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## Senate

The Senate met at 10:30 a.m. and was called to order by the Honorable TOM COTTON, a Senator from the State of Arkansas.

### PRAYER

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

Let us pray.

Wise Creator, the architect of destinies, on this Super Tuesday 2016, when a dozen States hold their Presidential nominating contests, we look to You. You are the potter, and we are the clay. So mold and make the destiny of this Nation conceived in liberty. Let Your will be done.

Lord, we acknowledge that Your thoughts are different from our thoughts and Your ways are far beyond anything we can imagine. For just as the Heavens are higher than the Earth, so are Your ways higher than our ways and Your thoughts higher than our thoughts. Give us the wisdom to not second-guess the unfolding of Your loving providence, but help us to remember that in everything You are working for the good of those who love You.

Today, as You desire, use our law-makers and all those who love freedom as instruments of Your glory.

We pray in Your powerful Name. Amen.

### PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

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

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The senior assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, March 1, 2016.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM COTTON, a Senator from the State of Arkansas, to perform the duties of the Chair.

ORRIN G. HATCH,  
President pro tempore.

Mr. COTTON thereupon assumed the Chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

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

### FILLING THE SUPREME COURT VACANCY AND COMPREHENSIVE ADDICTION AND RECOVERY BILL

Mr. MCCONNELL. Mr. President, the chairman of the Judiciary Committee, Senator GRASSLEY, and I will meet with President Obama later this morning. We will reiterate that the American people will have a voice in the vacancy on the Supreme Court as they choose the next President, who in turn will nominate the next Supreme Court Justice.

In other words, we will observe the Biden rule. Americans have by now become well acquainted with that advice from the Vice President.

Americans also know what both the current and future Senate Democratic leaders have had to say about judicial nominees when a different party was in the White House. They have heard the admonishment of the Senator from Nevada, Mr. REID, that “nowhere in [the Constitution] does it say the Senate has the duty to give presidential nominees a vote.” They know the Senator from New York didn’t even wait until

the final year of President George W. Bush’s term to declare that the Senate should “not confirm a Supreme Court nominee except in extraordinary circumstances.”

So look, let’s use this debate to discuss ways we can work together to make progress for our country, such as tackling a drug crisis that is tearing communities apart in all 50 States.

I was pleased to see colleagues join together to advance the bipartisan Comprehensive Addiction and Recovery Act just yesterday. I hope we will see that kind of cooperation continue. It is important for our country, and I look forward to discussing with the President how his administration can be helpful.

### RECOGNITION OF THE MINORITY LEADER

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

### FILLING THE SUPREME COURT VACANCY

Mr. REID. Mr. President, the Republicans, in an effort to try to cloud the issue regarding selection of the Supreme Court replacement, usually don’t provide a full quote. For example, they keep talking about Senator BIDEN, but they should give the whole statement of Senator BIDEN, where he ended it by saying that “compromise is the responsible course, both for the White House and for the Senate. . . . [and] if the President consults and cooperates with the Senate . . . [on] his selections . . . then his nominees may enjoy my support, as did Justices Kennedy and Souter.”

Yesterday the Washington Post published an editorial by Barbara Perry, a professor at the University of Virginia and an expert on the Supreme Court. It is among the finest law schools in all the world. That is the University of Virginia.

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



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In her opinion piece, Dr. Perry pushed back against Republican claims that Presidents have not historically nominated Supreme Court Justices during an election year. According to her, “14 Presidents have appointed 21 justices during presidential election years.” That is 14 out of 44 Presidents have appointed Supreme Court Justices in Presidential election years. That is about one-third of all U.S. Presidents who have appointed nominees during an election year.

Amy Howe, an expert on the Supreme Court and editor at SCOTUSblog—Supreme Court of the United States blog—agrees that past Presidents and Senates have considered election-year nominees. 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.

Republicans are using one inappropriate statement or excuse after another to explain why they shouldn't have to do their jobs the taxpayers sent them here to Washington to do. Instead of making excuses, wouldn't it be easier just to do the right thing? The right thing would be to give President Obama's Supreme Court nominee a hearing—a meeting before that—and a vote. We are simply saying: They should be doing their jobs.

Some Republicans are already starting to see the light. Last week, the Republican Senator from Maine ripped the Republican leader for politicizing the current Supreme Court vacancy in the aftermath of Justice Scalia's death. Again, among other things, here is what the Republican Senator from Maine said:

I thought it was a shame . . . that instead of honoring his life and legacy and extending our condolences, already we are embroiled in a political fight.

New Jersey Governor Chris Christie went a step further, urging the Senate Judiciary Committee to hold hearings. Governor Christie said:

As I've always said, I believe that's absolutely the right thing to do. People can vote up or down however they choose, but hearings should be held. There is no reason for them to not take on this nomination.

