to serve the Court.

Justice Scalia's death marks the first time a sitting Supreme Court Justice passed away in a Presidential election year in 100 years, and it is the first time a sitting Supreme Court Justice passed away in a Presidential election year during a divided government since 1888.

As my colleagues and I grapple with how the Senate Judiciary Committee should approach this set of circumstances, we seek guidance and wisdom from a number of sources. These include history, practice, and common sense, and, yes, we look to what former committee chairmen have had to say on the subject. In reviewing this history, I am reminded of remarks a former chairman delivered during an election year. That former chairman tackled this knotty problem, and he described what should happen if a Supreme Court vacancy arises during a Presidential election year. In fact, this chairman's guidance is particularly instructive because he delivered his remarks in a Presidential election year during a time of divided government.

The Presidential election year was 1992. We had no Supreme Court vacancy. No Justice had passed away unexpectedly. No Justice had announced his or her intention to retire. Rather, it was the fear of an unexpected resignation that drove this former chairman to the Senate floor 1 day before the end of the Court's term.

Near the beginning of his lengthy remarks, this chairman—who was and remains my friend—noted another speech he delivered several years prior on the advice and consent clause. That speech,

from July 1987, was titled ''The Right and Duty of the Senate to Protect the Integrity of the Supreme Court.'' This chairman delivered those remarks in 1987 as the Senate embarked on one of its saddest episodes: the unfair and ugly treatment of an exceptional jurist, Judge Robert Bork.

I don't reference that episode to open old wounds, only to provide context because it was in that speech during the debate that this former chairman defended the Senate's constitutional role in the appointment process. It was there in that speech during that debate in 1987 that this former chairman reached back to an early debate from an especially warm summer in Philadelphia 200 years prior. He reached back to the Constitutional Convention because it was then and there that individuals such as Rutledge of South Carolina, Wilson of Pennsylvania, Gohram of Massachusetts, and, of course, the father of the Constitution, Madison of Virginia, debated how our young Nation's judges were going to be appointed. It was his examination of the debate in 1787 that led this former chairman to declare 200 years later, nearly to the day:

> Article II, Section 2 of the Constitution clearly states that the president ''shall nominate, and by and with the advice and consent of the Senate, shall appoint . . . judges of the Supreme Court.'' I will argue that the framers intended the Senate to take the broadest view of its constitutional responsibility. I will argue that the Senate historically has taken such a view.

That discussion on the advice and consent clause transpired in 1987, but, as I said, it was during a Presidential election year in 1992 that my friend, this former chairman, took to this very floor. Why did he begin his remarks in 1992 by reference to an earlier speech on the advice and consent clause? I will say it wasn't only because Senators sometimes like to quote the wise words they once spoke. My friend referenced his own remarks on the advice and consent clause because he wanted to remind his colleagues in this Senate of this Senate's constitutional authority to provide or withhold consent as circumstances might require. And he wanted to remind his colleagues of the Senate's constitutional authority before he addressed the real reason he rose to speak in 1992: the prospect of a Supreme Court vacancy in a Presidential election year.

After discussing confirmation debates that had not occurred in Presidential election years, my friend turned to some of those who had:

> Some of our nation's most bitter and heated confirmation fights have come in presidential election years. The bruising confirmation fight over Roger Taney's nomination in 1836; the Senate's refusal to confirm four nominations by President Tyler in 1844; the single vote rejections of nominees Badger and Black by lameduck Presidents Fillmore and Buchanan, in the mid-19th century; and the narrow approval of Justices Lamar and Fuller in 1888 are just some examples of these fights in the 19th century.

This former chairman continued:

> Overall, while only one in four Supreme Court nominations has been the subject of significant opposition, the figure rises to one out of two when such nominations are acted on in a presidential election year.

This former chairman then outlined some additional history of Supreme Court nominations in Presidential election years. He emphasized that in four vacancies that arose during a Presidential election year, the President exercised restraint and withheld from making a nomination until after the election. One of those Presidents was Abraham Lincoln.

Ironically, like President Obama, our 16th President was a lawyer and called Illinois home. But unlike our current President, Abraham Lincoln didn't feel compelled to submit a nomination before the people had spoken in November of 1864.

Eventually, my friend got to the heart of the matter during election year 1992:

> Should a justice resign this summer and the President move to name a successor, actions that will occur just days before the Democratic Convention and weeks before the Republican Convention meets, a process that is already in doubt in the minds of many will become distrusted by all. Senate consideration of a nominee under these circumstances is not fair to the president, to the nominee, and to the Senate itself.

My friend went on to say:

> It is my view that if a Supreme Court justice resigns tomorrow, or within the next several weeks, or resigns at the end of the summer, President Bush should consider following the practice of a majority of his predecessors and not name a nominee until after the November election is completed.

And what is the Senate to do if a President ignores history, ignores good sense, ignores the people, and submits a nominee under these circumstances? Here again my good friend, the former chairman, had an answer:

> 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.

Well, what of the likely criticisms that will be lobbed at the Judiciary Committee and at the entire Senate if they were to choose this path of not holding a hearing?

My friend, the former chairman, continued:

> I am sure, Mr. President, having uttered these words, some will criticize such a decision and say it was nothing more than an attempt to save the seat on the Court in the hopes that a Democrat will be permitted to fill it, but that would not be our intention, Mr. President, if that were the course to choose in the Senate, to not consider holding hearings until after the election.

Continuing to quote:

> Instead, it would be our pragmatic conclusion that once the political season is under way . . . 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 is central to the process. Otherwise, it seems to me, Mr. President, we will be in deep trouble as an institution.

But won't that impact the Court? Can it function with eight members for some time? Won't it create ''crisis''? Not remotely. My friend considered this issue as well and appropriately dismissed it:

> Others may fret that this approach will leave the Court with only eight members for some time. But as I see it, Mr. President, the cost[s] of such a result, the need to re-argue three or four cases that will divide the Justices four to four, are quite minor compared to the cost that a nominee, the President, the Senate, and the Nation would have to pay for what assuredly would be a bitter fight, no matter how good a person is nominated by the President, if that nomination were to take place in the next several weeks.

''In the next several weeks'' refers to sometime between June and November of 1992.

I want to read this part again:

> Others may fret that this approach will leave the Court with only eight members for some time. But . . . the cost[s] of such a result . . . are quite minor compared to the cost that a nominee, the President, the Senate, and the Nation would have to pay for what assuredly would be a bitter fight, no matter how good a person is nominated by the President.

That is very well said. This former chairman is eloquent, where I happen to be very plainspoken. I would put it this way: It is the principle that matters, not the person.

My friend concluded this section of his remarks this way:

> In the end, this may be the only course of action that historical practice and practical realism can sustain.

I think probably everybody kind of knows these are the Biden rules.

The Biden rules recognize that ''the framers intended the Senate to take the broadest view of its constitutional responsibility.''

The Biden rules recognize the wisdom of those Presidents—including another lawyer and former State lawmaker from Illinois—who exercised restraint by not submitting a Supreme Court nomination before the people had spoken.

The Biden rules recognize that the Court can operate smoothly with eight members for some time, and ''the cost of such a result, the need to re-argue three or four cases that will divide the Justices four to four, are quite minor compared to the cost that a nominee, the President, the Senate, and the Nation would have to pay for what assuredly would be a bitter fight.''

The Biden rules recognize that under these circumstances, ''[the President] should consider following the practice of a majority of his predecessors and not name a nominee until after the November election is completed.'' The President he is referring to there is President George H.W. Bush.

The Biden rules recognize that under these circumstances, ''[it does not] matter how good a person is nominated by the President.''

The Biden rules recognize that ''once the political season is under way . . . 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 is central to the process.''

The Biden rules recognize that ''Senate consideration of a nominee under these circumstances is not fair to the President, to the nominee, or to the Senate itself.''

The Biden rules recognize that under these circumstances, ''the Senate Judiciary Committee should seriously consider not scheduling confirmation hearings on the nomination until after the political campaign season is over.''

Vice President BIDEN is a friend, as I said three or four times during my remarks, and I say it with the utmost sincerity. I served with him in this body and on the Judiciary Committee for nearly 30 years. He is honorable, he is sincere, and he is loyal to the President he now serves. Because I know these things about him, I can say with confidence that he will enthusiastically support the President and any nominee he submits to the Senate, but I also know this about Vice President BIDEN: He may serve as Vice President, but he remains a U.S. Senator. That is why when he rose to speak in this Senate Chamber for the last time, he shared this with his colleagues:

> I may be resigning from the Senate today, but I will always be a Senate man. Except for the title of ''father,'' there is no title, including ''Vice President,'' that I am more proud to wear than that of United States Senator.

If the President of the United States insists on submitting a nominee under these circumstances, Senator BIDEN, my friend from Delaware, the man who sat at a desk across the aisle and at the back of this Chamber for more than 35 years, knows what the Senate should do, and I believe in his heart of hearts he understands why this Senate must do what he said it must do in 1992.

I yield the floor and give back the remainder of my time.

NOMINATION OF ROBERT CALIFF

Mr. MCCONNELL. Mr. President, drug overdose deaths, driven largely by prescription painkillers, continue to outpace the number of fatalities from traffic accidents in Kentucky. While I recognize the need to protect legitimate patient access to prescription painkillers, the FDA must do more to help us fight back in the midst of today's prescription-opioid epidemic.

The FDA plays a leading role in addressing this epidemic through its drug approval process, in which it is required by Federal law to ensure the safety and effectiveness of all drugs. However, the FDA has been rightly criticized for not recognizing the severity of this significant problem and for not taking greater action to address it.

Over the years, I have heard from many Kentuckians concerned about FDA's lax attitude in this area, with many of the belief that the agency simply has not taken its role in fighting the prescription opioid epidemic seriously.

To try and push the FDA in the right direction, I contacted the agency in both 2012 and 2013 to warn of the problems with allowing generic, crushable opioids to be made available without the introduction of abuse-deterrent features. As a result, the FDA announced in April 2013 that it had decided to prohibit a generic version of a certain opioid that lacked abuse-deterrent features.

I also cosponsored a measure in the last Congress that aimed to push the FDA to encourage the development and use of abuse-deterrent formulations of prescription opioids, which make them harder to crush and abuse.

Additionally, I joined more than 20 Senate and House Members last October in a letter to OMB's Administrator of Information and Regulatory Affairs, Howard Shelanski. We urged him to help us tackle the prescription-drug abuse epidemic by taking down barriers in the Medicaid repayment system that actually discourage manufacturers from developing the very same abuse-deterrent formulations that I have been pushing the FDA to encourage.

I recently met with Dr. Robert Califf, the FDA Commissioner nominee we will consider this evening. We had a productive meeting in which I expressed my concerns about the agency's past insensitivity to the opioid crisis, along with my desire to see the FDA play a more prominent role in addressing this prescription-opioid epidemic.

Dr. Califf shared his proposed plan to reassess the agency's approach to approving and regulating prescription painkillers. Dr. Califf also acknowledged that a cultural shift will be needed within the FDA if the potential for addiction and abuse of prescription opioids is to be taken more seriously. He assured me that, as head of this important agency, he would be the kind of leader our country needs when it comes to confronting this growing epidemic.

I believe Dr. Califf understands the dire nature of the opioid epidemic, and accordingly, I believe he is today the right person to lead the FDA in a new direction. That said, confirming Dr. Califf will be just the beginning of a much longer and enduring effort on everyone's part; he and the FDA should expect continued rigorous oversight in the way the agency deals with prescription opioids moving forward.

Mr. LEAHY. Mr. President, today the Senate will consider the nomination of Dr. Robert Califf to head the Food and Drug Administration. For too long, the FDA has been without a Senate-confirmed commissioner, and, given the scope and reach of the agency, action on Dr. Califf's nomination is welcomed. After speaking with him and carefully reviewing his record, I have decided to support this nomination.

Consumers depend on the FDA to ensure that food, medicine, and products sold in this country are safe. The agency has oversight of one-quarter of all consumer goods sold in the United States, including nearly $1 trillion in foods, drugs, medical devices, cosmetics, and supplements. The Commissioner must supervise this critical work with independence from outside influence. Some Senators have raised concerns about Dr. Califf's record as a researcher who worked closely with drug companies and have questioned his ability to make decisions free from the influence of the multibillion dollar pharmaceutical industry. After speaking with Dr. Califf and reviewing his record, I believe that he will conduct himself with integrity and in the best interest of the public.

While the head of the FDA must be an independent voice, we should not discount the benefits having a Senate-confirmed Commissioner who understands the importance of medical research and the potential to advance lifesaving treatments. Under Dr. Califf's leadership, the Duke Clinical Research Institute made advances in drugs that dissolve blood clots, cut the risk of heart attacks and strokes, and lower cholesterol. As director of the Duke Translational Medicine Institute, Dr. Califf worked closely with the National Institutes of Health, the FDA, and the Institute of Medicine to help ensure scientific discoveries are translated into usable treatments. I believe that Dr. Califf's understanding of the importance of research in promoting lifesaving treatments and his ability to navigate potential conflicts that can arise with drug-industry funded research will be an asset to him as the leader of the FDA.

Dr. Califf and I also discussed other issues of importance before the FDA, including the labeling of generic drugs. For several years, I have led a group of nearly 40 Democrats in Congress in pressing the FDA to require generic drug manufacturers to update their safety labeling, instead of simply mirroring the brand companies' warnings, as they do now. Generics fill over 80 percent of prescriptions, but injured patients have no remedy against them if their product is mislabeled. Patients who are injured by a brand-name drug can seek justice, but they have no remedy if, like countless Americans, the drug that injures them is a generic. All drug manufacturers should be required to improve the warning information they give to doctors and consumers. Americans have waited 3 years for the FDA to finalize their rule regarding the labeling of generics, and I intend to continue to urge the FDA, and Dr. Califf if he is confirmed, to move forward on this critical issue.

The next Commissioner of the FDA must also work to promote safer alternatives to powerful prescription painkillers and to remove from the market older, less safe drugs. Dr. Califf and I discussed the FDA's recent announcement to expand access to abuse-deterrent formulations of these powerful

drugs to help address the opioid epidemic in this country. While it is a step in the right direction, the FDA can and must do more. I appreciate Dr. Califf's commitment to redouble the agency's efforts in combatting this issue, while working closely with other governmental agencies that can oversee the prescribing of these drugs. I expect to work closely with the agency on this issue and will continue to press Dr. Califf to take action in this area.

I hope that the FDA will also recognize the significant concerns that I and others in Vermont and other maple producing States have for the harm being done to maple sugar producers' income as a result of potentially false and misleading labeling of products that contain neither maple syrup nor real maple flavor. I recently meet with sugarmakers in Vermont who are asking for a strong and thorough investigation into possibly misrepresentative labeling of food products whose labels incorrectly indicate the presence of maple syrup and request appropriate enforcement action where warranted. The tradition of sugaring is significant not only to our cultural heritage in Vermont and throughout New England, but to our efforts to strengthen the working landscape and local agriculture in rural parts of our States.

Vermont's cheese industry, particularly raw milk cheese producers, have also raised concerns about FDA overreach. While I fully support the FDA's efforts to ensure the safety of our Nations' food supply, I believe that standards set by the FDA must be scientifically based and must address a known threat to public health. There have been some positive steps forward, and the FDA has recently met with these producers, agreeing to hand over the FDA's data on the standards they had set. I hope that progress continues, and I look forward to hearing how these discussions and data sharing is going.

We know that food safety will also be high on the priority list for the FDA as it works to implement the Food Safety Modernization Act, FSMA. A landmark piece of legislation, FSMA was passed in 2011 to ensure the production of safe foods; yet the farmers and processors in Vermont and across the country are in need of science-based, clear technical assistance to aid in their compliance with this new set of rules. I was proud to learn recently that the University of Vermont was recently chosen to lead the Northeast Center to Advance Food Safety. This new collaboration will advance understanding and practice of improved food safety among the region's small and medium-sized produce growers and processors as they learn to comply with these new complex food safety standards.

The FDA has been without a Commissioner for nearly a year and with no shortage of issues to address. I am pleased the Senate is moving one step closer to filling this position with tonight's vote. I look forward to working with Dr. Califf on the many pressing issues before the FDA.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Madam President, today we are about to begin consideration of the nomination of Dr. Robert Califf to lead the Food and Drug Administration. This is a historic time at that agency. It has a record which is not enviable in terms of the way in which it has been dealing with the opioid prescription drug epidemic in our country.

I want to give just a very brief history of what has been happening on that issue. About 20 years ago, the FDA was asked to approve OxyContin—which is just a shortened form of oxycodone—continuously going into the bloodstreams of Americans. Purdue Pharma represented that this would be a safer way of having prescription opioids go into the American medical system. Nothing could have been further from the truth because oxycodone—the material inside of OxyContin—is molecularly very similar to heroin.

So when one has a bottle of OxyContin or oxycodone continuously in your cabinet—30 pills, 60 pills or more—you are talking about having a bottle in your medicine cabinet that is very close to being heroin. Now if someone said to you that your child or family member is now taking something that is very close to heroin, that would have a profound impact on you—but that is never quite explained to the American public. That is something that was not understood at the time because Purdue Pharmaceutical company was representing that it was safe to take OxyContin. It turned out that was not the case.

Today we have an epidemic in the United States. More than 30,000 people in 2014 died from this prescription drug heroin epidemic which is ravaging our country. This is a dramatic increase from 1996, when we really didn't even talk about it in our country. More than 30,000 people died in 2014. The number most likely was much higher last year. The number, most likely, will be even higher this year as well. Here is the story—80 percent of all people who are dying in the United States from heroin overdoses started on prescription opioids. Eighty percent of all people who died in 2014 from heroin overdoses started on prescription opioid painkillers. So the pathway into this heroin epidemic is quite clear. It is the Food and Drug Administration approving these new prescription opioid pills without the proper safeguards having been put in place to ensure that it doesn't make the problem worse rather than improving the problem.

That is why the debate on Dr. Robert Califf is so important. The Food and Drug Administration is saying they will not empanel expert advisory panels to review the approval of each one of the new prescription opiates that are in the pipeline right now at the FDA. What is the evidence that will cause big problems? Well, back in 2012 the FDA had to consider Zohydro. Zohydro was a new prescription pain opioid. They empaneled a group of advisers—experts—to look at the drug. By 11 to 2, the expert advisory panel said: No, do not approve this new drug, unless we establish a whole new system or standard in America for addiction, abuse, for diversion of these drugs. Don't do it. The FDA ignored the advisory panel and approved Zohydro, with experts all across America attacking the FDA for not understanding how fundamentally the culture in our country had changed since 1996 with the first approval of OxyContin.

Moving forward, the FDA decided it would not empanel expert advisory panels at all because they knew most likely they would vote no. So on new drugs such as Hysingla or Targiniq, there were no advisory panels at all because it was said by those companies that there are abuse deterrents that are inside those new opioids.

What does that mean? Abuse deterrent is basically going to the issue of whether that new pill—that new drug—can be crushed to be used for purposes other than what is intended, which is to be a painkiller. However, if the individual just continues to take the pills in the bottle as they are prescribed and they do it on a continuous basis, they run a high risk of becoming addicted.

The warning went out from all of these outside groups that expert advisory panels were needed. The FDA ignored them. Then we hit August of 2015. Believe it or not, Purdue Pharma wanted to get approval for 11- to 16-year-olds to have OxyContin. Remember, this is heroin equivalent. This would go to 11- to 16-year-olds. What they decided to do was to not have any advisory panel at all on that issue in August of 2015. This is despite the fact that it was controversial, that it had tremendous social impact on our society, and that the FDA's own guidance says that expert advisory panels are needed on drugs of that nature when pediatric dosing or child prescribing is in question. The FDA just ignored it.

