

and I look forward to this next step—only one of many that have to be taken—in aiding our law enforcers, our health care providers, our public officials, such as our representatives today on the Hill, in moving forward and addressing this problem.

Mr. President, I yield the floor.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### COMPREHENSIVE ADDICTION AND RECOVERY ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 524, which the clerk will report.

The legislative clerk read as follows:

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

Pending:

Grassley amendment No. 3378, in the nature of a substitute.

Grassley (for Donnelly/Capito) modified amendment No. 3374 (to amendment No. 3378), to provide follow-up services to individuals who have received opioid overdose reversal drugs.

The PRESIDING OFFICER. The Republican whip.

#### FILLING THE SUPREME COURT VACANCY

Mr. CORNYN. Mr. President, as the entire country knows, it was about 1 month ago that we lost Justice Antonin Scalia. Our country is still dealing with the loss of this man, whose contribution to our highest Court and the health of our Constitution cannot be overstated.

Justice Scalia understood the actual words in the Constitution were important. He famously said that if the American people realized what the Supreme Court did on occasion, which was to substitute their value judgments instead of interpreting the Constitution and laws—rather to substitute their value judgments for those of the people and their elected representatives—they might well feel their values were superior and preferable to those of an unelected life-tenured member of the United States Supreme Court. That is an important reminder.

Justice Scalia was known for expressing himself very colorfully and clearly, and he clearly was no fan of making it up as you go along, which, unfortunately, can happen when the Supreme Court chooses to substitute their values for those of the American people rather than interpret the law and the Constitution.

Justice Scalia was also a key figure when it came to making sure the Court policed the check of Executive power on legislative power. In other words, he believed in the separation of powers and checks and balances. I don't think it is an exaggeration to say that Jus-

tice Scalia helped resuscitate our constitutional principles and inspired the next generation of lawyers and legal scholars and judges to care deeply about our Constitution as originally written. Because of Justice Scalia, our Republic is stronger.

Mr. President, I have listened to and read about comments made by our friends across the aisle who are questioning our intention to allow the American people to help choose who the next Justice on the Supreme Court is going to be by selecting the next President who will make that appointment. It is abundantly clear that the Constitution gives the President the authority to make a nomination, but it is just as clear that the Constitution gives the U.S. Senate the authority to determine how or whether to move forward with any nominee proposed by President Obama. There is ample precedent to support the decision made by Senate Republicans to withhold consent on the President's nominee and to allow the American people's voices to be heard.

That is not to say it will not be a Democratic President making that appointment or it could be a Republican President. We don't know at this early stage in the Presidential election. But we do know it would be improper to allow a lame-duck President to forever change the balance on the Supreme Court for perhaps the next 30 years as he is heading out the door.

There is a lot of precedent for what we have decided to do. Not since 1932 has the Senate, in a Presidential election year, confirmed a Supreme Court nominee to a vacancy arising in that same year—1932. One would have to go back even further—to 1888—to find an election-year nominee who was nominated and confirmed under a divided government, as we have today. So what Senate Democrats are actually insisting on, and the President is insisting on, is that we do something we haven't done for 130 years.

Of course, the position being taken by Senate Republicans is not a new idea either. As a matter of fact, the Democratic leader in 2005 said this—of course, this was when President George W. Bush was President. Senator REID said:

The duties of the Senate are set forth in the U.S. Constitution. Nowhere in that document does it say the Senate has a duty to give presidential appointees a vote.

Senator REID was entirely correct. That is what the Constitution says. As I mentioned earlier, the President can nominate anybody he wants, but the Constitution does not say the Senate is obligated to give a vote to that nominee.

I would note that I read some of the remarks of the Democratic leader this morning, and I just want to say he was apparently critical of a story written that included my name and the word "pinata" included in the story, suggesting this was somehow a threat.

I would be surprised if any person who actually aspired to be on the U.S.

Supreme Court—a current judge or a legal scholar or lawyer—would allow themselves to be used by this administration in making a nomination to the Supreme Court for a seat that will not be filled during the remainder of President Obama's term, knowing they will not be confirmed. And even if a member of the same political party as the President is elected President next year, there is no guarantee that same person will be renominated. So I likened the nomination process and confirmation process to a pinata, which is only to say the confirmation process around here has gotten pretty tough.

But I am not going to be preached to by the Democratic leader, by the Democrats who have been responsible for filibustering judges, creating a new verb in the English language—"Borked"—when they blocked Robert Bork's appointment to the U.S. Supreme Court, when the Democratic leader invokes the nuclear option, breaking the Senate rules for the sole purpose of packing the DC Circuit Court of Appeals with like-minded judges so that the President wouldn't have to worry about judges who might question overreaching his authority under the Constitution by issuing Executive orders or otherwise circumventing the role of Congress. This is a playbook that has been written by the Democratic leader and our colleagues across the aisle. Do they expect us to operate under a different set of rules than they themselves advocated for?