Governor Christie is absolutely right. There is no reason for a Supreme Court nominee not to have a full hearing and a vote. There is no reason for Senate Republicans not to give a nominee to the Supreme Court a meeting, a hearing, and a vote. All we are saying is: Do your job.

Montana Republican Congressman RYAN Zinke published an editorial in the Missoulian, one of the largest newspapers in the entire State, urging the Republican leader to give President Obama's nominee all due consideration. Here is what he said:

It is unfortunate that partisanship took over the conversation before the Justice even was laid to rest. The partisan bickering and demands to ignore the Constitution that unfolded after Scalia's death is an affront to his legacy. Scalia dedicated his life to serv-

ing the Constitution. It is time for the Senate to honor that service and carry out their constitutionally mandated duty to advise.

The Constitution reigns supreme. . . . My colleagues in the Senate have an obligation to provide advice to the President on nominees.

So I urge others to look at what the Congressman from Montana said, what the senior Senator from Maine said, and what Governor Christie said. I agree with them that the Constitution reigns supreme. It simply is saying to do your job, among other things.

In this situation there is no question what the Constitution mandates in times of Supreme Court vacancies. Article II, section 2 of our Constitution clearly outlines the President's legal authority to nominate Justices to the Supreme Court. It also defines the Senate's role in the nomination, which is to provide advice and consent. By denying their constitutional mandate, Republicans are refusing to do their job.

Senate Republicans should give President Obama's Supreme Court nominee a meeting, a hearing, and a vote, because, as Governor Christie said, there is really no reason not to do so.

#### BLACK HISTORY MONTH

Mr. REID. Mr. President, yesterday marked the end of Black History Month, which we honored here in the Senate by adopting a resolution sponsored by the junior Senator from New York, Mrs. GILLIBRAND.

The father of Black History Month was Dr. Carter G. Woodson. Now, I really didn't know who Carter Woodson was, but there was a wonderful piece on public radio yesterday that outlined in detail this man, who had been a garbage man, who did menial labor, and I just didn't realize how smart he was. His personal story is remarkable.

Carter Woodson was born in Virginia to former slaves. He attended the University of Chicago—not an easy school to get into, certainly in the early part of the last century, when you are an African American. He then went on to receive his Ph.D. from Harvard in 1912, making him the second African-American man to do so.

As a professor at Howard University here in Washington, DC, Dr. Woodson decided there was a need for Americans—Black and White—to better understand African-American history. In 1926, Dr. Woodson organized the first week devoted entirely to African-American history. He coordinated lectures, panels, and hosted children's plays that celebrated the lives of important figures in Black history.

He had a tough time. They couldn't find places to meet. They wouldn't allow Blacks in many meeting halls. But he found rooms at the YMCA, churches, and Black fraternity houses to meet and to celebrate African-American history. He was relentless. Over the years, the celebration of Black his-

tory grew and grew until President Ford decided to make it not a history week but a history month. He did that in 1976. So February is always recognized—since President Ford did that in 1976—as Black History Month.

In addition to adopting this resolution to honor Black History Month, I hope my colleagues will take a moment to think about this great man, Dr. Woodson, who did so much to help Americans embrace Black history and the many contributions of African-American leaders, such as Frederick Douglass, Sojourner Truth, W.E.B. Du Bois, and many others.

But we must do more than just adopt a simple resolution honoring Black History Month. We should work together to address the issues faced by Black Americans and all Americans today and every month of the year. It is the right thing to do.

Mr. President, I see my friends on the floor. Would the Chair announce the business of the day.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### COMPREHENSIVE ADDICTION AND RECOVERY ACT OF 2015—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 524, which the clerk will report.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 369, S. 524, a bill to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use.

The ACTING PRESIDENT pro tempore. The Senator from Maine.

Ms. COLLINS. Mr. President, I rise to speak in support of the Comprehensive Addiction and Recovery Act, known as CARA, of which I am proud to be a cosponsor. I want to begin by commending Senators WHITEHOUSE and PORTMAN for crafting this vitally important bill and also to thank Chairman GRASSLEY and Ranking Member LEAHY for their leadership in the Judiciary Committee.

The heroin and opioid crisis in this country is devastating to far too many families, including those in my State of Maine. This epidemic can be seen in emergency rooms, local jails, on Main Streets, and in homes throughout our country.

In 2014, there were a record 208 overdose deaths in the State of Maine, including 57 caused by heroin, and the problem is only getting worse. Last year, in the city of Portland, ME, 14 people overdosed in just 1 day. Two of them died as a result of those overdoses.

This last weekend, the Bangor Daily News had a special segment of the