I put my hold on Dr. Califf's nomination. Senator MANCHIN put his hold. We are raising this issue. We are saying to the FDA that we need advisory panels. We need a change of culture at the FDA. This just cannot continue.

The FDA said they would look at it. The FDA said they would study it. Then the FDA announced 2 weeks ago that there would be no advisory panels for any of the new opioids which are in the pipeline over at the FDA because they are ''abuse deterrent.'' Abuse deterrent is an oxymoron. It is a contradiction in terms. It is like jumbo shrimp. There is no such thing as an abuse deterrent inside of a bottle of pills that have the same molecular constitution as heroin, especially if we are talking about giving it to kids age 11 to 16 in our society.

By the way, if you want to know why there has been a spike in the number of

breaking-and-entering crimes in people's homes, with people breaking in and looking for these bottles of pills, I will tell you why. Each one of these pills can be worth upward of $80 apiece on the streets of America. Hear that number? For a bottle of 60 with 80 milligrams is worth between $4,000 and $5,000 on the streets of America. That is why they want to break into your house. They don't take the TV. They are looking for that bottle of medicine because that is how much it is worth. That is how much they can sell it for.

When do we begin to get real about the fact that it is a bottle of heroin-equivalent in people's homes?

Ultimately, when all their prescriptions are finished off and they can't get it anymore from the doctor, they wind up with heroin at $5 a bag in the street. So America, it doesn't matter which community in America we are talking about. It can be Boston, West Virginia, Kentucky, California, it is all the same story, the same pathway in, for 80 percent of all those who overdose on heroin in our society. They are still looking for that heroin-like experience.

So we have a big issue that the FDA is not responding to, which is why I don't believe Dr. Califf should be confirmed until we have a change at the FDA, and they are not going to do it. We have to make sure they understand it is a coalition of pharmaceutical companies and physicians which have created this epidemic in our country. We are reaching a point where we are going to have a Vietnam war equivalent of people dying every single year inside of the United States on an issue created largely by the pharmaceutical and physician community in our society. So when do we start getting real about it? When do we start having a reality check, that while we are 5 percent of the world's population here in the United States, we consume 80 percent of all of the prescription painkillers in the world? Mix well, wait 20 years, and a pandemic has broken out across our country.

The FDA has a responsibility to ensure that we put the protections in place, that the warnings are there, that the dosage is correct, and that the preventive measures are used to reduce dramatically the number of families who are going to be devastated by this issue.

When people have back pains, when people have issues other than the most life threatening, we have to begin to discuss how long we want these people to be on something that has the same molecular constitution as heroin. It is a big issue. Lower back pain, broken legs—there is perhaps a greater danger from the prescribing than there is from the actual underlying injury in terms of the long-term consequences for these families.

We have to have this discussion in our country. We have to have the kind of discussion that says that heroin overdoses in our country have quadrupled in the last 14 years—quadrupled—and 80 percent of it started with prescription opioids. We have to have this discussion.

Dr. Califf has been nominated as the new head of the FDA. They are not going to change business as usual at the FDA. They are not going to do it. They have already announced it. They don't want to hear from experts. Their slogan at the FDA is no experts need apply to come in and give advice to the pharmaceutical companies and to the FDA. No warnings are needed from anyone with regard to what this industry has been doing to our country and what the FDA has been approving. So this issue is one that absolutely is at the top of the list of the things we have to deal with in our country.

Last year, the Food and Drug Administration, the agency that actually approves how much of this opioid painkiller can be sold in—and the way the system works is individual companies go to the Food and Drug Administration, tell them how much they want to have approved, and then the FDA never tells the rest of the world how much they allowed each company to, in fact, manufacture in terms of the painkiller, the opioid. They give an aggregate number, but they never tell you how much each company got approved.

What I would like people to do in their minds right now is to think for a moment how many prescription opioid pain pills—equivalent in oxycodone, other opioids—were approved by the Food and Drug Administration last year. Just pick a number. How many pills total? Do you have a number in your head? I am going to give you the answer: 14 billion. Can I repeat that? There were 14 billion prescription opioid pills approved for a country of 300 million. That is a bottle for every single adult—a bottle, again I tell you—with the material that has the molecular equivalency of heroin inside the cabinets of people inside the United States of America.

This has to stop. It has to end. I understand it is a good business model for the companies manufacturing these things, but it is not good for America, and it is not good for the families in our country. The FDA has to stop them. That is why Senator MANCHIN, Senator BLUMENTHAL, and others who are going to be speaking on this issue—we don't think Dr. Califf should be approved until they change business as usual, until they make a commitment that they are going to change business as usual at the Food and Drug Administration. They are supposed to be the guardian of our public health. They are supposed to be the arbiters of what is safe for Americans to consume, but they have not been doing the job. I am not talking about 1996 anymore; I am talking about 2015 and 2016. I am talking about right now with the evidence of this national tragedy manifesting itself in every community in our country.

The least that the Senate should be able to say is that it tried, really tried, to deal with this issue that has been created by the pharmaceutical and the physician community. It will not be enough to say that we are going to authorize $1.1 billion for treatment, although we need treatment because there are millions of people who are going to need it in our society.

We have to go back to the root causes of this problem, this flood of drugs that have gone into this society, the lack of prescribing education that physicians have to undergo. The FDA indicates that only 10 percent of physicians in America voluntarily even get educated with regard to what are the consequences of having a bottle of molecularly similar heroin pills to be put inside the cabinets of Americans—10 percent of physicians. That is just plain wrong, ladies and gentlemen. We have to make sure that the education is there for the physicians who need it. We have to make sure that the pharmaceutical companies do not get permission to be able to get these new pills approved until there is a new standard for abuse, a new standard for addiction, a new standard for the diversion of these pills, a new standard for what abuse deterrent means because right now, again, it is a contradiction in terms.

You can still get addicted by taking an Oxy or a Percocet over and over again, day by day. You are going to get just as addicted. It is not an abuse deterrent if that is how you are going to be taking it. You still wind up with the same problem.

We need to get real here. There is no bigger issue in our country. There is no more profound change that has taken place on the streets of our country. When it increases by fourfold in just 14 years, what is on the horizon for our society if we don't put an end to it?

Working with other Senators, I intend to continue to explain this problem to other Members. I could not have a better partner than the Senator from Connecticut, Senator BLUMENTHAL, who as attorney general in the State of Connecticut and now as a Senator has focused laserlike on this issue. We are both committed to making sure that education of physicians becomes an indispensable part of the remedy—the Rx that we in the Senate put on the books—so that at a minimum that education is made mandatory for every physician who is going to be handing out these pills to otherwise unsuspecting Americans.

I will just finish this way. One patient came up to me and said: You know, when a doctor says to you that these pills for your family member are good, you are not going to second-guess the physician. You are going to assume that because the physician gave them to you, they must be good.

And then this man said to me that he and his wife looked back and said: Should we have known more? Should we have done something different? Should we have tried to protect that other family member?

No, it should be the FDA. It should be the DEA. It should be the physicians. It should be the prescribers. They are the ones that should have the responsibility, not the guilt that they are giving to families all across the country that they should have known more. No, ladies and gentlemen, this is the time for us to finally act on this issue.

I yield to the great Senator from the State of Connecticut, Senator BLUMENTHAL.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Madam President, I am so honored to follow my great friend and very eloquent advocate from Massachusetts, Senator MARKEY, who said much more powerfully than I can our reasons for opposing Dr. Robert Califf as the nominee for the head of the FDA. To say it very simply, this agency needs drastic reform. It needs an overhaul in the way that it approves these powerful painkilling substances that can be a gateway to addiction, whether to opiates or whether to heroin. I am proud to stand on the floor with Senator MARKEY, Senator MANCHIN, and others who feel that more must be done, that our Nation is lagging in addressing an epidemic.

It is truly a public health hurricane that is sweeping Connecticut and our country. I have done roundtables around my State that are among the most moving public experiences of my service in the Senate and, indeed, my time for 20 years as attorney general on any public issue. It is an issue that concerns Iowa as well as every other State in the country. It is an issue that should bring us together on a bipartisan basis to address this true public health crisis.

My reason for opposing Dr. Califf is, very simply, the failure of the FDA to recognize its own shortcomings and the prospect that there will be no change in the way the FDA is responding or failing to respond to this crisis if he is confirmed. With his confirmation, all that we can see ahead is more of the same.

That is unacceptable. The FDA must be part of the solution or it will continue to be part of the problem. There is no question that the solution to this problem has to be multifaceted. In the roundtables that I have held around our State and in my conversations with the experts in this field and in the meetings that I have conducted with public health officials around the State with recovering addicts and their families, law enforcement, as well as public officials, I have seen that there is no single solution. There is no one-size-fits-all for recovering addicts, for communities, for different parts of the country. There has to be an emphasis on law enforcement because cutting off the supply has to be an objective, and law enforcement needs and deserves more support from this Nation and from the Congress. There has to be an emphasis on treatment and services. We are not going to arrest our way or jail our way out of this public health crisis, nor is treatment alone a sufficient solution. Part of the solution has to be more action from the FDA to oversee, scrutinize, and stop the pipeline of painkillers and opioids that are continuing to deluge our community.

The urgency of this crisis is clear. In 2015 my State had more than 700 prescriptions leading to overdose deaths. These fatal overdoses are also avoidable. The number of opioid-related deaths around the Nation has skyrocketed, and behind every one of these heartbroken families and communities is a realization that more must be done. We depend on the FDA to deal with these kinds of problems. The American people rely on this agency to implement a strong, regulatory approach to protect them.

Unfortunately, the FDA has utterly and abjectly failed to protect the American people against the epidemic of opioid overuse. The FDA has a troubling history in this area, and I am well familiar with it because I highlighted it when I was the attorney general of our State, asking for stronger warnings for patients and consumers, asking for better oversight of oxycodone and related medicine, and asking for better supervision and education of the prescribers. And I asked in letters, in petitions, and in legal actions. In effect, the FDA has fueled this crisis by approving too many drugs with too little analysis. Too often, it has failed to use an advisory committee when approving a new opioid painkiller. It has demonstrated a troubling preference for speed over safety. It has expedited consideration at the risk of public health.

It is essential to have an independent panel of experts to review and advise the agency on its approval of any opioid painkiller, giving the public a chance to provide input before a product comes to market. Unfortunately, in addition to instances where no advisory committee has been convened, the FDA has simply approved new drugs over committees objections. This failing to listen to warnings from experts harms public health and safety and confidence and credibility of this agency.

One example, which some of my colleagues may remember, concerns the FDA's approval of the drug Zohydro. This high-dose, extremely potent opioid, which lacks abuse-deterrent properties, was approved in 2014 despite strong objections from the scientific advisory panel that approved it. That panel voted 11 to 2 against approving the drug.

The questionable oversight tactics the FDA has employed so far leave me with serious doubts about its ability to implement its recently released action plan. In this plan, the agency committed to convening advisory committees when approving any opioid painkiller that is not abuse-deterrent. This approach is, very simply, insufficient.

We have seen how dangerous opioids can be. All opioids, whether or not they are classified as abuse-deterrent, should be reviewed by an independent advisory committee. And even if an opioid is classified as abuse-deterrent, that doesn't mean it cannot be abused or that an advisory committee shouldn't be consulted. The FDA itself recognizes that abuse-deterrent technology is in its infancy and independent advice is therefore essential.

Unfortunately, instances where the FDA has failed to listen to its advisory committees are not limited to the context of drug approvals. In 2012 the agency recognized that opioids could lead to a number of dangerous outcomes—addiction, accidental overdose, and death. In response, the FDA implemented a risk-management strategy for extended-release opioids, including requiring education for prescribers on safe prescription practices and the potential for abuse and addiction. Two years have passed—2 years since the first of these trainings was made available—but the FDA has yet to release information showing how many prescribers have been trained and educated on responsible prescribing practices. The FDA has ignored my call for this information to be released.

The FDA has ignored the recommendations from two advisory committees that a similar strategy should be used for immediate-release opioids as well—a crucial issue, given that 91 percent of all opioids prescribed are in this category.

I urge my colleagues to join with me in sending a signal to the FDA that more effective scrutiny and actions are vitally important. The FDA has failed to take this crisis seriously. Until it does, it is failing the American people. And a new FDA head must indicate there will be a sea change—a fundamental overhaul—in the way FDA oversees and protects the American people.

I would like to highlight as well the crucial importance of finalizing the deeming rule, which is necessary to ensure the agency's authority over all tobacco products—also pertaining to addiction; the drug is nicotine—and that is essential to ensure that not only cigarettes but also e-cigarettes—that the companies that make them cannot market to children and to people who may be led to addiction to that drug.

I am determined that the Nation do better in addressing this urgent crisis—a public health hurricane sweeping this country, as disastrous as any physical crisis of tornadoes or floods, maybe, in destroying lives and jeopardizing our national security.

I am pleased to yield back to my colleague Senator MARKEY and to be joined by my great friend and colleague Senator JOE MANCHIN of West Virginia.

Mr. MARKEY. I thank the Senator from Connecticut, and we intend on continuing this battle right through this entire confirmation process and beyond. Unless we stop it now, FDA is

not going to stand for ''Food and Drug Administration,'' it is going to stand for ''fostering drug addiction.'' That is what it has been doing. It has to change the way it does business. It has to respond to this addiction and abuse crisis in our country. It has to be the cop on the beat. It has to understand its responsibility to not allow this flood of drugs to go into our society, and we have to begin the battle now.

I urge all Members to vote no on this nomination. This is not directed personally at Dr. Califf but directed at an agency which has allowed this flood of drugs into our society without putting the proper protections in place.

I now yield to the great Senator from West Virginia, who has dedicated his career as Governor and as Senator to leading on this issue.

The PRESIDING OFFICER (Mr. COATS). The Senator from West Virginia.

Mr. MANCHIN. First of all, Mr. President, I want to say to my colleagues, Senator MARKEY of Massachusetts and Senator BLUMENTHAL of Connecticut, this doesn't have a partisan home. This is not a Democratic or Republican issue. This is an epidemic that is devastating our entire country. It doesn't matter whether someone comes from affluence or is socioeconomically challenged. Rich or poor, it makes no difference. What side of the track you live on makes no difference. This is an epidemic that hits us all in its devastation.

If Senators will just talk to their communities, their law enforcement officials, they will tell you that over 80 percent of all crimes are drug-related. Look at the cost, look at the economy, and look at the devasation in the cost of lives it is taking. Something has to be done.

We are expected to vote to confirm the President's nominee for Commissioner of the FDA, Dr. Robert Califf. Let me say this about our President, President Barack Obama: I think he is taking this seriously. He has come to the State of West Virginia, and I am very appreciative of that. He has seen firsthand the devastation it has taken in all aspects of life in West Virginia. We are a State that is hit as hard as if not harder than other States. It is the No. 1 killer in my State. There are more people dying by legal prescription drug abuse than any other cause. So the President came there and he saw that. I am just asking the President to make that major commitment to our having a cultural change by giving us someone who will shake it up from the top.

I believe Dr. Califf is a good man. I really do. I believe he is a qualified man. I met with him and spoke with him, and I directly asked him—I said: Dr. Califf, you come from a culture where basically the large pharmaceutical industry that supplies these types of products to the market and expects the FDA to approve them are the people who have supported you for the last 20 years. It is just human nature that that is hard to change and hard to say no to.

So with that being said, I said that I think we need a cultural change. I think he understands that and respects my position. I respect his. I just think he is the wrong person at this time of need for the position. We need to shake it up. He is going to continue to serve as Deputy Commissioner of the FDA's Office of Medical Products and Tobacco, but the Commissioner of the agency must be someone willing to lead in a different direction. With 51 Americans dying every day due to an opioid overdose, the FDA now more than ever needs a Commissioner who is a champion committed to changing the way this agency handles opioids.

As I have said many times before, my State of West Virginia has been hit hardest. Drug overdose deaths have soared by more than 700 percent since 1999. We lost 600 West Virginians to opioids last year alone. But that is not the only problem in West Virginia. Since 1999 we have lost almost 200,000 Americans to prescription opioid abuse.

I am here today to urge all my colleagues, before they take their vote today, to think about the citizens of their States who are suffering from prescription drug abuse. Think about all those you know who have lost a loved one due to this epidemic. Each and every one of us here knows someone whose life has been wrecked by legal prescription drug addiction.

This is a silent killer. There is not a person whom I know in any community or any group in any setting whom I can't look at and say: There is not one of you in this room who doesn't know someone in your immediate family or among your extended family or friends who hasn't been affected. That is how rampant this is, but it is something we don't speak about much. We are concerned. It could be our son, could be a brother or a sister, could be a mother, father, aunt, or uncle, but we don't want to talk about it. We are afraid it has been stereotyped.

We need a culture change. As the agency overseeing the approval of these addictive drugs, the FDA plays a critical role in this epidemic, and as my dear friend from Massachusetts, Senator MARKEY, said, the FDA might have to change what it stands for. It really has fostered this drug addiction more than any other agency. Think about the fact that it is being produced legally, approved by the Federal Government in a legal way, and it is being prescribed in legal ways. We are the most addicted Nation on Earth. Over 80 percent of the opioids consumed in the world are consumed by 5 percent of the world's population, that 5 percent all living in this great country of ours. Something is wrong. Something is wrong, and everyone should be concerned about this.

I tell our children and grandchildren, Mr. President, when I speak in schools—I say: You don't have to worry about another country ever taking us over militarily. We have the greatest military the world has ever known. We have the strongest economy, and we are the only ones who can correct the mistakes we have made in our economy because it is so strong. They do not think they have to take us on militarily or be worried about overtaking our economy; they are going to sit back and wait until we become so addicted we can't function. This is what we are dealing with, and this is why it is of such importance.

The agency has been so callous about their approach to this epidemic. As a matter of fact, time and time again they have failed to consider the public's health. One would assume that if the Food and Drug Administration makes a decision that something is good and consumable, they would have looked at the effect it has on the public, the health and well-being of the citizens of this great Nation. Yet it has actively stood in the way of addressing this opioid abuse epidemic—and not only not considering it but prohibiting others from doing it.

For years, the FDA delayed before finally agreeing to reschedule hydrocodone—to reschedule. Let me explain where I am coming from. When I first came to the Senate in late 2010, early 2011, I said: My goodness, we have Vicodin and Lortab, the most prescribed opioids on the market—more than any others. OxyContin had already been moved to a schedule II, and Vicodin and Lortab were schedule III. It took us 3 years to get the FDA to reschedule Vicodin and Lortab and all opioids to a schedule II. It took 3 years—and after their own advisory committee overwhelmingly recommended that it be rescheduled. That means a doctor can only give out a 30-day supply at one time without a doctor visit. Under a schedule III, they can give out 90 days and continue to just call it in without seeing a doctor. They were putting this stuff out like they were M&Ms. So that changed and we finally got that done, but it took forever to get it done and we never could understand why.

Since that change went into effect, we have seen the number of prescriptions for hydrocodone products, such as Vicodin and Lortab, fall by 22 percent. We know it worked because they were overprescribing. So 22 percent—that is 26 million fewer prescriptions and 1.1 billion fewer pills on the market. That is how much just that one change—it took 3 years but should have been done in 3 weeks. It took 3 years because the FDA stalled their decisionmaking. Then, after finally making the important step after 3 years, the next day—the next day that that was done—the FDA approved the dangerous drug called Zohydro. The next day, after 3 years of waiting to get all opiates to a schedule II, they came out and recommended Zohydro and approved it, even when their own experts—their

own advisory committee made up of experts—recommended 11 to 2 against bringing this most powerful, lethal drug on the market.

This drug has ten times the hydrocodone of Vicodin and Lortab, with the capability of killing an individual with just two pills, and just recently the FDA approved OxyContin for use for children 11 years of age. Can you believe that? They did that without having any experts or any advisory committee's consent or recommendations. This decision means that Pharma is now legally allowed to advertise OxyContin to pediatricians under certain circumstances.