Here is what Senator REID's successor in the Democratic caucus said in 2007. This was 18 months before President George W. Bush left office. Senator SCHUMER, the Senator for New York, said: "For the rest of this President's term [18 months] we should reverse the presumption of confirmation."

I don't really know what he is talking about. There never was a presumption of confirmation. But I guess he is assuming the deference some people show when a President does nominate a Supreme Court Justice. We haven't seen much of that deference lately, I might add. But this is what Senator SCHUMER goes on to say: I will "recommend to my colleagues that we should not confirm a Supreme Court nominee except in extraordinary circumstances."

Essentially, what Senator SCHUMER was saying is that 18 months before President George W. Bush left office, if there were a vacancy created, they would presume not to confirm that nominee.

Of course, we know that back in 1992 when he was chairman of the Senate Judiciary Committee, Vice President BIDEN said: "The Senate Judiciary Committee should seriously consider not scheduling confirmation hearings on the nomination until after the political campaign season is over." That is what Vice President JOE BIDEN said in 1992.

I see the distinguished chairman of the Judiciary Committee here on the

floor, and I want to tell him how much I appreciate his steadfastness in supporting the decision we have made collectively to allow the voters in November, who choose the next President, a voice in who is actually nominated to fill this important vacancy.

I wasn't in the room when Chairman GRASSLEY and Majority Leader MCCONNELL were there with the Vice President and the President; Senator LEAHY, the ranking member; and HARRY REID, the Democratic leader, but I have heard that the question came up: How can you do this? How can you not allow President Obama to fill this vacancy?

I heard that it was pointed out to the President, to the Vice President, to the ranking member, and to the Democratic leader that they were the ones who filibustered judicial nominees by a Republican President. They are the ones who created this environment in which what used to be fairly routine confirmation hearings have become so polarized.

Again, I believe it would be foolish of us to say, "Well, these are the policies the Democrats, when they are in the majority, will employ when there is a Republican President" but somehow to act aghast or surprised when we say, "Well, if the rules are going to apply to you like this, then they ought to apply when Republicans are in the majority and we have a Democratic President."

At the end of a lame-duck Democratic President's time in the White House, all three of these individuals—the Vice President; the Democratic leader, Senator REID; the heir apparent to the Democratic leadership, Senator SCHUMER—all three of them are quick to criticize Republicans on the Judiciary Committee, insisting that different principles ought to apply. But that is hypocritical. It is the height of hypocrisy to say: Well, one set of rules applies to us and a different set of rules applies to you.

This is more than just about hypocrisy; this is really about an important principle. It is important to allow the voters, in choosing the next President of the United States, to make that decision and make sure their voice is heard rather than just 100 Members of the Senate. I don't know why that should be objectionable.

So it is pretty clear to me—it is absolutely clear to me that Senate Republicans stand firmly behind the idea that the people should have a say in this critical issue when they vote in November because there is a lot at stake here—a lot. Depending on who ultimately fills this vacancy next year, the next Supreme Court Justice could tip the ideological direction of the Court for a generation—Justice Scalia served for 30 years—and thus fundamentally reshape American society in the process.

Given President Obama's previous Supreme Court nominees, the question before the American people is whether they want someone with the same or similar ideology to dramatically

change the current balance on the Supreme Court, because if President Obama were allowed to nominate someone who is confirmed in the same mold as those he has already nominated and who have been confirmed, it would for a generation change the ideological balance of the U.S. Supreme Court.

You have to wonder whether the real goal—much like it was when the nuclear option was invoked and we saw nominees to the District of Columbia Court of Appeals, which some people call the second most important court in the Nation—when there was literally a packing of nominees on that court because they wanted to tip the ideological balance of the DC Court of Appeals because most of the important legal decisions made which ultimately go to the U.S. Supreme Court go through that court.

I have no doubt in my mind that the President and his allies wanted somebody who is going to rubberstamp the President's actions. This Court with Justice Scalia I think has rebuked the President on numerous occasions when he overreached his authority—for example, on recess appointments. We have seen an injunction granted by a district court in Brownsville, TX, upheld by the Fifth Court of Circuit Appeals, on the President's Executive action on immigration. The Court has often—led by Justice Scalia—stood strong against attempts by the President to grab power for the executive branch away from Congress and, more importantly, from the American people.

So at this critical juncture in our Nation's history, the American people should have a voice in deciding who selects the next Justice on the Supreme Court. I and my colleagues are absolutely committed to making sure they have that voice.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Mr. President, I am on the floor today to speak on the same subject, but before I do, I want to very briefly discuss two other subjects.

#### REMEMBERING DYLAN HOCKLEY

First, Mr. President, I noticed online today that today would be Dylan Hockley's 10th birthday. Dylan Hockley was one of the 20 first graders who were gunned down in a flurry of bullets at Sandy Hook Elementary School in 2012.