We have seen the devastating impacts of this type of advertising, and we have years of evidence that shows that drug use at an early age makes a child more likely to abuse drugs later in life. These decisions illustrate the FDA's inability to consider public health and assess the realities of this deadly epidemic. While I recently accepted the agency's decision to finally start listening to the advice of its expert advisory committee—they have just decided now they are going to start listening to their advisory committees. No way have they decided to take their recommendations. They are just going to listen. While this might be a step in the right direction, finally, of their listening and basically taking the advice of experts but not acting on it, I think is absolutely meaningless.

The change at the FDA needs to be fundamental, and it needs to come from the top. We need a leader who changes the current way of thinking. Unless a major cultural change is implemented at the FDA, similar instances will continue to occur into the future. Meanwhile, our Nation's opiate epidemic continues only to worsen, and our friends and families are further torn apart by the impact of addiction.

If Dr. Califf is confirmed today, I do not feel confident that this culture change is going to take place. Dr. Califf has close financial ties with the pharmaceutical industry. Between 2010 and 2014, Dr. Califf received money through his university salary and consulting fees from 26 Pharma companies, including opiate manufacturers. In the past, Dr. Califf has actually described the FDA regulation as a barrier—not a safeguard for public health, but a barrier.

I believe the FDA needs new leadership, new focus, and a new culture. Dr. Califf's past involvement with the pharmaceutical industry shows that he would not be the person to do that. He would not have the impact or leadership capabilities the Nation needs to stem the tide of the opioid crisis. I believe the FDA must break its cozy relationship with the pharmaceutical industry and, instead, start a relationship with the millions of Americans impacted by prescription drug abuse. It is because of this belief that I am urging my colleagues to vote against the confirmation of Dr. Califf.

My office has been absolutely flooded with stories from West Virginians and Americans who want their voices heard. I am going to read just a couple of letters because I think it is important to know the impact of these letters. I absolutely want you to hear it. And I know every State has been impacted the way my State has.

This is Susan's story:

My name is Susan. I am from West Virginia and I am the mother of three children, ages 20, 16, and 14. My oldest son's name is Zack. Zack is an addict.

Zack grew up in a small town with his mother, father, brother, and sister. He played sports throughout his childhood including football, baseball, wrestling, and basketball. He got good grades in school. He went to church with his grandparents and wanted to be a preacher until the age of 11 or 12.

My husband and I divorced when Zack was 13, and it deeply affected Zack. We moved to a new town where Zack and his brother and sister started into a new school system. Around the age of 15–16 Zack started self-medicating with nerve pills——

The PRESIDING OFFICER. I hate to interrupt the Senator, but the time has expired.

Mr. MANCHIN. I didn't think there was a time barrier on this. I am so sorry. I ask unanimous consent to continue at least this letter.

The PRESIDING OFFICER. Is there objection?

Mr. ALEXANDER. Mr. President, reserving the right to object. The Senator from Washington has 5 minutes to go. I have 10 minutes to go. The vote is at 5:30. So I guess——

Mr. MANCHIN. I should be done here in about 2 or 3 minutes. If I can just finish this letter—I have many more, but I will come back later.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I ask unanimous consent that following the Senator's remarks, I be allowed 6 minutes and the Senator from Tennessee be allowed 10 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MANCHIN. Mr. President, I thank my colleagues.

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia?

Without objection, it is so ordered.

Mr. MANCHIN. Continuing:

Around the age of 15–16 Zack started self-medicating with nerve pills, smoking pot, and drinking. Zack did his first stint in rehab at the age of 16. He went to Florida to a rehab facility because they were able to arrange everything including his flight before we even got a call back from any facility in our state. Zack was in treatment 60 days and returned home. He was clean for several months and then started using again. Zack graduated to using pain pills. From there he started shooting up pain pills. A child who had a horrific fear of needles was now injecting opiates to escape his painful reality. Zack was robbing people and living house to house and on the streets. Then when he figured out heroin was a cheaper fix and more accessible, this became his new drug of choice. Zack was arrested and given the chance to go to rehab again. He completed another 2 trips to rehab, one being 60–90 days and another being around 30. He came home, relapsed and went to jail for 4 months due to failed drug tests. He spent 4 months in regional jail without receiving one counseling session or any help with substance abuse. When he was released from jail he was very lost and didn't know what to do with his life. He was clean several months before relapsing again.

Zack is now in a peer recovery program in West Virginia. He is 20 years old and on his 4th stint in rehab. He is fighting for his life in this program along with about 120 other men. He has been to jail, and has lost close to 20 people in his life due to overdoses.

Being a mother of an addict is a nightmare. From learning your child has this disease to fighting with insurance companies and doctors to get your child treatment. When Zack was a juvenile, I was told by treatment providers that insurance companies did not consider substance abuse in children a life threatening disorder. I had to run up in a house when he ran away and handcuff him and take him to a hospital high as a kite. I had CPS called on me for having my intoxicated son handcuffed because I wasn't a police officer. I had mental hygiene warrants lost. My son was released by a hospital at a moderate risk to suicide and because of that treatment centers wouldn't even consider admitting him into their program. I was told by hospital staff that if I had a medical card instead of private insurance or if my child was a ward of the state, they could get him more help. I contemplated quitting my job in order to get a medical card for my son. I have been asked by rehab to take out loans in order to get my son help. I have had to borrow thousands of dollars from my family in order to get my son into treatment.

I have driven my child to hospitals while he is nodding in and out and I was crying so hard I couldn't see. I have stayed up for 24 hours in a row watching my son detox in hospitals. I have followed ambulances for miles transferring him [to] facilities. I have missed Christmases, Thanksgivings, and birthdays with my son. I have gone months and months without a good night's sleep. I would cringe every time the phone rang or there was a knock on the door. No mother should ever have to just wait on that phone call or for that [knock] on the door.

I have also had to sit my other 2 children down and explain to them that I don't love them any less than I do their brother. I have had to tell them I have to dedicate more time to Zack because I know the 2 of them will be okay but I have to try and keep their brother alive.

You see this epidemic is not only affecting the person who is the addict. It is destroying families and communities. Siblings are forgotten. Marriages and relationships are being destroyed. Entire families are getting PTSD. Crime is at an all-time high. The list goes on and on. The whole system is broken when it comes to treating mental illness and addiction. Until we get the money to fund treatment and more treatment centers, this epidemic will continue to get worse.

If my child had cancer, or any other chronic disease, he would be able to get immediate treatment. He would be able to get good treatment. Addiction is a disease that may start with a poor choice, but is ultimately a disease. Until we are able to provide adequate treatment immediately to those suffering we will continue to lose a generation of people. I pray that no one else has to experience the pain my family and my son has experienced, but unfortunately, this disease has entered into every community, every neighborhood, and into most families. It's

just a shame that we live in the greatest nation in the world and this is our reality.

Mr. President, I thank my colleagues for allowing me that. I am very concerned about where our country is going and the role the FDA plays. We need a cultural change.

I thank my colleagues.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I want to start by expressing my appreciation to Dr. Califf for accepting this nomination and continuing to offer his expertise in service of families and communities nationwide.

I am glad this evening to have the opportunity to talk about the progress the FDA has made in recent years, the challenges that lie ahead, and why I believe Dr. Califf has the necessary leadership, background, and experience to guide the FDA at this very important time.

The FDA oversees a quarter of all the goods sold in the United States, including more than $1 trillion in medical devices, cosmetics, and supplements. So the FDA Commissioner has a very critical responsibility to support health and well-being in this country.

I am pleased that in recent years important progress has been made to improve FDA's services for patients and families, from approving the highest number of new drugs and biologics in 2014, to making progress toward a 21st-century food safety system as the Food Safety Modernization Act is implemented. These are important steps that have no doubt made a difference for families, but the FDA still faces significant challenges as we look ahead.

As I have discussed with Dr. Califf, the FDA must continue to encourage the development of safe, effective cures and treatments for the chronic illnesses that impact far too many families across the country. The agency should prioritize tackling the threat of antibiotic resistant infections, such as the ones linked to the contaminated medical devices in my home State, and it should do more to ensure patients can always trust that the medical devices used in their care are safe and effective, including by building a robust postmarketing surveillance system for devices. The FDA should continue to strengthen its generic drug and biosimilar programs and needs to play a role in ensuring that all patients and families have access to the prescription drugs they need.

In addition, our country faces urgent public health challenges that the FDA must help to address. To name a few, we need to move forward on making sure families have access to nutritional information and on ensuring our food supply is both safe and healthy. We need to put all the agency tools to work to stop tobacco companies from targeting our children. And we need to tackle the epidemic of opioid abuse that is ending and ruining lives in communities nationwide.

I was pleased to see that the FDA put forward an action plan to help protect our communities from that crisis, and I look forward to working together with all of our colleagues to address that area.

Another critical priority is ensuring the FDA always puts science over politics. As some on the floor today will remember, several of my colleagues fought long and hard to ensure that medical expertise, not ideology, governed decisionmaking on the sale of Plan B over the counter. Women and families have to be able to trust the FDA to not play politics with their health.

After careful consideration and review, I am confident that Dr. Califf would contribute leadership and expertise as we work to tackle all of these challenges. He is a strong nominee for the role of FDA Commissioner. He has an impressive history of leadership and management experience, especially at Duke University, where he led one of our largest academic clinical research organizations. He would bring to this new role a record of advancing medical breakthroughs on challenging illnesses through clinical trials and working to translate NIH lab discoveries into usable medical treatments for patients. Our review of his record demonstrates a longstanding commitment to transparency in relationships with industry and working to ensure academic integrity. Dr. Califf has made clear he will continue to uphold those values and prioritize a strong, independent FDA as Commissioner. His nomination received letters of support from 128 different physician and patient organizations, as well as the strong, bipartisan support of the members of our HELP Committee.

I have approached this nomination focused on the best interests of families and communities in my State and across the country and in making sure the FDA puts them first in all its work. I believe Dr. Califf would be a valuable partner in this effort as FDA Commissioner. So I encourage all of our colleagues to join me in supporting his nomination, and I look forward to working with all of us to strengthen health and well-being for the families and communities we serve.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President for the information of Senators, the vote will be in about 10 minutes, following my remarks, and I want to make my remarks because of the importance of this nomination.

I join the Senator from Washington State in urging our colleagues to vote to end debate on the nomination of Dr. Califf and then tomorrow to vote for him.

We are very fortunate to have a man of this distinction accept this position. I congratulate the President for his nomination. I note, as the Senator from Washington said, that his nomination has been widely applauded across this country and received strong bipartisan support in our committee after an intense investigation.

I ask unanimous consent to have printed in the RECORD, following my remarks, a list of 124 organizations that have submitted letters in support of Dr. Califf's nomination to our committee. The list does not include press releases or other statements of support that were not submitted to the committee.

Dr. Califf will be in charge of the Food and Drug Administration. That agency is responsible for the safety and effectiveness of our Nation's medicines, devices, and other medical products in protecting our country's food supply.

It is not too much to say that this job affects virtually every single American. It is a huge job. The FDA affects nearly every single American and regulates about one-quarter of all consumer spending in the United States—about $4 trillion annually. It is responsible for product areas as diverse as prescription drugs for humans as well as for animals, for medical devices, for biologics, for cosmetics, over-the-counter medications, food, and tobacco.

To accomplish this, the FDA employs 15,700 full-time employees worldwide, with an annual total budget of $4.505 billion from funds appropriated by the Congress and user fees paid by the industries it regulates. Managing an enterprise of this size is no small undertaking. It requires strong leadership and a steady hand.

Last year, on September 17, the President nominated Dr. Califf. My staff and I reviewed the nomination carefully. I found him to be well qualified to take charge of the FDA. He is one of the Nation's leading cardiologists. He was a professor at one of the Nation's top medical schools for over 30 years. He is an expert on clinical research. He has been recognized by the Institute for Scientific Information as one of the top 10 most cited authors, with more than 1,200 peer-reviewed publications. He has managed large organizations, including the Duke Clinical Research Institute as a founding director. In his current position, he is FDA's Deputy Commissioner for Medical Products and Tobacco, in which capacity he oversees the regulation of products including human drugs, biological products, medical devices, and tobacco.

He has conducted scores of important clinical trials and has advised and worked on research with some of the Nation's leading pharmaceuticals and biopharmaceutical companies.

In addition, Dr. Califf, like every full-time nominee, has been through an indepth process to review his background. Before the President even announced his nomination, there was an extensive vetting by the White House and the FBI. He submitted paperwork to the Office of Government Ethics, which carefully reviewed that information looking for conflicts of interest.

The form he submitted is public and includes every source of income over $200, every asset worth more than $1,000, and every potential conflict that the Office of Government Ethics determined would require a recusal.

Before our committee held a hearing, Dr. Califf answered 37 pages of questions from the bipartisan leadership of the committee, including confidential questions on financial information, and he responded to written followup questions. His responses included over 3,000 pages of articles and lectures my staff and Senator MURRAY's staff reviewed and any Member of the Senate could review.

On November 17, the HELP Committee held a hearing on his nomination. He provided testimony and took questions. Afterward, he answered 100 pages of written questions. Throughout this process, we have carefully reviewed everything submitted and not found anything that would call into doubt Dr. Califf's ability to lead the FDA fairly, ably, and impartially.

I am pleased to support his nomination. I am pleased the full Senate now will have an opportunity to vote on that nomination in a prompt way.

Dr. Califf's nomination comes at an important time for the FDA. For the past year, the FDA has been operating without a confirmed Commissioner. There are important issues there. It needs a confirmed Commissioner to provide the leadership that will carry the agency into the future.

One issue that has been on many of our minds is how to make sure American patients have access to affordable drugs. Of course, the FDA's job is not to set drug prices. I am pleased Dr. Califf agreed at his confirmation hearing that he understands the FDA's role is to make sure that drugs are safe and effective, not to regulate their price, but the FDA can help lower drug prices by approving generic drugs and other products as quickly as it possibly can so there is more choice and competition in the market.

There are thousands of applications for generic drugs sitting at the FDA awaiting approval. Addressing this backlog, and reviewing new applications as expeditiously as possible, will allow lower-cost drugs to be available to patients. I am confident the FDA can improve its performance. Just last month, our committee held a hearing on this issue and the FDA was optimistic about making progress.

We also needed a confirmed Commissioner who can guide the agency to make sure it keeps pace with medical innovation. There has never been a more exciting time in medical research than today. We know more about biology and medicine than ever before, and knowledge is being applied in innovative ways.

We are talking about actually curing, not just treating cancers. We are using 3–D printing to help doctors replace knees. In one case the FDA has approved a drug to treat epilepsy that is made by 3–D printing. The President has announced a Precision Medicine Initiative designed to promote personalized treatments to take into account an individual's genes, environment, and lifestyle. These are exciting developments.

First, the FDA needs to make sure that regulation is appropriate. Too much regulation could reduce investment. Not enough regulation could lead patients to getting therapies that are not safe and effective.

At the same time, the FDA will need to make sure its policies and its procedures, many of which were adopted decades ago, are capable of addressing the technologies of today and tomorrow. Second, as we continue to make medical advances, the FDA will need to keep up with the science and rely on expertise outside the FDA when appropriate. Doing that will require a leader who can manage a large and complex organization—not just on big policies that make headlines but on day-to-day matters such as hiring and training scientists on the core mission and integrating information technology.

Medical products take more time and money to discover, develop, and reach American patients than ever before. We hear stories about drugs and devices that are available to patients outside the United States before they become available here, often because it is difficult for manufacturers to navigate the FDA's often unclear approval requirements. It often takes over a decade to develop a drug that gains marketing approval in the United States. According to one recent study, the costs have tripled in the last 10 years.

Senator MURRAY and I are working with our colleagues on our committee on bipartisan legislation to help get safe, cutting-edge drugs, medical devices, and treatments into Americans' medicine cabinets and doctors' offices more quickly.

We held a markup on February 9, in which we approved seven important bills with bipartisan support that will help both manufacturers and the FDA to get innovative treatments to patients more quickly. They are all bipartisan bills.

Senators BENNET, WARREN, BURR, and HATCH offered the Advancing Targeted Therapies for Rare Diseases Act of 2015, S. 2030. If you are the parent of a child suffering from a rare disease like Cystic Fibrosis, this bill increases the chances that researchers will find a treatment or cure for your child's disease. It does that by allowing researchers to reuse good data they have collected, because it is hard to find enough patients for a clinical trial studying a rare disease with multiple genetic mutations.

Senators BURR and FRANKEN offered the FDA Device Accountability Act of 2015, S. 1622. If you are one of the millions in our country who will need a medical device such as a pacemaker or knee implant, this bill will help drive the faster development of better devices—cutting unnecessary red tape from the review process for these devices.

Senators BALDWIN and COLLINS offered the Next Generation Researchers Act, S. 2014. If you are a smart young scientist who wants to find a cure for cancer, this bill will help the National Institutes of Health create opportunities for you to get funding for your research, so that you don't head to another country or into another field. It will also help you pay back more of your student loans.

Senators KIRK, BENNET, HATCH, MURKOWSKI, ISAKSON, and COLLINS offered the Enhancing the Stature and Visibility of Medical Rehabilitation Research at NIH Act, S. 800. If you are one of the millions of Americans with disabilities, illnesses and chronic conditions that require medical rehabilitation—maybe you suffered a stroke and need to relearn how to walk—this bill will help ensure that the government is supporting research that will help you have the best chance at rehabilitation.

Senators ISAKSON and MURPHY offered the Advancing Research for Neurological Diseases Act of 2015, S. 849. If you are the child of a parent with Parkinson's, this bill will help speed a treatment or cure for your parents' disease by helping researchers have access to more data on neurological diseases.

Senator MURRAY offered the Preventing Superbugs and Protecting Patients Act, S. 2503. If you suffer from something as common as indigestion, or perhaps something scarier like cancer, that requires putting a scope down your throat to diagnose or better understand your ailment, and this bill will help ensure that the scope the doctor uses is clean and doesn't give you an infection.

I offered with Senator MURRAY the Improving Health Information Technology Act, S. 2511. If you are anyone who has ever changed doctors or needs to see a specialist and you want to be sure the new doctor you are seeing knows your medical history so he or she can help you best, this bill takes several steps to get health records flowing between doctors, hospitals, and patients to help realize the promise of health information technology by turning these systems from something that doctors and hospitals dread into something that actually helps patients.

We will be taking up more of these proposals in March and in April.

The next FDA Commissioner will have a lot of work to do, both to implement the legislation we are passing and to take the existing authority and make sure we help patients as best we can. He will be dealing with one-quarter of the consumer spending in the United States and affecting virtually every American. He is the right person for this job.

I strongly encourage my colleagues to vote for Dr. Califf, first today, to end debate on the nomination, and tomorrow, once that has ended, to confirm him in this important position.

I yield the floor.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ORGANIZATIONS IN SUPPORT

DR. ROBERT CALIFF—NOMINEE FOR COMMISSIONER OF FOOD AND DRUGS

The following 124 organizations have submitted letters in support of Dr. Califf's nomination to the Committee on Health, Education, Labor & Pensions. The list does not include press releases or other statements of support that were not submitted to the Committee.

Accelerate Brain Cancer Cure, Accelerated Cure Project for Multiple Sclerosis, Action to Cure Kidney Cancer (ACKC), Addario Lung Cancer Medical Institute, Adenoid Cystic Carcinoma Research Foundation, Alliance for Aging Research, Alliance for Lupus Research, Alpha-1 Foundation, American Academy of Pediatrics, American Association for Cancer Research (AACR), American Cancer Society Cancer Action Network, American College of Cardiology (ACC), American Heart Association, American Sleep Apnea Association, American Society for Reproductive Medicine, American Society of Clinical Oncology (ASCO), American Statistical Association, Association of American Cancer Institutes (AACI), Association of American Medical Colleges.

BCM Families Foundation, Bert's Big Adventure, Bonnie J. Addario Lung Cancer Foundation, C-Change, Cancer Research Institute, Cancer Support Community, CancerCare, Celiac Disease Foundation, Center for Medical Technology Policy, CEO Roundtable on Cancer, Chase After a Cure, Childhood Cancer Guides, Children's Cause for Cancer Advocacy, Citizens United for Research in Epilepsy, Clinical Research Forum, Coalition of Cancer Cooperative Groups, COPD Foundation, Cure AHC, Cure SMA, CureHHT, Cutaneous Lymphoma Foundation, DC Candlelighters Childhood Cancer Foundation, Depression and Bipolar Support Alliance, Dysautonomia International, Dystonia Medical Research Foundation, Eastern Cooperative Oncology Group (ECOG), EveryLife Foundation.

Facing Our Risk of Cancer Empowered (FORCE), FasterCures, a center of the Milken Institute, FH Foundation, Fight Colorectal Cancer, Foundation Fighting Blindness, Foundation for Mitochondrial Medicine, Foundation for Prader-Willi Research, Friedreich's Ataxia Research Alliance, Friends of Cancer Research, Gastroparesis Patient Association for Cures and Treatments, Genetic Alliance, Geoffrey Beene Foundation, Glaucoma Research Foundation, Grandparents In Action, Heart Failure Society of America, Heathcare Leadership Council, Hematology/Oncology Pharmacy Association, Hepatitis Foundation International, Institute for Clinical Bioethics, Institute of Catholic Bioethics, International Myeloma Foundation, JDRF, Kids v. Cancer, Leukemia & Lymphoma Society, Lung Cancer Alliance, LUNGevity Foundation, Lupus and Allied Diseases Association, Lupus Research Institute, LymeDisease.org, Lymphangiomatosis & Gorham's Disease Alliance.

Martin Truex Jr. Foundation, Mattie Miracle Cancer Foundation, Melanoma Research Alliance, Men's Health Network, MLD Foundation, MPN Research Foundation, Multiple Myeloma Research Foundation, Muscular Dystrophy Association, Myotonic Dystrophy Foundation, National Alliance on Mental Illness (NAMI), National Alopecia Areata Foundation, National Brain Tumor Society, National Health Council, National Multiple Sclerosis Society, National Organization for Rare Disorders (NORD), National Patient Advocate Foundation, National PKU Alliance, NCCS, New England Journal of Medicine, New York Stem Cell Foundation, Oncology Nursing Society, Oncology Nursing Society (ONS), Pac2, Parent Project Muscular Dystrophy.

Pediatric Congenital Heart Association, Personalized Medicine Coalition, PFO Research Foundation, Phelan-McDermid Syndrome Foundation, Prevent Cancer Foundation, Progeria Research Foundation, Prostate Cancer Foundation, Reflex Sympathetic Dystrophy Syndrome Association, Research!America, Rett Syndrome Research Trust, Sjögren's Syndrome Foundation, Society of Women's Health Research, Solving Kids' Cancer, Sophia's Fund, St. Baldrick's Foundation, Stand Up To Cancer, T1D Exchange, The ALS Association, The diaTribe Foundation, The Hide and Seek Foundation, The Nicholas Conor Institute, The Swifty Foundation, USAgainstAlzheimer's, Wake Up Narcolepsy.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The 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 nomination of Robert McKinnon Califf, to be Commissioner of Food and Drugs, Department of Health and Human Services.

Mitch McConnell, John Cornyn, Lamar Alexander, Bill Cassidy, Chuck Grassley, Pat Roberts, John Barrasso, Richard Burr, Tim Scott, Orrin G. Hatch, Michael B. Enzi, Johnny Isakson, John Boozman, Cory Gardner, Roger F. Wicker, Thom Tillis, Roy Blunt.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Robert McKinnon Califf, of South Carolina, to be Commissioner of Food and Drugs, Department of Health and Human Services, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from Texas (Mr. CRUZ), the Senator from Arizona (Mr. FLAKE), the Senator from Nevada (Mr. HELLER), the Senator from North Dakota (Mr. HOEVEN), the Senator from Florida (Mr. RUBIO), the Senator from Alabama (Mr. SHELBY), the Senator from Pennsylvania (Mr. TOOMEY), and the Senator from Louisiana (Mr. VITTER).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from Pennsylvania (Mr. CASEY), the Senator from North Dakota (Ms. HEITKAMP), the Senator from Missouri (Mrs. MCCASKILL), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

The PRESIDING OFFICER (Mr. LANKFORD). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 80, nays 6, as follows:

[Rollcall Vote No. 24 Ex.]

YEAS—80

Alexander	Fischer	Murray
Baldwin	Franken	Paul
Barrasso	Gardner	Perdue
Bennet	Gillibrand	Peters
Boozman	Graham	Reed
Boxer	Grassley	Reid
Brown	Hatch	Risch
Burr	Heinrich	Roberts
Cantwell	Hirono	Rounds
Capito	Inhofe	Sasse
Cardin	Isakson	Schatz
Carper	Johnson	Schumer
Cassidy	Kaine	Scott
Coats	King	Sessions
Cochran	Kirk	Shaheen
Collins	Klobuchar	Stabenow
Coons	Lankford	Sullivan
Corker	Leahy	Tester
Cornyn	Lee	Thune
Cotton	McCain	Tillis
Crapo	McConnell	Udall
Daines	Menendez	Warner
Donnelly	Merkley	Warren
Durbin	Mikulski	Whitehouse
Enzi	Moran	Wicker
Ernst	Murkowski	Wyden
Feinstein	Murphy	

NAYS—6

Ayotte	Manchin	Nelson
Blumenthal	Markey	Portman

NOT VOTING—14

Blunt	Heitkamp	Sanders
Booker	Heller	Shelby
Casey	Hoeven	Toomey
Cruz	McCaskill	Vitter
Flake	Rubio	

The PRESIDING OFFICER. On this vote, the yeas are 80, the nays are 6.

The motion is agreed to.

Cloture having been invoked, the clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Robert McKinnon Califf, of South Carolina, to be Commissioner of Food and Drugs, Department of Health and Human Services.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Mr. President, I ask unanimous consent to speak as in morning business.

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

(The remarks of Mr. NELSON pertaining to the introduction of S. 2558 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. NELSON. 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. 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.

FILLING THE SUPREME COURT VACANCY

Mr. MCCONNELL. Mr. President, I recently joined my good friend from

Iowa, the chairman of the Judiciary Committee, in writing an opinion piece. We expressed our joint view that the death of Justice Scalia represented a significant loss for our country and that while finding the right person to take the seat he occupied will clearly be a monumental task, it is one we think the American people are more than well equipped to handle. Some disagree and would rather the Senate simply rush through yet another lifetime appointment for a President who is on his way out the door.

Of course, it is within the President's authority to nominate a successor even in this very rare circumstance. Remember, the Senate has not filled a vacancy arising in an election year when there was a divided government since 1888—almost 130 years ago. But we also know that article II, section 2 of the Constitution grants the Senate the right to withhold its consent as it deems necessary.

It is clear that concern over confirming Supreme Court nominations made near the end of a Presidential term is not new. Given that we are in the midst of the Presidential election process, the chairman of the Judiciary Committee and I believe that today it is the American people who are best positioned to help make this important decision rather than a lameduck President whose priorities and policies they just rejected in the most recent national election.

MORNING BUSINESS

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

VOTE EXPLANATION

• Mrs. MCCASKILL. Mr. President, I was necessarily absent for today's vote on the motion to invoke cloture on the nomination of Robert McKinnon Califf to be Commissioner of Food and Drugs, Department of Health and Human Services. I would have voted nay.•

NOMINATION OBJECTION

Mr. GRASSLEY. Mr. President, I intend to object to the nomination of Dr. Mary Wakefield to the position of HHS Deputy Secretary.

The reason for my objection is the following: Last summer, separate inquiries from Chairman JOHNSON and myself and from Senators ERNST and BLUNT were sent to HHS regarding fetal tissue harvesting practices of Planned Parenthood Federation of America, an HHS grant recipient. Response to the letters did not fully answer the questions raised and, furthermore, raised additional concerns. Follow-up inquiries to HHS also failed to address some of the questions.

Today I sent a followup letter to Secretary Burwell in order to determine whether any audits of the fetal tissue programs have ever been undertaken.

REMEMBERING DAVID HURD

Mr. GRASSLEY. Mr. President, today I wish to honor David Hurd on his passing.

David was 86 years old, but his family and friends would tell you he packed much more into his years than even his long life would suggest.

He was a prominent businessman, chief executive officer of the Principal Financial Group from 1989 to 1994, and a member of the Iowa Business Hall of Fame.

He is credited with helping to build Principal into the global powerhouse company it is today.

David also was a well-regarded civic leader.

He wasn't a native Iowan, but Des Moines became his home in 1954 when he came to work for what was then Banker's Life, now Principal Financial.

Having lived in Des Moines for so many years, he became an advocate and an activist for making Des Moines an attractive place to live and work.

Des Moines is a thriving city today, and David did a lot to contribute to its success.

It was fitting that his longtime home was a high-rise building downtown, right in the middle of everything, where he could enjoy the benefits of city living and watch Des Moines change in so many positive ways.

David also held many hobbies and interests in diverse areas: running, patronizing the arts, playing Scrabble, rowing, protecting the environment, and more.

He made friends across these many fields who were united in their regard for his zest for life, sense of humor, and intellectual curiosity.

The phrase ''renaissance man'' is sometimes overused, but in David Hurd's case, it is 100-percent accurate.

Des Moines and the State of Iowa are richer for having had this renaissance man in our midst.

ADDITIONAL STATEMENTS

CONGRATULATING VICTOR L. CAMPBELL

• Mr. ALEXANDER. Mr. President, it is my honor today to congratulate Victor L. Campbell on receiving the Lifetime Achievement Award from the Federation of American Hospitals.

Mr. Campbell has devoted 44 years of service to the Nation's health care delivery system and the patients it serves. He has represented the hospital community with distinction and has earned the great respect of his colleagues as a voice of wisdom.

He has played a role in shaping Federal health care policy for decades. Mr. Campbell is a three-time chairman and longtime board member of the Federation of American Hospitals. He has also served on the board of the American Hospital Association.

Mr. Campbell's commitment and tireless leadership has led to the creation of positive legislative solutions designed to strengthen and improve our Nation's health care infrastructure. He has also developed numerous collaborative initiatives between hospitals and the communities which they serve.

As a longtime resident of Nashville, in my home State of Tennessee, Mr. Campbell is also active in various community organizations, which promote innovation, education, and charitable activities.

Mr. Campbell, through force of personality, geniality, and dedication, has worked relentlessly to promote market-based, creative approaches to health care delivery which have made difference in the lives of countless patients at community hospitals across our Nation.

I sincerely congratulate Mr. Campbell on earning this distinguished award and wish him well.•

RECOGNIZING MAINE STITCHING SPECIALTIES

• Mr. KING. Mr. President, today I wish to recognize the success of Maine Stitching Specialties, a fast-growing company that is quickly establishing itself as an important business in the Skowhegan manufacturing community. During the first week of March, Maine Stitching Specialties' founders, Bill and Julie Swain, will celebrate a major step forward in the expansion of their company as they team up with Wal-Mart to sell their premium textile goods. The company will commemorate this milestone with a ceremonial loading of the first truck and a celebratory farewell as the first shipment of goods departs to be sold at Wal-Mart stores.

Bill and Julie Swain founded their pet products company, Dogs Not Gone, 8 years ago, and since then, their business has expanded to employ 22 people at their new Maine Stitching Specialties manufacturing facility. Their successful expansion 15 months ago set Bill and Julie apart from their competition, and today their company is one of the largest in Skowhegan.

Maine Stitching Specialties' commitment to local manufacturing and high-quality products has garnered respect from numerous mainstream retail stores. In recent years, Bill and Julie have had the opportunity to sell their products to well-established companies like L.L. Bean and now Wal-Mart. Their reputation for manufacturing durable products and their commitment to the traditions and spirit of our State will ensure that Maine Stitching Specialties continues to grow and prosper.

Bill and Julie represent a strong community of small business owners who are devoted to boosting our State's economy and creating jobs in local communities. Manufacturing is at the heart of industry in Maine, and the success of hard-working people like Bill and Julie helps our State remain economically competitive.

I would like to recognize and congratulate Bill and Julie on their success and ongoing commitment to producing high-quality goods. Our State owes Maine Stitching Specialties a great deal of thanks for their vision and dedication and for their social and economic contributions to the people of Maine and to our economy. I look forward to Bill and Julie's continued success over the coming years and to watching Maine Stitching Specialties grow and thrive.●

REMEMBERING EDGAR MITCHELL

● Mr. NELSON. Mr. President, I would like to take this opportunity to remember and honor the life of Ed Mitchell. Ed was one of our Nation's great space pioneers and one of only a handful of Americans to walk on the moon. Ed once said of his *Apollo* 14 crew: ''We went to the moon as technicians; we returned as humanitarians.'' Ed and his fellow *Apollo* astronauts not only inspired a generation of astronauts and explorers, they blazed the trail we are all now following as we continue to journey outward to Mars and beyond.

Thank you, Ed.●

VERMONT ESSAY FINALISTS

● Mr. SANDERS. Mr. President, I ask to have printed in the RECORD copies of some of the finalist essays written by Vermont High School students as part of the sixth annual ''What is the State of the Union'' essay contest conducted by my office. These finalists were selected from nearly 800 entries.

The material follows:

NICK SEARS, VERMONT COMMONS SCHOOL (FINALIST)

The United States of America is an amazing nation that continues to lead the world through the complex geopolitical problems that we are faced with today. As a strong economic and political world leader, we have become the role model for developing nations attempting to give their people the same freedoms and opportunities that Americans have become so accustomed to. This is why it is so important to work harder than we ever have before to better ourselves as a nation, because what we change will set a precedent of improvement around the world and inspire change.

The biggest problem in the U.S. is the incarceration system. It has been broken for decades, and there has been no legitimate attempt to fix it. Over the past thirty years, there has been a 500% increase in incarceration rates, resulting in the U.S. leading the world in number of prisoners with 2.2 million people currently incarcerated. Especially in this example, it is important to humanize these statistics. These are 2.2 million people, who now because of their conviction will find it much harder to be truly integrated back in their communities, due to the struggles of finding a job with a record, and the fact that they often do not qualify for social welfare. The incarceration system is also bankrupting both the state and federal government. It currently is the third highest state expenditure, behind health care and education.

Fortunately, we as a nation have the opportunity to fix the incarceration system. First, we need to get rid of mandatory minimum sentences. Judges from across the nation have said for decades that they do not like mandatory minimums, that they do not work, and that they are unconstitutional. Mandatory minimum sentences, coupled with racially biased laws concerning drug possession is the reason why we see the ratio of African American males to white males over 10:1. This leads to the second action we must take; we must end the war on drugs. It has proven to be a failed experiment that has reopened many racial wounds in our nation. The war on drugs also put addicts behind bars, rather than treating addiction like the problem it actually is; a mental health issue.

PAIGE THIBAULT, CHAMPLAIN VALLEY UNION HIGH SCHOOL (FINALIST)

In common day society, education is widely accepted as a valuable resource to our nation's future. Education has immeasurable impact on our lives and on our identity, as we build foundations of our growth off of our learning. However with all these potentially influential factors that education possesses, the system that we have nurtured has failed in reaching students with meaning and value. Like other things in our world, the system is broken.

What I've been noticing within my own education is that the prospect of content is idolized in the classroom. Teachers no longer cram memorization into our heads (an educational revolution in itself), yet their focus is still the intimate prevalence of deadlines and test scores. Yes—school is where we learn—yet the purpose of our learning should not to become 'smart'. When students start thinking that this is indeed the purpose of their learning, inspiration and drive are completely decimated. Being 'smart' is a subjective standard that we press upon our kids, yet it's something which has shallow value. Classes stuffed with disconnected information only promote this misconception even further. Why should we be focusing on feeding students material when the students themselves don't see why they're supposed to consume it?

And this isn't just the content; it's the atmosphere. An example: When an adult reads from a manual in front of a class, there are two parties in play. There's the instructor (includes the teacher, the manual, the authors of the manual), and there is the student body. Notice it's not twenty individual humans learning differently on the same topic, it is the singular and collective student group. Sitting in this blob of the ''student body'' and being considered solely for the fact that you belong to a mass of apparent learning is an extremely demoralizing thought in the learning setting. I want to be appreciated for what I can bring to my learning; not what the class average is. What value do I have if I can be replaced with a statistic?

I'll tell you why: our hopes and dreams are original. Our minds run differently. And most importantly our souls all want to go in our own direction. No matter how similar our test scores are, we will never be destined to have the same future, so why are we clustered to have the same upbringing? Why are we held to the same expectations if the only thing that is the same about us is the year on our birth certificate? I understand that grouping students by age is a positive thing, but we should not let that number classify us as learners.

We need to rethink education, emphasizing personal growth versus increased IQ. Students should not be accepted with their differences, but should be accepted because of them. The teachers that guild students should be trained with the ideology that learning is not for a destination, it is for a journey. Administrators and Curriculum Directors or Superintendents need to see the content and need to understand that force-feeding students knowledge is not knowledge at all. We need to create the environment where students have choice of what their learning environment looks like; choice of how they learn material; choice of how they develop and a choice of how they grow.

It's true: education is an important system that gets a significant share of financial and governmental attention. Now let's make it a revolution of consciousness. Let's make meaningful education for our future; not for our brains.

PETER UNGER, CHAMPLAIN VALLEY UNION HIGH SCHOOL (FINALIST)

The internet is the first human creation with the potential to unify and connect the world; with the potential to change the way we collaborate and innovate forever; with the potential to reestablish the United States of America as the preeminent global leader in education, technology, and medicine. However, none of this potential will be realized without a fundamental rethink of Internet Service Provider regulations. We also need a fresh approach on infrastructure capable of launching a new age industrial revolution. The United States of America needs a government maintained and mandated fiber optic network. We no longer have an economy based on production of tangible products for a regional economy, instead we produce innovative and revolutionary ideas. Without a fiber optic backbone, these ideas won't reach their potential. Let me convey to you the urgency and importance of this issue. The competition has already started or even finished the improvements this country is in dire need of. The cost of broadband in dollars per megabits per second ranked Bulgaria as number one with a cost of forty seven cents per megabit per second, and in thirty third place is the United States of America at three dollars and fifty cents. This disconnect between value and product is dousing the innovative fire that is the American Technology industry.

What do we do? Myself and experts alike, know for certain that the Internet Service Providers aren't going to figure it out on their own. They are up selling us into decade old technology for a premium. Currently, there is no incumbent to challenge the oligopoly that are the American Internet Service Providers. The only realistic solution to this dire problem is a mindset change in the legislative branch of this very country; people don't do things on the internet, people just do things. Internet needs to be classified as the true utility it is. The internet may be the most powerful collaboration and creation tool ever known to man. I personally believe that we can't currently comprehend the possibilities that will be made real by this truly amazing tool.

Do you want cable companies to control what website you visit and to prioritize services that pay a premium? Currently, these are controlled by a concept known as net neutrality, the cable companies' lobbyists want to abolish this fundamental protection of freedom of speech and innovation. Without this fundamental freedom, the creativity, innovation, and communication, at which the internet is so powerful at stimulating, will be stomped out for good.

The only way to protect the openness, fairness, and freedom we as United States Citizens are accustomed to as well as enhance the creativity, innovation and communication, which we all use the internet for, is for the Federal Communications Commission to reclassify broadband service under Title II of the Telecommunications act. This letter is not a preventative measure, this letter is an

eleventh hour plea to pull even with the rapidly evolving global information arms race.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT

ENROLLED BILLS SIGNED

Under the order of the Senate of January 6, 2015, the Secretary of the Senate, on February 12, 2016, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker had signed the following enrolled bills:

H.R. 907. An act to improve defense cooperation between the United States and the Hashemite Kingdom of Jordan.

H.R. 1428. An act to extend Privacy Act remedies to citizens of certified states, and for other purposes.

Under the authority of the order of the Senate of January 6, 2015, the enrolled bills were signed on February 12, 2016, during the adjournment of the Senate, by the Acting President pro tempore (Mr. MCCONNELL).

The message also announced that the House agreed to the amendment of the Senate to the bill (H.R. 757) to improve the enforcement of sanctions against the Government of North Korea, and for other purposes.

ENROLLED BILL SIGNED

Under the order of the Senate of January 6, 2015, the Secretary of the Senate, on February 12, 2016, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker had signed the following enrolled bill:

H.R. 757. An act to improve the enforcement of sanctions against the Government of North Korea, and for other purposes.

Under the authority of the order of the Senate of January 6, 2015, the enrolled bill was signed on February 12, 2016, during the adjournment of the Senate, by the Acting President pro tempore (Mr. MCCONNELL).

Under the order of the Senate of January 6, 2015, the Secretary of the Senate, on February 12, 2016, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House has agreed to the following concurrent resolution, without amendment:

S. Con. Res. 31. Concurrent resolution providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives.

MESSAGE FROM THE HOUSE

At 3:02 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2017. An act to amend the Federal Food, Drug, and Cosmetic Act to improve and clarify certain disclosure requirements for restaurants and similar retail food establishments, and to amend the authority to bring proceedings under section 403A.

H.R. 3442. An act to provide further means of accountability of the United States debt and promote fiscal responsibility.

The message also announced that pursuant to Senate Concurrent Resolution 28, 114th Congress, and the order of the House of January 6, 2015, the Speaker appoints the following Members on the part of the House of Representatives to the Joint Congressional Committee on Inaugural Ceremonies: Mr. RYAN of Wisconsin, Mr. MCCARTHY of California, and Ms. PELOSI of California.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. NELSON (for himself and Mrs. FISCHER):

S. 2558. A bill to expand the prohibition on misleading or inaccurate caller identification information, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BURR (for himself, Ms. AYOTTE, and Mr. COTTON):

S. 2559. A bill to prohibit the modification, termination, abandonment, or transfer of the lease by which the United States acquired the land and waters containing Naval Station, Guantanamo Bay, Cuba; to the Committee on Armed Services.

By Mr. PETERS (for himself, Mr. CASSIDY, and Mr. FRANKEN):

S. 2560. A bill to amend the Higher Education Act of 1965 to make college affordable and accessible; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SESSIONS (for himself and Mr. JOHNSON):

S. 2561. A bill to amend the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 to provide expedited processing for unaccompanied alien children who are not victims of a severe form of trafficking in persons and who do not have a fear of returning to their country of nationality or last habitual residence, and for other purposes; to the Committee on the Judiciary.

By Mr. BROWN (for himself and Ms. BALDWIN):

S. 2562. A bill to support a comprehensive public health response to the heroin and prescription drug abuse crisis; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MORAN:

S. 2563. A bill to affirm the importance of the land forces of the United States Armed Forces and to authorize fiscal year 2016 end-strength minimum levels for the active and reserve components of such land forces, and for other purposes; to the Committee on Armed Services.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. GARDNER (for himself and Mr. BENNET):

S. Res. 371. A resolution congratulating the Denver Broncos for winning Super Bowl 50; considered and agreed to.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2017. An act to amend the Federal Food, Drug, and Cosmetic Act to improve and clarify certain disclosure requirements for restaurants and similar retail food establishments, and to amend the authority to bring proceedings under section 403A; to the Committee on Health, Education, Labor, and Pensions.

H.R. 3442. An act to provide further means of accountability of the United States debt and promote fiscal responsibility; to the Committee on Finance.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. GRASSLEY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 524. A bill to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use.

ADDITIONAL COSPONSORS

S. 239

At the request of Mr. ENZI, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 239, a bill to amend title 49, United States Code, with respect to apportionments under the Airport Improvement Program, and for other purposes.

S. 524

At the request of Mr. WHITEHOUSE, the names of the Senator from Iowa (Mr. GRASSLEY) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of S. 524, a bill to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use.

At the request of Mr. PORTMAN, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 524, supra.

S. 627

At the request of Ms. AYOTTE, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 627, a bill to require the Secretary of Veterans Affairs to revoke bonuses paid to employees involved in electronic wait list manipulations, and for other purposes.

S. 1010

At the request of Mr. MANCHIN, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 1010, a bill to amend the Securities Exchange Act of 1934 to exempt from registration brokers performing services in connection with the transfer of ownership of smaller privately held companies.

S. 1061

At the request of Ms. HIRONO, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1061, a bill to improve the Federal Pell Grant program, and for other purposes.

S. 1062

At the request of Ms. HIRONO, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1062, a bill to improve the Federal Pell Grant program, and for other purposes.

S. 1169

At the request of Mr. WHITEHOUSE, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 1169, a bill to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

S. 1555

At the request of Ms. HIRONO, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 1555, a bill to award a Congressional Gold Medal, collectively, to the Filipino veterans of World War II, in recognition of the dedicated service of the veterans during World War II.

S. 1567

At the request of Mr. PETERS, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 1567, a bill to amend title 10, United States Code, to provide for a review of the characterization or terms of discharge from the Armed Forces of individuals with mental health disorders alleged to affect terms of discharge.

S. 1641

At the request of Ms. BALDWIN, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 1641, a bill to improve the use by the Department of Veterans Affairs of opioids in treating veterans, to improve patient advocacy by the Department, and to expand availability of complementary and integrative health, and for other purposes.

S. 1820

At the request of Mr. LANKFORD, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 1820, a bill to require agencies to publish an advance notice of proposed rule making for major rules.

S. 1855

At the request of Ms. HIRONO, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 1855, a bill to provide special foreign military sales status to the Philippines.

S. 1883

At the request of Mr. REED, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1883, a bill to maximize discovery, and accelerate development and availability, of promising childhood cancer treatments, and for other purposes.

S. 1890

At the request of Mr. HATCH, the names of the Senator from Colorado (Mr. BENNET), the Senator from California (Mrs. BOXER) and the Senator from Indiana (Mr. DONNELLY) were added as cosponsors of S. 1890, a bill to amend chapter 90 of title 18, United States Code, to provide Federal jurisdiction for the theft of trade secrets, and for other purposes.

S. 1919

At the request of Mr. LANKFORD, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 1919, a bill to amend the Patient Protection and Affordable Care Act to protect rights of conscience with regard to requirements for coverage of specific items and services, to amend the Public Health Service Act to prohibit certain abortion-related discrimination in governmental activities, and for other purposes.

S. 2102

At the request of Mr. LEE, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 2102, a bill to amend the Clayton Act and the Federal Trade Commission Act to provide that the Federal Trade Commission shall exercise authority with respect to mergers only under the Clayton Act and only in the same procedural manner as the Attorney General exercises such authority.

S. 2198

At the request of Mr. BLUMENTHAL, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2198, a bill to establish a grant program to encourage States to adopt certain policies and procedures relating to the transfer and possession of firearms.

S. 2218

At the request of Mr. THUNE, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 2218, a bill to amend the Internal Revenue Code of 1986 to treat certain amounts paid for physical activity, fitness, and exercise as amounts paid for medical care.

S. 2268

At the request of Mr. CORNYN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 2268, a bill to award a Congressional Gold Medal to the United States Army Dust Off crews of the Vietnam War, collectively, in recognition of their extraordinary heroism and life-saving actions in Vietnam.

S. 2377

At the request of Mr. REID, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 2377, a bill to defeat the Islamic State of Iraq and Syria (ISIS) and protect and secure the United States, and for other purposes.

S. 2426

At the request of Mr. GARDNER, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 2426, a bill to direct the Secretary of State to develop a strategy to obtain observer status for Taiwan in the International Criminal Police Organization, and for other purposes.

S. 2486

At the request of Mr. KIRK, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 2486, a bill to enhance electronic warfare capabilities, and for other purposes.

S. 2487

At the request of Mrs. BOXER, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2487, a bill to direct the Secretary of Veterans Affairs to identify mental health care and suicide prevention programs and metrics that are effective in treating women veterans as part of the evaluation of such programs by the Secretary, and for other purposes.

S. 2515

At the request of Mr. BURR, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 2515, a bill to amend title 10, United States Code, to ensure criminal background checks of employees of the military child care system and providers of child care services and youth program services for military dependents.

S. 2531

At the request of Ms. AYOTTE, her name was added as a cosponsor of S. 2531, a bill to authorize State and local governments to divest from entities that engage in commerce-related or investment-related boycott, divestment, or sanctions activities targeting Israel, and for other purposes.

S. 2540

At the request of Mr. REID, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from New Jersey (Mr. BOOKER) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 2540, a bill to provide access to counsel for unaccompanied children and other vulnerable populations.

S. 2554

At the request of Mr. INHOFE, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 2554, a bill to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes.

S. RES. 340

At the request of Mr. CASSIDY, the names of the Senator from New Hampshire (Ms. AYOTTE), the Senator from New Hampshire (Mrs. SHAHEEN) and the

Senator from North Carolina (Mr. TILLIS) were added as cosponsors of S. Res. 340, a resolution expressing the sense of Congress that the so-called Islamic State in Iraq and al-Sham (ISIS or Da'esh) is committing genocide, crimes against humanity, and war crimes, and calling upon the President to work with foreign governments and the United Nations to provide physical protection for ISIS' targets, to support the creation of an international criminal tribunal with jurisdiction to punish these crimes, and to use every reasonable means, including sanctions, to destroy ISIS and disrupt its support networks.

S. RES. 346

At the request of Mr. ISAKSON, his name was added as a cosponsor of S. Res. 346, a resolution expressing opposition to the European Commission interpretive notice regarding labeling Israeli products and goods manufactured in the West Bank and other areas, as such actions undermine the Israeli-Palestinian peace process.

S. RES. 349

At the request of Mr. ROBERTS, the names of the Senator from Nebraska (Mrs. FISCHER), the Senator from Michigan (Mr. PETERS), the Senator from Wisconsin (Ms. BALDWIN), the Senator from Maine (Mr. KING), the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. Res. 349, a resolution congratulating the Farm Credit System on the celebration of its 100th anniversary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. NELSON (for himself and Mrs. FISCHER):

S. 2558. A bill to expand the prohibition on misleading or inaccurate caller identification information, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. NELSON. Mr. President, we all know how our senior citizens have been the victims of spoofing. Well, that is happening to a lot of our fellow citizens, no matter what the age is, because fraudulent and abusive phoning scams are plaguing thousands of Americans each year. These deceitful practices are causing very serious harm to victims by fake messages coming across often that cause the receiver to respond with some kind of financial transaction or the giving up of a credit card number.

The Commerce Committee and the Aging Committee have explored the impact of these scams, and by one account consumers continue to lose millions of dollars each year to fraudulent phone scams, many of which originate in other countries. The impact of these scams are very real to the consumers who suffer.

For example, one old poor soul took his life last year after spending thousands in a vain attempt to collect on his winnings in what he thought was a Jamaican lottery—winnings that were nonexistent because it was all a scam. A lot of us think we have trained ourselves to ignore phone calls and text messages from numbers that pop up that we don't recognize, but this is also where the sophisticated scammer enters because now scammers can impersonate government institutions' numbers. They promote fraudulent lottery schemes and they tailor their calls to individuals in order to coerce victims into paying large sums of money, just like the victim I mentioned earlier.

Spoofing technology is used to manipulate the caller ID information and trick consumers into believing that the calls are local or are coming from trusted institutions. A few years ago, this Senator introduced the Truth in Caller ID Act to prohibit ID spoofing when it is used to defraud or harm consumers, and this law provided important tools for law enforcement to go after these criminals and crack down on the phone scams. That legislation was passed. It was signed into law. It was a huge win for consumers and the first step toward ending these abusive practices, but technology is passing us by.

As the technologies evolve, the law directed the Federal Communications Commission to prepare a report to Congress outlining additional tools that are going to be needed for different kinds of spoofing practices because of new technologies. The FCC a few years ago provided its recommendations to Congress on how to update the law to keep pace with technology and the use of it by criminals.

Senator FISCHER and I have introduced a bill today that responds to the FCC's report, recommendations, and their requests, and it builds on the 2010 act on phone scams to keep up with the new kind of spoofing because they are now much more sophisticated. We need to make sure there are consumer protections and tools for law enforcement to keep up. That is why this legislation we introduced today is important. It is called the Spoofing Prevention Act of 2016. It would extend the current prohibition in law on caller ID spoofing to text messages and to calls coming from outside the United States, as well as from all forms of voice over Internet protocol services. For the first time, this bill would have access to information to go after these criminals in a centralized location on current technologies available to protect them against this sophisticated type of criminal. It does so by directing the FCC to publish and regularly update a report on existing tools.

The act also directs the Government Accountability Office to conduct a report to assess government and private sector work being done to curb this spoofing, as well as what new measures, including technological solutions, can be taken to prevent this.

I urge our colleagues to join Senator FISCHER and me in supporting this act to try to give some protection in this age of digital technology, of rapidly advancing technology, to help protect those poor consumers who are getting fooled and in other words getting spoofed.

I also thank Senator KLOBUCHAR and Senator DONNELLY for their work in combatting spoofing. We are going to continue to work on this, and this Senator is going to press the Federal Communications Commission to continue to use its full authority under the Truth in Caller ID Act to stop these scams, including a consideration of technical solutions like call authentication to protect consumers.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2558

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Spoofing Prevention Act of 2016''.

SEC. 2. DEFINITIONS.

In this Act:

(1) COMMISSION.—The term ''Commission'' means the Federal Communications Commission.

(2) VOICE SERVICE.—The term ''voice service'' means any service that furnishes voice communications to an end user using resources from the North American Numbering Plan or any successor to the North American Numbering Plan adopted by the Commission under section 251(e)(1) of the Communications Act of 1934 (47 U.S.C. 251(e)(1)).

SEC. 3. EXPANDING AND CLARIFYING PROHIBITION ON MISLEADING OR INACCURATE CALLER IDENTIFICATION INFORMATION.

(a) COMMUNICATIONS FROM OUTSIDE UNITED STATES.—Section 227(e)(1) of the Communications Act of 1934 (47 U.S.C. 227(e)(1)) is amended by striking ''in connection with any telecommunications service or IP-enabled voice service'' and inserting ''or any person outside the United States if the recipient of the call is within the United States, in connection with any voice service or text messaging service''.

(b) COVERAGE OF TEXT MESSAGES AND VOICE SERVICES.—Section 227(e)(8) of the Communications Act of 1934 (47 U.S.C. 227(e)(8)) is amended—

(1) in subparagraph (A), by striking ''telecommunications service or IP-enabled voice service'' and inserting ''voice service or a text message sent using a text messaging service'';

(2) in the first sentence of subparagraph (B), by striking ''telecommunications service or IP-enabled voice service'' and inserting ''voice service or a text message sent using a text messaging service''; and

(3) by striking subparagraph (C) and inserting the following:

''(C) TEXT MESSAGE.—The term 'text message'—

''(i) means a message consisting of text, images, sounds, or other information that is transmitted from or received by a device that is identified as the transmitting or receiving device by means of a 10-digit telephone number;

''(ii) includes a short message service (commonly referred to as 'SMS') message, an

enhanced message service (commonly referred to as 'EMS') message, and a multimedia message service (commonly referred to as 'MMS') message; and

''(iii) does not include a real-time, 2-way voice or video communication.

''(D) TEXT MESSAGING SERVICE.—The term 'text messaging service' means a service that permits the transmission or receipt of a text message, including a service provided as part of or in connection with a voice service.

''(E) VOICE SERVICE.—The term 'voice service' means any service that furnishes voice communications to an end user using resources from the North American Numbering Plan or any successor to the North American Numbering Plan adopted by the Commission under section 251(e)(1).''.

(c) TECHNICAL AMENDMENT.—Section 227(e) of the Communications Act of 1934 (47 U.S.C. 227(e)) is amended in the heading by inserting ''MISLEADING OR '' before ''**INACCURATE**''.

(d) REGULATIONS.—

(1) IN GENERAL.—Section 227(e)(3)(A) of the Communications Act of 1934 (47 U.S.C. 227(e)(3)(A)) is amended by striking ''Not later than 6 months after the date of enactment of the Truth in Caller ID Act of 2009, the Commission'' and inserting ''The Commission''.

(2) DEADLINE.—The Federal Communications Commission shall prescribe regulations to implement the amendments made by this section not later than 18 months after the date of enactment of this Act.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is 6 months after the date on which the Commission prescribes regulations under subsection (d).

SEC. 4. REPORT ON EXISTING TECHNOLOGICAL SOLUTIONS TO COMBAT MISLEADING OR INACCURATE CALLER IDENTIFICATION INFORMATION.

(a) PUBLICATION OF REPORT.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Commission shall publish on the website of the Commission a report that identifies existing technology solutions that a consumer can use to protect the consumer against misleading or inaccurate caller identification information.

(b) CONTENTS OF REPORT.—In preparing the report under subsection (a), the Commission shall—

(1) analyze existing technologies that can enable consumers to guard against misleading or inaccurate caller identification information;

(2) describe how the technologies described in paragraph (1) protect consumers; and

(3) detail how voice service subscribers can obtain access to the technologies described in paragraph (1).

SEC. 5. GAO REPORT ON COMBATING THE FRAUDULENT PROVISION OF MISLEADING OR INACCURATE CALLER IDENTIFICATION INFORMATION.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study of the actions the Commission and the Federal Trade Commission have taken to combat the fraudulent provision of misleading or inaccurate caller identification information, and the additional measures that could be taken to combat such activity.

(b) REQUIRED CONSIDERATIONS.—In conducting the study under subsection (a), the Comptroller General shall examine—

(1) trends in the types of scams that rely on misleading or inaccurate caller identification information;

(2) previous and current enforcement actions by the Commission and the Federal Trade Commission to combat the practices prohibited by section 227(e)(1) of the Communications Act of 1934 (47 U.S.C. 227(e)(1));

(3) current efforts by industry groups and other entities to develop technical standards to deter or prevent the fraudulent provision of misleading or inaccurate caller identification information, and how such standards may help combat the current and future provision of misleading or inaccurate caller identification information; and

(4) whether there are additional actions the Commission, the Federal Trade Commission, and Congress should take to combat the fraudulent provision of misleading or inaccurate caller identification information.

(c) REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the findings of the study under subsection (a), including any recommendations regarding combating the fraudulent provision of misleading or inaccurate caller identification information.

SEC. 6. RULES OF CONSTRUCTION.

(a) IN GENERAL.—Nothing in this Act, or the amendments made by this Act, shall be construed to modify, limit, or otherwise affect any rule or order adopted by the Commission in connection with—

(1) the Telephone Consumer Protection Act of 1991 (Public Law 102–243; 105 Stat. 2394) or the amendments made by that Act; or

(2) the CAN–SPAM Act of 2003 (15 U.S.C. 7701 et seq.).

(b) ADDITIONAL.—Nothing in this Act, or the amendments made by this Act, shall be construed—

(1) to mean that a text messaging service (as defined in section 227(e)(8) of the Communications Act of 1934 (47 U.S.C. 227(e)(8)) is a telecommunications service under title II of the Communications Act of 1934 (47 U.S.C. 201 et seq.), or require or direct the Commission to classify a text messaging service as a telecommunications service;

(2) to mean that an interconnected VoIP service (as defined in section 9.3 of title 47, Code of Federal Regulations, or any successor regulation) or a non-interconnected VoIP service (as defined in section 64.601(a)(23) of title 47, Code of Federal Regulations, or any successor regulation) is a telecommunications service under title II of the Communications Act of 1934 (47 U.S.C. 201 et seq.), or require or direct the Commission to classify an interconnected VoIP service or a non-interconnected VoIP service as a telecommunications service; or

(3) to modify, limit, or otherwise affect the authority of the Commission to determine the scope of any other provision of the Communications Act of 1934 (47 U.S.C. 151 et seq.) and its applicability to any voice service, including an interconnected VoIP service or a non-interconnected VoIP service, or text messaging service.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 371—CONGRATULATING THE DENVER BRONCOS FOR WINNING SUPER BOWL 50

Mr. GARDNER (for himself and Mr. BENNET) submitted the following resolution; which was considered and agreed to:

S. RES 371

Whereas, on February 7, 2016, the Denver Broncos won Super Bowl 50, defeating the Carolina Panthers by a score of 24-10 at Levi's Stadium in Santa Clara, California;

Whereas the victory marks the third Super Bowl title for the Denver Broncos;

Whereas the Broncos' appearance in the Super Bowl was their National Football League record-tying eighth appearance;

Whereas quarterback Peyton Manning earned his 200th career win;

Whereas linebacker Von Miller earned the Most Valuable Player award while recording 2 ½ sacks and 2 forced fumbles;

Whereas running back C.J. Anderson rushed for 90 yards and 1 touchdown;

Whereas wide receiver Emmanuel Sanders caught 6 passes for 83 yards;

Whereas defensive tackle Malik Jackson recorded 5 tackles and a defensive touchdown;

Whereas wide receiver Jordan Norwood's 61-yard punt return was the longest in Super Bowl history;

Whereas head coach Gary Kubiak led the team to a Super Bowl victory in his first season as head coach of the Broncos;

Whereas defensive coordinator Wade Phillips won the National Football League Assistant Coach of the Year award;

Whereas Owner Pat Bowlen and the Bowlen family have owned the Denver Broncos since 1984 and led the team to 7 American Football Conference championships and 3 Super Bowl victories, and the Broncos have the third-highest winning percentage among all professional sports teams during that period;

Whereas Executive Vice President of Football Operations and General Manager of the Denver Broncos, John Elway, has helped lead the Broncos to 2 Super Bowl appearances in 5 seasons; and

Whereas the Denver Broncos football team has proudly represented the City of Denver and the State of Colorado, and all of the loyal Broncos fans: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Denver Broncos for winning Super Bowl 50;

(2) recognizes the achievements of all the players, coaches, and staff who contributed to the victory; and

(3) requests that the Secretary of the Senate prepare an official copy of this resolution for presentation to—

(A) the Owner of the Denver Broncos, Pat Bowlen;

(B) the President and CEO of the Denver Broncos, Joe Ellis;

(C) the Head Coach of the Denver Broncos, Gary Kubiak.

NOTICE OF INTENT TO OBJECT TO PROCEEDING

I, Senator CHARLES E. GRASSLEY, intend to object to proceeding to the nomination of Mary Katherine Wakefield, to be Deputy Secretary of Health and Human Services; dated February 22, 2016.

NOTICES OF HEARINGS

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. ALEXANDER. Mr. President, the Committee on Health, Education, Labor, and Pensions will meet during the session of the Senate on February 23, 2016, at 10 a.m., in room SD–430 of the Dirksen Senate Office Building, to conduct a hearing entitled ''ESSA Implementation in States and School Districts: Perspectives from Education Leaders.''

For further information regarding this meeting, please contact Jake

Baker of the committee staff on (202) 224–8484.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. ALEXANDER. Mr. President, the Committee on Health, Education, Labor, and Pensions will meet during the session of the Senate on February 24, 2016, at 10 a.m., in room SD–430 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Zika Virus: Addressing the Growing Public Health Threat.''

For further information regarding this meeting, please contact Jamie Garden of the committee staff on (202) 224–0623.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. ALEXANDER. Mr. President, the Committee on Health, Education, Labor, and Pensions will meet during the session of the Senate on February 25, 2016, at 2 p.m., in room SD–430 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Nomination of Dr. John King to serve as Secretary of Education.''

For further information regarding this meeting, please contact Jake Baker of the committee staff on (202) 224–8484.

REVISING THE BOUNDARIES OF CERTAIN JOHN H. CHAFEE COASTAL BARRIER RESOURCES SYSTEM UNITS IN FLORIDA

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be discharged from further consideration of H.R. 890 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 890) to revise the boundaries of certain John H. Chafee Coastal Barrier Resources System units in Florida.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 890) was ordered to a third reading, was read the third time, and passed.

PROVIDING FOR THE CONVEYANCE OF LAND OF THE ILLIANA HEALTH CARE SYSTEM OF THE DEPARTMENT OF VETERANS AFFAIRS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of H.R. 3262 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 3262) to provide for the conveyance of land of the Illiana Health Care System of the Department of Veterans Affairs in Danville, Illinois.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 3262) was ordered to a third reading, was read the third time, and passed.

EXTENDING THE DEADLINE FOR THE SUBMITTAL OF THE FINAL REPORT REQUIRED BY THE COMMISSION ON CARE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of H.R. 4437 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 4437) to extend the deadline for the submittal of the final report required by the Commission on Care.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 4437) was ordered to a third reading, was read the third time, and passed.

CONVEYING TO THE FLORIDA DEPARTMENT OF VETERANS AFFAIRS PROPERTY KNOWN AS ''THE COMMUNITY LIVING CENTER''

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of H.R. 4056 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 4056) to direct the Secretary of Veterans Affairs to convey to the Florida Department of Veterans Affairs all right, title, and interest of the United States to the property known as ''The Community Living Center'' at the Lake Baldwin Veterans Affairs Outpatient Clinic, Orlando, Florida.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 4056) was ordered to a third reading, was read the third time, and passed.

OFFICE OF STRATEGIC SERVICES CONGRESSIONAL GOLD METAL ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be discharged from further consideration of S. 2234 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 2234) to award the Congressional Gold Medal, collectively, to the members of the Office of Strategic Services (OSS) in recognition of their superior service and major contributions during World War II.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (S. 2234) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2234

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Office of Strategic Services Congressional Gold Medal Act''.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) The Office of Strategic Services (OSS) was America's first effort to implement a system of strategic intelligence during World War II and provided the basis for the modern-day American intelligence and special operations communities. The U.S. Special Operations Command and the National Clandestine Service chose the OSS spearhead as their insignias.

(2) OSS founder General William J. Donovan is the only person in American history to receive our Nation's four highest decorations, including the Medal of Honor. Upon learning of his death in 1959, President Eisenhower called General Donovan the ''last hero''. In addition to founding and leading the OSS, General Donovan was also selected by President Roosevelt, who called him his ''secret legs'', as an emissary to Great Britain and continental Europe before the United States entered World War II.

(3) All the military branches during World War II contributed personnel to the OSS. The present-day Special Operations Forces trace their lineage to the OSS. Its Maritime

Unit was a precursor to the U.S. Navy SEALs. The OSS Operational Groups and Jedburghs were forerunners to U.S. Army Special Forces. The 801st/492nd Bombardment Group (''Carpetbaggers'') were progenitors to the Air Force Special Operations Command. The Marines who served in the OSS, including the actor Sterling Hayden (a Silver Star recipient), Col. William Eddy (a Distinguished Service Cross recipient who was described as the ''nearest thing the United States has had to a Lawrence of Arabia''), and Col. Peter Ortiz (a two-time Navy Cross recipient), were predecessors to the Marine Special Operations Command. U.S. Coast Guard personnel were recruited for the Maritime Unit and its Operational Swimmer Group.

(4) The OSS organized, trained, supplied, and fought with resistance organizations throughout Europe and Asia that played an important role in America's victory during World War II. General Eisenhower credited the OSS's covert contribution in France to the equivalent to having an extra military division. General Eisenhower told General Donovan that if it did nothing else, the photographic reconnaissance conducted by the OSS prior to the D-Day Invasion justified its creation.

(5) Four future directors of central intelligence served as OSS officers: William Casey, William Colby, Allen Dulles, and Richard Helms.

(6) Women comprised more than one-third of OSS personnel and played a critical role in the organization. They included Virginia Hall, the only civilian female to receive a Distinguished Service Cross in World War II, and Julia Child.

(7) OSS recruited Fritz Kolbe, a German diplomat who became America's most important spy against the Nazis in World War II.

(8) America's leading scientists and scholars served in the OSS Research and Analysis Branch, including Ralph Bunche, the first African-American to receive the Nobel Peace Prize; Pulitzer Prize-winning historian Arthur Schlesinger, Jr.; Supreme Court Justice Arthur Goldberg; Sherman Kent; John King Fairbank; and Walt Rostow. Its ranks included seven future presidents of the American Historical Association, five of the American Economic Association, and two Nobel laureates.

(9) The U.S. Department of State's Bureau of Intelligence and Research traces its creation to the OSS Research and Analysis Branch.

(10) James Donovan, who was portrayed by Tom Hanks in the Steven Spielberg movie ''Bridge of Spies'' and negotiated the release of U–2 pilot Francis Gary Powers, served as General Counsel of the OSS.

(11) The OSS invented and employed new technology through its Research and Development Branch, inventing new weapons and revolutionary communications equipment. Dr. Christian Lambertsen invented the first underwater rebreathing apparatus that was first utilized by the OSS and is known today as SCUBA.

(12) OSS Detachment 101 operated in Burma and pioneered the art of unconventional warfare. It was the first United States unit to deploy a large guerrilla army deep in enemy territory. It has been credited with the highest kill/loss ratio for any infantry-type unit in American military history and was awarded a Presidential Unit Citation.

(13) Its X–2 branch pioneered counterintelligence with the British and established the modern counterintelligence community. The network of contacts built by the OSS with foreign intelligence services led to enduring Cold War alliances.

(14) Operation Torch, the Allied invasion of French North Africa in November 1942, was aided by the networks established and information acquired by the OSS to guide Allied landings.

(15) OSS Operation Halyard rescued more than 500 downed airmen trapped behind enemy lines in Yugoslavia, one of the most daring and successful rescue operations of World War II.

(16) OSS ''Mercy Missions'' at the end of World War II saved the lives of thousands of Allied prisoners of war whom it was feared would be murdered by the Japanese.

(17) The handful of surviving men and women of the OSS whom General Donovan said performed ''some of the bravest acts of the war'' are members of the ''Greatest Generation''. They have never been collectively recognized for their heroic and pioneering service in World War II.

SEC. 3. CONGRESSIONAL GOLD MEDAL.

(a) PRESENTATION AUTHORIZED.—The Speaker of the House of Representatives and the President pro tempore of the Senate shall make appropriate arrangements for the presentation, on behalf of the Congress, of a gold medal of appropriate design in commemoration to the members of the Office of Strategic Services (OSS), in recognition of their superior service and major contributions during World War II.

(b) DESIGN AND STRIKING.—For purposes of the presentation referred to in subsection (a), the Secretary of the Treasury (referred to in this Act as the ''Secretary'') shall strike a gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary.

(c) SMITHSONIAN INSTITUTION.—

(1) IN GENERAL.—Following the award of the gold medal in commemoration to the members of the Office of Strategic Services under subsection (a), the gold medal shall be given to the Smithsonian Institution, where it will be displayed as appropriate and made available for research.

(2) SENSE OF CONGRESS.—It is the sense of Congress that the Smithsonian Institution should make the gold medal received under paragraph (1) available for display elsewhere, particularly at other appropriate locations associated with the Office of Strategic Services.

SEC. 4. DUPLICATE MEDALS.

The Secretary may strike and sell duplicates in bronze of the gold medal struck pursuant to section 3 under such regulations as the Secretary may prescribe, at a price sufficient to cover the cost thereof, including labor, materials, dies, use of machinery, and overhead expenses, and the cost of the gold medal.

SEC. 5. STATUS OF MEDALS.

(a) NATIONAL MEDALS.—The medals struck pursuant to this Act are national medals for purposes of chapter 51 of title 31, United States Code.

(b) NUMISMATIC ITEMS.—For purposes of section 5134 of title 31, United States Code, all medals struck under this Act shall be considered to be numismatic items.

CONGRATULATING THE DENVER BRONCOS FOR WINNING SUPER BOWL 50

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 371, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 371) congratulating the Denver Broncos for winning Super Bowl 50.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 371) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

ORDERS FOR TUESDAY, FEBRUARY 23, 2016

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. tomorrow, Tuesday, February 23; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate resume consideration of the Califf nomination postcloture; further, that the Senate recess from 12:30 p.m. to 2:15 p.m. to allow for the weekly conference meetings; finally, that all time during the recess and adjournment of the Senate count postcloture on the nomination.

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

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:56 p.m., adjourned until Tuesday, February 23, 2016, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF STATE

CHRISTINE ANN ELDER, OF KENTUCKY, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF LIBERIA.

ELIZABETH HOLZHALL RICHARD, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE LEBANESE REPUBLIC.

FOREIGN SERVICE

THE FOLLOWING–NAMED CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE DEPARTMENT OF COMMERCE FOR PROMOTION WITHIN THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF CAREER MINISTER:

JOHN MCCASLIN, OF OHIO

THE FOLLOWING–NAMED CAREER MEMBERS OF THE FOREIGN SERVICE OF THE DEPARTMENT OF COMMERCE FOR PROMOTION WITHIN THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF MINISTER–COUNSELOR:

LAURIE FARRIS, OF CALIFORNIA
CYNTHIA GRIFFIN, OF VIRGINIA
DONALD NAY, OF FLORIDA
RICHARD STEFFENS, OF NEW JERSEY

THE FOLLOWING–NAMED CAREER MEMBERS OF THE FOREIGN SERVICE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE, AS A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:

CYNTHIA BIGGS, OF ILLINOIS
DANIEL CROCKER, OF CALIFORNIA
ROSEMARY GALLANT, OF CONNECTICUT
JONATHAN HEIMER, OF NEW YORK
NICHOLAS KUCHOVA, OF FLORIDA
BRYAN LARSON, OF COLORADO
JAMES RIGASSIO, OF NEW JERSEY

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

GEN. JOSEPH L. VOTEL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. RAYMOND A. THOMAS III

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major general

BRIG. GEN. PATRICK D. SARGENT
BRIG. GEN. ROBERT D. TENHET

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY MEDICAL CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be brigadier general

COL. JEFFREY J. JOHNSON
COL. RONALD T. STEPHENS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be brigadier general

COL. DENNIS P. LEMASTER
COL. MICHAEL J. TALLEY

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. SCOTT F. BENEDICT
COL. JASON Q. BOHM
COL. BRIAN W. CAVANAUGH
COL. DANIEL B. CONLEY
COL. FRANCIS L. DONOVAN
COL. RYAN P. HERITAGE
COL. CHRISTOPHER A. MCPHILLIPS
COL. WILLIAM H. SEELY III
COL. ROBERT B. SOFGE, JR.
COL. MATTHEW G. TROLLINGER

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JAMES B. ANDERSON
ROBERT E. BORGER
WILLIAM J. BRASWELL
GARY A. COBURN
DARREN B. DUNCAN
LANCE K. GIANNONE
MARSHALL E. MACCLELLAN
SHAWN L. MENCHION
ROBERT J. MONAGLE
ERIK W. NELSON
KRISTINA Y. NYBERG
RONALD R. RAGON
STEVEN R. RICHARDSON
JOHN G. SACKETT
HERBERT C. SHAO
HYRAL B. WALKER, JR.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

JEREMY V. BASTIAN
MICHAEL D. BRAM
KEVIN H. CHELF
MATTHEW A. CLOUSE
JAYME L. KENDALL
JOSHUA P. KING
RONALD S. KISER
WADE S. MATUSKA
DAVID S. MERRIFIELD
ONYEMA G. OKORIE
DONALD GILBERT ROMERO
SHIN H. SOH
JEFFREY C. SOLHEIM
CHRISTOPHER A. WATSON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

CHRISTOPHER F. ABBOTT
JASON W. ABSHIRE
PRISCILLA M. ADAMS
DAVID BRUCE ADAMSON
DENNIS A. ADEZAS
JEFFREY DONALD ADLING
CHIKAODI H. AKALAONU
CHRISTOPHER R. ALBA
SHAWN ALCOCK
BARNEY B. ALES
CURTIS M. ALEXANDER
BRIAN TAYLOR ALLEN
JOSEPH R. ALLEN
JOSHUA B. ALLEN
RYAN G. ALLEN
STEVEN M. ALLEN
RICHARD S. ALLRED
LENORA A. ALVA
CHRISTOPHER D. AMBROSON
JOSHUA W. AMES
LANCE J. ANDERS
ANDREW D. ANDERSON
BRIAN H. ANDERSON
DANIEL ROBERT ANDERSON
HILLERY N. ANDERSON
JEFFREY K. ANDERSON
JOHN A. ANDERSON
KYLE T. ANDERSON
LEE E. ANDERSON
MICHAEL DAVID ANDERSON
TIMOTHY D. ANDERSON
TIMOTHY S. ANDERSON
WARREN LINDEN ANDERSON
NATHAN N. ANDING
RYAN D. ANDREASEN
JUSTIN R. ANDRESS
JONATHAN FISHER ANDREW
BLYTHE A. ANDREWS
KIRK ANDREWS
SCOTT ANDREWS
TOBY A. ANDREWS
JUSTIN ALAN ANKENBRUCK
VALERIE J. ANNUNZIATA
CHRISTOPHER J. ANTHONY
ADRIAN DUANE ANULEWICZ
EUMIR C. ARCEO
JONATHAN R. AREHART
DONALD T. ARETZ
MARC A. ARMBRUSTER
CHARLES E. ARMSTRONG III
NATHAN L. ARNESON
JAMES D. ARNOLD
ANDREW D. ARNOTT
MARGARET E. ARRINGTON
NICHOLAS D. ARTHUR
THOMAS S. ASHMAN
JACOB S. ASHMORE
TREVOR M. ASHOUR
KEATON B. ASKEW
JEREMY J. ATHERTON
CLAYTON J. AUNE
MATTHEW A. AUSTIN
JASON MATTHEW AYERS
JOHN P. AYERS
JARED T. BAAN
ANDREW J. BAER
RYAN S. BAGBY
MICHAEL DOUGLAS BAGLEY
AARON J. BAHR
CLAYTON L. BAILEY
KEVIN M. BAILEY
KYLE W. BAILEY
STEPHEN J. BAILEY
ADAM L. BAKER
ERIK M. BAKER
JAMES E. BAKER
JASON B. BAKER
JOHN P. BAKER
SEAN L. BAKER
JONATHAN N. BALL
MICHAEL BALL
BRANDON M. BALLARD
GREGORY R. BALZHISER
MARISSA L. BANDUCCI
JOHN D. BANKER
JAMES P. BANTA
COLIN V. BARCUS
ALLISON M. BARKALOW
BRANDON J. BARKAUSKAS
RAY WRIGHT BARKLEY, JR.
WILLIAM S. BARKSDALE
COURTNEY LANDIS BARNETT
NICHOLAS V. BARNHART
PETER MICHAEL BARRETT, JR.
JOHN D. BARRINGER
ANTONY J. BARRIOS
ARA P. BARTEMES
MATTHEW G. BARTOMEO
STEPHANIE S. BASKETT
DAVID J. BATES
MOZAMBIQUE L. BATTS
ANDREW T. BAYDALA
CRAIG M. BAYER
PAUL M. BEACH
JOSEPHINE BEACHAM
DEVIN A. BECKWITH
BRIAN D. BEEARS
ERIC W. BEEBE
LAUREN R. BEERS
CHRISTOPHER CURTIS BEETS
GREGORY S. BEHELER
JOSHUA M. BEHLER
ANDREW D. BEHM
ANTHONY M. BEHNEY
GRANT W. BEHNING
THOMAS M. BEIER
MICHAEL S. BELLISS
WILLIAM DONALD BELVILLE, JR.
KIMBERLY BENDER
BRYANT R. BENEFIEL
JOSEPH M. BENJAMIN
DUSTIN R. BENNETT
JOSHUA N. BENNETT
DANIEL A. BERGERON
LINDSEY L. BERGERON
JOHN H. BERGMANS
KYLE BERGREN
JULIAN G. BERMUDEZ
CHRISTOPHER E. BERNARDO
PAUL J. BERNARDS
LEE M. BERRA
BRIAN F. BERRY
MATTHEW A. BERRY
DONNA M. BESLEY
JOAN ADDISON BETANCES JORGE
VELICE BETSAYAD II
PAUL M. BICKFORD
MICHAEL D. BIEDERMAN
MICHAEL W. BIEN
MELISSA BIERMA
ARTHUR J. BIERZONSKI
BRIAN L. BIGGERSTAFF
AARON M. BIGLER
AARON N. BIGNAULT
JOE G. BILES
GREGORY J. BINE
ERIC BIRCH
MACKENZIE J. BIRCHENOUGH
CORRINE RENE BIRD
NATHAN S. BISCHOPING
CALEB J. BISSETT
JOSEPH M. BISSON
MATTHEW S. BITTNER
BRETT W. BLACK
CHRISTOPHER J. BLACK
JOSEPH B. BLANC
BENJAMIN JAMES BLANCHET
AMY C. BLANCO
DAVID M. BLANKENSTEIN
JOHN A. BLASE
BRYAN D. BLASY
ERIC CRAIG BLATTNER
ERIC J. BLISS
JASON R. BLODZINSKI
MATTHEW SCOTT BLYSTONE
KLAYTON S. BOBSEIN
DUSTIN C. BODINE
JEREMY A. BOEING
DAVID F. BOETTCHER
MATTHEW RICK BOGGESS
JOSEPH P. BOGGS
BRETT BOHN
CHRISTOPHER A. BOHNER
RONALD L. BOISVERT
CHARLES BOLER IV
JASON W. BOMAN
ANTHONY T. BOMBACI
LATASHA N. BONE
NATHAN BOONE
SARAH B. BOOTH
WILLIAM B. BOOTH
JACOB A. BOTELLO
TIMOTHY F. BOTH
JOSEPH A. BOUDREAU
JEREMY J. BOUDREAUX
TODD A. BOURGEOIS
DANIEL P. BOYARSKI
ADAM R. BOYD
DANIEL H. BOYD
PAUL DANIAL BOZZO
STEPHANIE M. BRADFORD
EDWARD A. BRADY
JOEL C. BRAGG
MEHUL J. BRAHMBHATT
SCOTT BRANCO
EMILY E. BRAND
JOEL BRAUN
NICHOLAS BRAUN
GIAN P. BREHM
STEVEN C. BRENOSKIE
DAVID E. BREWER III
CULLEN RICHARD BREWSTER
WILLIAM D. BRIDGES
SARAH MARIE BRILL
PAUL D. BRISKI
MICHAEL R. BRODERICK
JAMES R. BROOKS
ANTHONY M. BROWN, JR.
APRIL E. BROWN
CODY M. BROWN
ELIZABETH BROWN
GREGORY P. BROWN
JASON C. BROWN
JASON D. BROWN
JERMAINE ANTHONY BROWN
JESSICA E. BROWN
NICHOLAS N. BROWN
ERIC A. BROWNING
MICHAEL HOWARD BROWNLEE
ERIC M. BROYLES
TEIA M. BRUMGARD
ERIC W. BRUTON
BRANDON R. BRYAN
MATTHEW J. BRYAN

ADAM BUCHANAN
JAMES M. BUCHANAN
TIMOTHY W. BUCHER
CHRISTOPHER R. BUGG
SARAH K. BULINSKI
DAVID P. BULL, JR.
DAVID E. BULLOCK
JAMES D. BULLOCK
JASON WAYNE BULLOCK
BRUSSELL C. BUNGAY
JUNELENE MONZON BUNGAY
JOSEPH J. BURCHELL
MARTIN P. BURDEN
KRISTA BURES
BRENT W. BURGE
PATRICK J. BURKE
SCOTT A. BURKEY
RUSSELL BURKHARD
JARRED L. BURLEY
ANDREW R. BURNS
JEFFREY M. BURNS
BENJAMIN M. BURR
ALAN C. BURWELL
BRIAN S. BUTLER
JARED RHETT BUTLER
NATHANIEL BUTLER
KENNETH L. BYRD
MAGNO L. CABIAO
MICHAEL CADY
STEVEN JAMES CAIN
ANDREW I. CALHOUN
CHRISTOPHER N. CALLAS
KEVIN A. CALLOWAY
TIMOTHY I. CALVER
LUIS CALVO
SANTIAGO CAMACHO, JR.
WILLIAM J. CAMP
JOHN P. CAMPANA
CALEB PHILIP CAMPBELL
JONATHON M. CAMPBELL
ROBERT D. CAMPBELL
JOHN J. CAMPION
MATTHEW S. CAMPISE
SETH M. CANNON
ELLEN MARIE GETZELMAN CANUP
MARGOT C. CAPELL
MICHAEL L. CAPRA
TIMOTHY J. CARBINO
MARVIN G. CARDER, JR.
ALICIA D. CAREY
ERIC B. CAREY
ALEXANDRA L. CARICO
JOHNNY C. CARLISLE
MATTHEW R. CARPENTER
BRANDON M. CARTER
JEFFREY P. CARTER
MARION M. CARTER
JOSEPH R. CARUSO
GERSHWYN S. CARUTH
MICHAEL PATRICK CARVIN
JAIME CASAS
DANIEL J. CASEY
GRIFFIN R. CASEY
JASON CASEY
JOHN GERALD CASEY
STEPHEN M. CASH
CHRISTOPHER S. CASLER
JERMEKO S. CASSEL
NICHOLAS L. CASTRO
MARC P. CATALANO
CHRISTOPHER ROBERT CAVE
JORDAN G. CAYTON
HUMBERTO J. CENTENO
KRISTEN A. CEPAK
NICK M. CHACHOR
NATHAN W. CHAL
SHAWN M. CHAMBERLIN
ERIC E. CHAN
ROZENA CHAN
ROBERT T. CHANCE, JR.
RUSSELL C. CHANCE
LANDON P. CHANDLER
REGINALD L. CHANDLER
WILLIAM Y. CHANG
JOSEPH O. CHAPA
BENJAMIN R. CHAPMAN
PATRICK J. CHAPMAN
JOSEPH W. CHASSER
ANDREW CHEN
CARL R. CHEN
ERNIE CHEN
NICOLAIS R. CHIGHIZOLA
GREGG R. CHILSON
CHRISTOPHER H. CHIN
BYUNGSUK CHOI
NATALIE G. CHOUNET
ELAINE C. CHRISTIAN
MICHAEL E. CHUA
DANIEL L. CHURCHILL
RANDY S. CICALE
CALEB T. CIENSKI
JOSEPH A. CITRO
SARAH K. CLAPP
BARTHOLOMEW W. CLARK
CRAIG A. CLARK
JOSEPH R. CLARK
TRAVIS A. CLARK
DYSART R. CLEETON
DAVID R. CLEMENTI
BRADLEY S. CLEMMONS II
STEPHEN A. CLINE
AUSTIN COCCIA
JOSEPH CODUTI
KIRA A. COFFEY
JENNY L. COKER
LEE B. COLE
MARK A. COLE
CHRISTOPHER D. COLEMAN
IAN Y. COLEMAN
MICHAEL T. COLEMAN
CHRISTOPHER J. COLEY
JAMES E. COLLINS
NATHAN S. COLLINS
WHIT A. COLLINS
LUIS COLON
MONICA CONNOLLY
ROSS A. CONRAD
CHARLES D. COOK
MEGAN E. COOPER
MARIO F. COOPERPADILLA
ROBERT H. COPLEY
DAVID S. CORDELL
KENNETH K. CORIGLIANO
CHRISTOPHER SAMUEL CORNISH
SEAN P. CORRIGAN
JAMES M. COTHAM
CLAYTON W. COUCH
JEFFREY E. COVERDALE
TIMOTHY E. COWAN
RYAN A. COX
SCOTT J. COX
TIMOTHY A. COX
ELIZABETH CRAMER
BRIAN AUGUSTE CRAWFORD
SUZANNE M. CRESPO VALENTIN
MICHAEL A. CREW
DAVID NICHOLAS CRISCIONE
ALEXANDER G. CRISS
CLAYTON DAVID CROSS
CLYDE A. CROSS II
JUSTIN T. CROTEAU
SHAWN CROWE
STEPHEN JEREMY CUBAS
PETER F. CULBERT
CHRISTOPHER A. CULVER
CURTIS B. CULVER
RYAN M. CUMMINGS
EDDIE F. CUNNINGHAM
HARRISON E. CUNNINGHAM
ANTHONY V. DAGOSTINO
JUSTIN P. DAGOSTINO
SYLVESTER A. DAGRELLA
ARYAN L. DALE
JOSHUA M. DALEIDEN
KYLE L. DALZIEL
ANTHONY P. DAMATO
TRAVIS A. DANIELS
DENISHA L. DARCUS
JAMES A. DARLSON
WALTER J. DARNELL III
ANDREW R. DARTT
DIBYA DAS
SKYLER R. DAVENPORT
JAMES PAUL DAVERN, JR.
CHRISTOPHER R. DAVID
BRETT B. DAVIS
BRIAN V. DAVIS
JAMES S. DAVIS, JR.
JUSTIN P. DAVIS
MATTHEW L. DAVIS
MEGAN N. DAVIS
MICHAEL WILLIAM DAVIS
NOAH S. DAVIS
RICHARD E. DAVIS
ADRIAN A. DE FREITAS
SAMUEL C. DE LA ROSA
CRAIG DEARDEN
ROSEMAN L. DEAS
CHRISTOPHER M. DEAVER
KYLE M. DEEM
KURT J. DEGERLUND
SAHEBA B. DEHENRE
JUSTIN H. DEIFEL
CHARLES J. DEIGNAN
ERIC L. DEIST
AMANDA L. DELANCEY
NICHOLAS DELISIO
KEVIN P. DELKER
PETER J. DELLACCIO
BRAD M. DELLOIACONO
JOHN S. DELOBEL
JUSTIN D. DELORIT
JOHN E. DEMELLO, JR.
PHILLIP J. DEMETER
ADAM W. DEN HARTOG
AARON C. DENNIS
TIMOTHY W. DENNIS
JEFFERY S. DENNISON
GARRETT B. DENNISTON
JOSEPH M. DERIENZO
BRET DEROCHE
ANDREW J. DESORMEAUX
MICHAEL A. DETIEGE
MIGUEL A. DEVARGAS
BRANDON R. DEWEY
MATTHEW L. DEWEY
MATTHEW J. DIAMOND
JESSE O. DIAZ
ANDREW T. DIBELLA
CHARLES E. DIETERLE
ARTHUR Z. DIETRICH
ANDRE DIEU
JOHN B. DIFEBO
CAITLIN B. DIFFLEY
CHRISTOPHER W. DILLARD
KYLE BRENDAN DINWIDDIE
LEILANI V. DISTASO
BARBARA MAGDALENA DIVINE
JAMES A. DIVINE
CHARLES A. DOBSON
JAY B. DOERFLER
JESSE G. DOLL
JOHN WILLIAM DONALDSON
R. J. DONALDSON
ANTHONY JOSEPH DORAZIO
AARON JOSEPH DOVE
THOMAS R. DOWD
DAVID E. DRAKE, JR.
LUKE C. DRAS
ANGELICA M. DREXEL
CALVIN J. DSILVA
DAVID M. DUBEL
GARRET E. DUFF
JASON MICHAEL DUHON
ROBERT L. DUKART
TONY NEAL DUKE
MICHAEL R. DUMAS
TYLER M. DUNCAN
JANE R. DUNN
JOHN DAVID DURAY
PATRICK W. DUVALL
BRANDON DVERGSTEN
MATTHEW T. DVORSKY
PETER J. DYRUD
JUSTIN H. EAGAN
SETH W. EASTMAN
NATHANIEL G. EATON
SCOTT R. EBERLE
NICHOLAS L. EBERLING
JONATHAN P. EDWARDS
RYAN V. EGAN
CHRISTOPHER S. EHLERS
JAMES B. ELLIOT
SHAWN R. ELLIOTT
DALE R. ELLIS II
JESSE J. ELLIS
JAMES D. ELLISON
JUSTIN D. ELLSWORTH
ANTHONY BAXTER ELMS
STEPHEN P. EMBORSKI
ANDREW J. EMBRY
AUSTIN R. EMERY
JACOB ENGLISH
RYAN E. ENLOW
BRIAN D. ENO
TRAVIS R. EPP
COREY M. ERICKSON
ADAM ERTSEY
TYLER E. ESKE
STACY M. ESKRIDGE
GIOVANNA ESPEGIO
JOSEPH R. ESPLIN
CASSANDRA M. ESPY
ROBERT ESPY
ALEXANDER O. ESSON
NICHOLAS ESTEP
JOHN R. ETHREDGE
JOSEPH T. EVANS
JOSHUA J. EVANS
DUSTIN M. FAIRCLOTH
CORY A. FALE
RICHARD K. FANCHER
RYAN D. FANCHER
ROREY K. FARAON
JON M. FARRAGHER
GREGORY R. FARRELL
CLAUS E. FASTING
BRIAN J. FAUGHN
JOSHUA M. FAUSTMAN
JULIA A. FAUSTMAN
SEAN M. FAZANDE
KENNETH B. FEDOR
ROBERT J. FEKETE
BRANDEN M. FELKER
MICHAEL S. FELTEN
BRANDON J. FERGUSON
ALLEN M. FERKOVICH
GERARD A. FERNANDEZ
RAYMOND A. FERNANDEZ
CHRISTOPHER Y. FERRER
JONATHON M. FERRICHER
PHILLIP B. FERRIS
JONATHAN G. FERRO
SEAN S. FERSON
BRYCE J. FIACCO
BURTON M. FIELD III
TRUTH FINCK
MARISHA FINDLEY
JACOB E. FINGERSON
ANDREW W. FINK
JONATHAN D. FINK
BRYAN DAVID FINKEL
MARC ALBERT FINNEGAN
SHAWN FINNEY
STEVEN WILLIAM FIORE
PRESTON C. FIORLETTA
JORDAN A. FIRTH
JACOB P. FISCHER
TYLER J. FISK
KYLE E. FITCH
BRIDGETT A. FITZSIMMONS
BRETT J. FLICKINGER
JOSEPH S. FLOREK III
ANDREAS V. FLOWERS
ANTWAN J. FLOYD
CHRISTINA FLYNN
WILLIAM C. FLYNT
KEVIN B. FOBIAN
MATTHEW T. FOERTSCH
DAVID M. FOLAND
CHRISTOPHER L. FOLTZ
ALLAN G. FONSECA
CHRISTOPHER C. FOOTE
JAMES W. FORBES
JOHN R. FORBES
TIMOTHY W. FORD
CHAD L. FOREMAN
MATTHEW R. FORNEY
MICHAEL F. FOROSTOSKI
JEFFREY C. FOWLKES
JOEL J. FOX

KURT M. FOX
NATHANIEL S. FRANCIS
MICAH B. FRANK
ADAM D. FRANKLIN
CHRISTOPHER J. FRANKS
JOHN D. FRAZIER
WENDELL FRAZIER, JR.
DANIEL E. FREDBERG
PHILIP D. FREEMAN
THOMAS D. FREEMAN
ALISON L. FREIMAN
KENNETH R. FRENCH
CHAD M. FREY
GREGORY R. FREY
ADAM C. FRISCH
KATHLEEN M. FROST
JEFFREY D. FRY
LINSEY R. FUCHS
JACOB R. FUKA
JENNIFER A. FUKA
BENJAMIN FULK
CHARLES LINCOLN FULLER
JOSHUA DAVID FULLER
ETAN FUNCHES
MATTHEW N. FUQUA
JEAN E. FUSELIER
JUSTIN R. GABBARD
ERIN E. GABERLAVAGE
KATHLEEN E. K. GADDIS
MATTHEW T. GALDEEN
JOHN GALER
BRANDON M. GALINDO
EDWARD F. GALLAGHER
HUNTER RAY GALLIEN
COLLEEN E. GALLOWAY
DAVID M. GALLOWAY
VANESSA GALVAN
TOBIN D. GANNETT
TIMOTHY W. GANNON
LUIS M. GARCES
GILBERT G. GARCIA, JR.
JAIME E. GARCIA
LEODANNY GARCIA
MATTHEW R. GARDNER
COURTNEY E. GARFIELD
HARRISON M. GARLICK
LAWRENCE C. GARLIT
NESTA J. GARNER
CLINTON B. GARRETT
EDWIN GASTON
CHRISTOPHER J. GATHMANN
DANIEL F. GEBHARDT
CHRISTINA L. GELLER
ANTHONY M. GENEROUS
ANTHONY E. GENOCHIO
ANAND ANTONY GEORGE
BRIAN M. GEORGE
JOHN A. GERLACH II
MARK D. GESCHE
JASON ALEXIS GETZ
RYAN C. GIBO
TANNER L. GIBSON
TAYLOR R. GIFFORD
JULIE KAY GILBERT
DANIEL T. GILBERTSON
DANIEL V. GILL
SHANE D. GILLIES
BRITTANY D. GILMER
JARED P. GILMER
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TRACY LEIGH GILMORE
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DARIUSZ A. PISZCZEK
GARETT R. PITTS
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KRISTOPHER D. PUTNAM
MICHAEL PYLE
SANAM M. QADRI
ANDREW S. QUANRUD
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MICHAEL J. QUINN
DWIGHT B. RABE
ESTEFANIA RAFFOMAGNASCO HARRIGAN
BRADFORD J. RAGAN
DAVID J. RAHL
MICHAEL W. RALPH
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ERIC L. RAMBO
JUAN D. RAMIREZ
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CHRISTOPHER P. REDMOND
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STEPHEN S. REDMOND
DAVID D. REDWINE
STEVEN C. REDWINE
DUNCAN C. REED
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JASON A. REIGART
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APOLLO REX MICHAEL REVELEE
DENVER M. REX
ALAN M. REYNOLDS
NICHOLAS R. REYNOLDS
TAYLOR E. REYNOLDS
DAVID S. RHODES
TYLER A. RHYNE
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JERAD M. RICH
ELIZABETH C. RICHARDS
AARON W. RICHARDSON
DAVID S. RICHARDSON
RYAN RICHARDSON
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BRANDON MELVIN ROGERS
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MICHAEL K. ROGERS
PAUL E. ROGERS
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DOUGLAS P. ROLFES
ELIZABETH NOLA ROMERO
MATTHEW R. ROMIG
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JOHN ANDREW SALOTTI
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KEVIN P. SMITH
LOGAN D. SMITH
RICHARD SMITH
ROBERT A. SMITH
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STEWART C. SMITH
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ZACHARY M. SPENCER
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JOSHUA C. STALLARD
FRANCIS P. STALLINGS
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HARRY H. STARNES
JAMES R. STAUDENMAIER
TYLER W. STEF
BENJAMIN R. STEFFENS
TYLER D. STEFFENSON
CORY MARTIN STEINBRECHER
JAY T. STELLWAGEN
JOSEPH W. STENGER
THOMAS R. STENGL
NICOLE M. STENSTAD
DANIEL O. STEPHENS
MARK W. STEPHENS
PHILIP STEPHENS
ANDREW JOSEPH STEVENS
BRETT L. STEVENS
NICOLE L. STEVENS
THOMAS B. STEVENS
BRIAN S. STEWART
CHRISTOPHER J. STEWART
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NICKOLAS J. STEWART
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JAMES A. STILLWAGON
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JONATHAN SWINARSKI
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TYLER A. WATTERS
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ROSS A. WEAVER
ANDREW L. WEBB
JOSHUA A. WEBB
RUSSEL MORGAN WEBB
STEVEN DUSTIN WEBB
JETTA M. WEBER
THOMAS J. WEBER
PATRICK J. WEEKLY
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ROBERT J. WEITERSHAUSEN
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MICHAEL L. WERRE
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BRANDON J. WHEELER
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ALEXANDER B. WHITE
GORDON M. WHITE
JON A. WHITE
KENNETH E. WHITE II
MATTHEW D. WHITE
TRAVIS J. WHITE
ZACHARY L. WHITE
ANTHONY D. WHITEHEAD

KEVIN C. WHITLATCH
DAVID L. WHITNEY
LEE E. WHITTEN
JOHN RALPH WIDMER
JORDAN M. WIERSCH
ADAM B. WIESER
DOUGLAS J. WIETLISBACH
RAY S. WILCOX
GENE MICHAEL WILKINS
LUCAS E. WILL
DUSTIN R. WILLARD
RICHARD P. WILLE
CHRISTOPHER S. WILLEY
BENJAMIN G. WILLIAMS
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KEVIN D. WILLIAMS
MICHAEL W. WILLIAMS
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JARED A. WILSON
JONATHAN A. WILSON
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NORMAN K. WILSON
RYAN W. WILSON
SIGANSULPUM WILSON
TERRENCE WILSON
JONATHAN B. WING
NATALIE M. WINKELS
HANS U. WINKLER
BRANDON M. WINNINGHAM
SABRINA N. WINTER
THOMAS D. WITTWER
MARQUIS A. WOFFORD
ANDRE WOLF
KARLTON J. WOLF
ANDREA WOLFE CLARK
JOSHUA J. WOLFRAM
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BRANDON M. WOOD
JODY ROSS WOOD
TRAY C. WOOD
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OLIVER L. WOODLAND
JASON C. WOOLFORD
COURTNEY L. WORDEN
RYAN J. WORRELL
ROBERT O. WRAY
THOMAS WRAY
JEFFREY D. WRIGHT
JESSICA D. WRIGHT
JONATHAN W. WRIGHT
LATOSHIA WRIGHT
ZACHARY ADAM WRIGHT
JAMES CHIEN CHIN WU
KELLI NICOLE WYATT
GILBERT S. WYCHE II
CASEY H. WYMAN
LIVATH XAYASANE
REYN M. YAMASHIRO
PHILIP A. YARBOROUGH
JACOB R. YATES
KYLE G. YATES
MAX W. YATES
GRACE U. YI
BRIAN P. YODER
MICAH S. YOST
AARON J. YOUNG
CARMEN E. YOUNG
JOHN J. ZAIMIS
FARAKH BALAL ZAMAN
ANDREW J. ZANRUCHA
CHRISTOPHER D. ZAREMSKI
MATTHEW W. ZAYATZ
TABATHA R. ZELLHART
SCOTT C. ZETTERSTROM
ROBERT E. ZICKEFOOSE II
MARSHALL R. ZIEMANSKI
KENNETH J. ZIMMERMAN
TIMOTHY G. ZISHKA
AARON ZORN
CURTIS ZOSS
RACHEL M. ZOTTO
JOSEPH V. ZUEHL, JR.
DEVIN LEE ZUFELT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

CHRISTOPHER T. STEIN

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

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NIKKI L. ARMSTRONG
CHAD W. BACKUS
CHRISTINE M. BACSA
KIMBERLY M. BANNISTER
KIMBERLY A. BARCUS
SHERI L. BATES
JOEL C. BAUZON
JEAN Y. BELL
TERRIE L. BOISVENUHOATLAND
KAY M. BOLIN
LISA A. BOWERS
RODERICK BOWSER
BETHANY L. BRADBURY
CLAUDIA BRADFORD
STACEY L. BRECKONS
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JODI L. BROWN
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AMY E. BRZUCHALSKI
SUMMER N. BUCHMEIER
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BRANDI M. BURROWES
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CARY N. CARTER
WILLIAM J. CHAPPELL
BRANDY L. CLAYTON
KEVIN D. COPLEY
DAVID L. COTTLE, JR.
JULIE A. COWLES
ANNE M. DANIELE
KIMBERLY A. DILGER
NOELLE S. DOVE
LENA M. FABIAN
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LINDSAY R. FELKER
BRYAN S. FERRARA
SHARA FISHER
GERBERT L. FLORESCHAVEZ
MONICA F. FLOWERS
ERICA L. FRANKLINWILKERSON
JULIE A. GABELETTO
PAUL R. GALEY
DIONICIO M. GARMA
EDWARD A. GEIGER
CAISSY A. GOE
TAWANA GOLDSTEIN
JESSICA M. GORDON
JACLYN A. GRANT
SARAH E. HARRIS
ALAN J. HARVEY
MEREDITH M. HETTINGER
TRACY HO
ELIZABETH A. HULTGREN
DIANNE A. JAMES
ERIKA JARAMILLO
NICHOLE M. T. JOHNSON
PATRICK R. KADILAK
ELIZABETH L. KASSULKE
ADAM D. KELLER
MICHAEL A. KNIGHT
DJAKARIA KONATE
BRANDI L. LANGE
KEITH M. LATHROP
NICOLE M. LAWRENCE
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AMY L. LUCIA
DEBORAH L. MANDEL
WILLIAM B. MARSH
MEGAN L. MATTERS
JAMILL A. MATTHEWS
JAMES P. MCCAMPBELL
ANGIE D. MCCONNICO
KEITH W. MCDONALD
JORGE L. MENDOZA
WILLIAM A. MOLINA
KIMBERLY J. MOORE
TIFFANY J. MOORE
DAVID S. MORAN
MAYKO L. MOSES
LAUREY K. MUNCH
NICHOLAS C. MURPHY
KEYONA M. NELSON
MIGUEL NEMETH
TINIKA N. NIXON
SOFIYA NUKALO
MATTHEW A. OCONNOR
MONICA M. OLSON
ANGELA D. PALMER
EBONY A. PETERMAN
DIONNE D. PHILLIPS
BENILANI M. PINEDA
AKIL RAHMAN
ROBERT S. REVELS
TIFFANY E. RICHARDS
ROBIN C. RIGGS
TABITHA L. RILEY
WILFREDO E. RIVERASILVA
MICHAEL T. ROBERTSON
JORGE J. RUBIO
ANTHONY M. SABATINI
SONIA M. SHAKIR
KRISTEN E. SHEAR
CHRISTINE C. SHEPHERD
LECRESHIA S. SHIELDS
ANGELA K. SHRADER
MELANIE D. SIMS
LAVEETA S. SPRINGER
BLAIR M. STONE
DUANE N. THOMAS
REGINA M. THORP
CLAUDIA I. TORRES
TRAM N. UNG
VIKKI A. VARISCE
VERNETTA C. WARNER
MARLA A. WASHINGTON
DELLENE R. WEBB
GREGORY B. WILLIAMS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SPECIALIST CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

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TYSON G. BAYNES
MICHAEL J. CONNER
JOSEPH T. COSTELLO
JENNIFER L. DEMPSEY
SEAN DONOHUE
PETER M. DOYLE
JESS FELDTMANN
SCOTT D. FISHER
STEPHANIE M. GASPER
JOHN GOTTSCHALK
NICHOLAS J. GRANDE, JR.
JONATHAN R. HALLER
JEFFREY D. HANNAH
MELISSA K. HODGES
TRAVIS L. JACOBS
JULIANNA M. JAYNE
MARY M. JOHNSON
JASON R. JONES
SEON JONES
ANDREW R. KENNEDY
ADRIENNE M. KRAMER
MARGARET M. KUCIA
JESSICA A. LARSON
YI L. LEE
JOSEPH A. LOPEZ
HUGH S. MCLEOD IV
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BRANDON J. MOORE
JAMIE B. MORRIS
DEBORAH J. OLDFIELD
SEAN M. PENARANDA
BRYAN B. PICKENS
MANISH RAWAT
MATTHEW D. RIED
JAMES E. ROCKWOOD
MATTHEW S. SHURTLEFF
LAUREL B. SMITH
JILL SPACKMAN
SEAN M. SPANBAUER
MARY H. STAUDTER
BRIAN E. STOLTENBERG
SHAWN M. THOMPSON
GARY P. TOCCI
RAUL VILLALOBOS
JERIMIAH D. WALKER
TERESA A. WALTERS
GEOFFREY A. WASHBURN
BENJAMAN M. WUNDERLICH

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY VETERINARY CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

JULIA N. ALVAREZ
LAURA M. ANDERSON
ANDREW J. ARMSTRONG
MARY C. AVRIETTE
PHILIP A. BOWLING
CATHERINE D. BURLISON
NATHAN S. CHUMBLER
EMILY M. CORBIN
SARAH K. CUDD
JENNIFER C. EFFLER
KERRIE L. FARRAR
ELLIOTT R. GARBER
DAWN M. HULL
ROBERT K. KIM
TIFFANY L. KIMBRELL
KELLY A. LOVE
SARAH A. LUCIANO
SHANNON L. MCLEAN
SEAN P. MCPECK
ALICIA M. MOREAU
KRISTINA A. PUGH
ELLIOT RAMOSRIVERA
ANDREW J. SCHRADER
ELAD I. STOTLAND
MICHAEL J. VANDERWALKER
VIRGINIA C. WHITE
APRIL D. WILLIAMS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

WENDY M. ADAMIAN
CHRYSTAL J. AGNOR
MICHAEL L. AHRENS
JONATHAN D. AKERS
CHRISTOPHER S. ALFEREZ
NOLAN H. ANDERSON III
BRANDON J. ARCHER
MANUEL A. BACCINELLI
MICHAEL T. BADDLEY
EVETTE C. BARNES
DONELL L. BARNETT
TANYA A. BARTLETT
SATHELIER L. BATES
RAYMOND T. BECKMAN
DAVID J. BEHRMANN
YOLANDA T. BENSON
ANDREW T. BIGELOW
DANA BRENNER
JULIE C. BRIDGES
REBEKAH C. BROADY
JOCEPHUS S. CARLILE
ERICA H. CHAE
ANDRE C. CHANCE
ANDRE P. CHAPLIN
STEVEN S. S. CHO
FRANCIS G. CICCHINI
CANDICE M. CLARK
LAURA L. R. CLARK

THOMAS J. CLIFFORD
SAMUEL COLEMAN III
THOMAS C. COLLINS
MICHAEL K. CONNELLY
JASON A. CONSTANTINEAU
MICHAEL A. COOMBES
CESAR A. COSTALES
CARA E. COXCOLEMAN
JAMIE L. CULBREATH
ANGELA R. DAVIS
JENNY L. DAVIS
ROBERT B. DAVIS
AMANDA J. DECKER
MARY A. DEJOSEPH
PETER J. DELL
DARREN D. DENT
THOMAS J. DOLCE
DIONNE DRAYTON
NATHAN A. DREWELOW
PHILIP B. DUFF III
VINCENT L. DUNCAN
CRAIG S. EATON
CAITLIN J. EBBETS
AIDA M. ECHEVARRIA
CLINTON D. ELLIS
MARK J. EUSE
RAYSON E. EVBUOMWAN
KURTIS P. EVICK
DEREK L. FELDER
JULIAN P. GILBERT
WALTER L. GLASCO
DANIEL L. GONZALEZ
GEORGE C. GOODWYN
VANESSA GOOSEN
JOHN C. GORBET
SUSAN N. GOSINE
STEVEN P. GUTIERREZ
SARA J. HAIMES
CALE T. HAMILTON
ELIZABETH E. HAMILTON
LAUREN M. HAMLIN
GREGORY W. HARE
JESSICA M. HARMON
DEBBIE A. HARRIS
TONJA R. HARRIS
TRAVIS C. HELM
WILLIAM L. HENJUM
JONATHAN P. HICKS
EARL W. HIRATA
MATTHEW J. HOLUTA
VICTORIA L. IJAMES
JENNIFER M. IRWIN
KARA L. JENSEN
ROBBIE S. JOHNSON, JR.
JENNIFER A. JONES
PHILIP S. KABERLINE
WILLIAM T. KILGORE
STACEY A. KRAUSS
AARON N. KRUPP
STEPHEN P. KRUTKO
ANGELICA M. LABOONE
BETHANY G. LANDECK
NABIL H. LATIF
GENNARO V. LAYO
DARLENE A. LAZARD
JUSTIN M. LILLY
EHREN A. LINDERMAN
BJORN C. LISTERUD
MATTHEW L. LOPRESTI
ANDREW J. MACCINI
JUSTINE J. MAJERES
TYLER J. MARK
LLOYD A. MASON
SETH A. MAYER
EUGENIA E. MCDANIEL
ROBERT C. MCDONOUGH
JOSEPH W. MCGEE, JR.
NICOLE L. MCNISH
AMASA L. MECHAM
LYSSA L. MEHALL
JESSE M. MONCIVAIS
ERIC R. MOORMAN
MICAH J. MORINO
CHRISTOPHER D. MORISOLI
KRISTI L. MUELLER
DUSTIN P. MULLINS
JOYCE M. MULLINS
ANDREW R. NEIGHBORS
JUSTIN C. NEVINS
KENESHA D. PACE
TODD A. PERRY
VIDHIKA M. PERSAUD
SANTIAGO PIMIENTA
MEGAN E. PITTENGER
STEVEN L. PLAXCO
WILLIAM A. POLAND
LUCAS L. K. POON
WENDY L. PRICE
LUIS J. QUINONESVARGAS
RYAN M. RAUSCH
SAMANTHA S. RIEGER
DEVON V. RILEY
MATTHEW C. RILEY
AARON F. ROBERTS
JOSEPH T. ROBINETTE
CHARMEON W. ROBINSON
THOMAS F. ROBINSON
TAMMY L. ROHRBACH
ROBERTO SANCHEZPEREZ
JODI L. SANTIAGO
VERONICA F. SCHOENBORN
SEAN P. SEAY
RALPH J. SEPULVEDA
LACEY M. SHARKEY
WILLIAM T. SHONTZ
BRYAN D. SHRIVES
DAVID L. SMITH
BOBBI S. SNOWDEN
PERRY C. SOSEBEE, JR.
JAMIE L. SPAYDE
DAWN N. STEPHENS
SARAH M. SUBLETT
DERREK M. SUMMERS
KENNETH W. SWANSON
SIERRA A. L. SYMONETTE
KAREN E. THOMAS
SARA V. TURINSKY
KARL V. UMBRASAS
DANIELLE A. VAZQUEZ
ERICK M. VINES
ALIZA L. VINSON
BETHANY A. WAGNER
NATHAN T. WAGNER
HEATHER M. WAITE
WILLIAM K. WHITE
ERIK C. WIESEHAN
ANDREW T. WILSON
FABIOLA WILSON
JENNIFER D. WILSON
DANIEL W. WINNIE
RYAN D. WOOD
RONALD L. WOODBURY
EDDIE S. WRIGHT
GINA M. WRIGHT
CHARLES J. WYATT
RENDY F. YUDHISTIRA
DAVID C. ZGONC
VICTOR E. ZOTTIG
D011667
D012433

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

VERNITA M. CORBETT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be lieutenant colonel

MATTHEW H. ADAMS
LARRY A. BABIN, JR.
CHAD B. BALFANZ
JACOB D. BASHORE
RYAN BEERY
CANDACE M. BESHERSE
BRADFORD D. BIGLER
JOHN W. BROOKER
BAILEY W. BROWN III
STEVEN J. COLLINS
JESSICA CONN
MELISSA R. COVOLESKY
PATRICK L. DAVIS
CHRISTIAN L. DEICHERT
DANIEL D. DERNER
JEROME P. DUGGAN
DAVID A. DULANEY
CHRISTOPHER M. FORD
LAWRENCE P. GILBERT
RICHARD E. GORINI
JOHN J. GOWEL
KATHERINE S. GOWEL
PATRICK B. GRANT
KELLI A. HOOKE
SCOTT Z. HUGHES
NATHAN P. JACOBS
KEVIN M. JINKS
SALLY M. JUAREZ
KEIRSTEN H. KENNEDY
DANIEL R. KICZA
MATTHEW A. KRAUSE
GARY R. LEVY, JR.
KEVIN A. MCCARTHY
TODD A. MESSINGER
DONALD L. POTTS
KRISTY L. RADIO
TERESA L. RAYMOND
ROBERT A. RODRIGUES
VINCENT T. SHULER
ANDREW J. SMITH
GREGORY T. STRICKER
TIMOTHY W. THOMAS
MEGAN WAKEFIELD
D012453

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

MICHAEL F. COERPER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

WILLIAM D. ROSE

THE FOLLOWING NAMED OFFICER IN THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

MARK W. MANOSO

THE FOLLOWING NAMED OFFICER IN THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

ERIC F. SABETY

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 5721:

To be lieutenant commander

MATTHEW T. ALLEN
VANCE R. BEATTY
BRIAN T. BITTNER
SAMUEL H. BLAIR
THOMAS K. BREWER
WILLIAM R. BRIDGES
TIMOTHY B. BROCK
LOWELL E. BRUHN
JEFFREY C. BUENAVENTURA
JEFFREY L. BURKHOLDER
MATTHEW J. CAMPBELL
PAUL J. COLWELL
MORGAN M. DIETZEL
ERIC T. FAIRCLOTH
GRAHAM D. FLETTERICH
ANDREW S. FOOR
GREGORY E. HITT
PRESTON S. HOOPS
CARLOS M. IGUINA
CHRISTOPHER D. IVEY
JOHN B. JUDY
KRISTOPHER J. KELLOGG
SCOTT M. KENNICOTT
ANDREW L. LAIDLER
WINSTON B. LANGHAM
KRISTOPHER R. LEWIS
YILEI LIU
CATHERINE S. LONG
DOUGLAS K. MCKENZIE
NICHOLAS G. MILLER
CHRISTOPHER B. MINICK
JASON M. MOODY
GARRETT T. MOORE
GAROLD I. MUNSON
GREGORY A. PAULUS
RUSSELL G. PAV
TIMOTHY D. PONSHOCK
ERIC T. REGNIER
JOSE J. REYES
DAVID R. RINEHART
JONATHAN M. ROGAN
ALBERTO C. RUIZ
PATRICK D. SHOUVLIN
PATRICK R. STONE
DAVID K. TAWEEL
JUDSON J. C. THOMAS
JAMIE A. TURF
ADAM R. TURPIN
GERALD E. VINEYARD
JASON I. WELLS
JASON M. WILLIAMS
ADAM C. WISEMAN
JOSHUA F. ZIMMER

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

RICHARD W. LANG
MARCO A. MARTINEZ
HERNAN PINILLA
BRADLEY E. SHEMLUCK

WITHDRAWAL

Executive Message transmitted by the President to the Senate on February 22, 2016 withdrawing from further Senate consideration the following nomination:

FOREIGN SERVICE NOMINATION OF ERIC N. RUMPF, WHICH WAS SENT TO THE SENATE ON JANUARY 13, 2015.