Dylan's mother Nicole has become a crusader for this body to do something, anything in the wake of that tragedy to lessen the possibility that it might visit another community.

Dylan was an amazing little kid, struggling with a fairly severe learning disability but loving every day that he went to school under the care of a great special education professional who died that day as well with Dylan in that classroom.

Dylan would have been 10 years old today. In the 3 years since his death,

we have done nothing, absolutely nothing to honor his memory.

#### MENTAL HEALTH LEGISLATION AND THE TREAT ACT

Second, Mr. President, I want to note that we are moving forward in the HELP Committee on a very important markup next week on a mental health bill Senator CASSIDY and I have been working on for over a year, and we hope that will eventually find its way to the floor of the Senate and in some measure be a very partial answer but an answer nonetheless to this epidemic of gun violence. We hope we will be able to have that debate this year.

I also note that we have a bill in the HELP Committee that I think is a very important complement to the discussion we are having now on the opioid crisis all across the country. As my colleagues know, there is a limit on the number of patients to whom providers can prescribe Buprenorphine, which is really the most effective, least addictive of the heroin substitutes. As a physician, you can only prescribe this drug to 100 clients. If you are a physician assistant or a nurse practitioner, you are not allowed to prescribe. In Connecticut, that is the biggest obstacle we have—we don't have enough physicians who can prescribe this very effective drug.

The TREAT Act, which is a bipartisan bill, removes that cap for physicians and allows nurses with higher levels of training and PAs to prescribe that drug as well. I hope the HELP Committee will take up this bill as part of our markup next week. If it were up to me, we would include it as part of our mental health initiative and move it to the floor en bloc. The CARA bill is very important this week, but let's be honest: There is no money in it, so there are a bunch of new programs but no new resources for us in Connecticut to try to take on this fight.

If we were to pass the TREAT Act next week in the HELP Committee and move it to the floor, that would be real, tangible relief for communities in Connecticut. It would mean that more addicts coming out of detox would have access to true elements of recovery—in particular, this very effective drug.

I am hopeful that the HELP Committee will move on this bill next week and that we can bring it to the floor perhaps as part of this broader mental health package. In one fell swoop, we could have a partial answer to the epidemic of gun violence that plagues this country and a passage of the TREAT Act or a version of it that by itself might actually be more substantive than anything in the piece of legislation that is before us today.

#### FILLING THE SUPREME COURT VACANCY

Mr. President, I do want to spend a few moments talking about this crisis that is gripping the U.S. Senate with respect to a vacancy that looks to remain for the next year on the Supreme Court.

I have only been in the Senate for 3 years. This is my first term. I can't

claim to hold any special status as a guardian of this institution, which has stood the test of time for over 200 years, but I am a student of history, and I did choose to run to be a Member of this body because of the enormous respect I have for it and its unique role in the unique system of U.S. Federal governance. That is why I do believe we are at a moment of crisis right now in which the Republican majority is blocking President Obama's constitutional responsibility to name a Supreme Court nominee, a ninth Justice.

I think this is a watershed moment for the U.S. Senate. I say that with a connection to a State that has had a particularly important role in the creation of this body. Right outside this Chamber, there is a relatively new painting above the door leading into the Reception Room of Oliver Ellsworth and Roger Sherman, who were delegates to the Constitutional Convention. They were the authors of what is referred to today as the Connecticut Compromise. Roger Sherman was the primary author of it; it is sometimes called Sherman's Compromise. This was the compromise that established the U.S. Senate, established the premise that this body would be made up of two Members from each State and that because of its 6-year term would be much more immune to the political tempest of the moment that often grips the Chamber down the road, that we would have a unique ability to rise above the partisan fray and make decisions that are in the best long-term interests of this country.

Frankly, those have been the best traditions of this body going back to the fifties and sixties when this Senate led the fight to expand civil rights laws or just 2 years ago when we were able to come together and pass an immigration reform bill, with the Presiding Officer's leadership, that I think will set the platform for resolving that issue in a commonsense way down the road. But the crisis that is gripping this place today, I fear, has no end because of the new rule that is being established. I just heard Senator CORNYN talk about the illegitimacy of a lame-duck President making a nomination to the Supreme Court. Once something like that is established, it will be difficult to unravel.

If you accept that argument, then this Senate will never again act on the nomination of a President in his second term. I suppose a second-term President will be perceived by his lame-duck status to be illegitimate for the purposes of nominating Justices to the Supreme Court, and by that argument, likely illegitimate for the purposes of nominating anyone to the Court because he is a lame-duck, and thus the people need to have their say in the next election.

That is a radical transformation of the U.S. Constitution, and it sets up perpetual crises in which there could be long stretches of time equaling 4 years where we will have eight, seven or six Justices.

Just simply accepting the assistant leader at his word, we would be establishing a new precedent in which the Supreme Court would have less than nine individuals for enormous stretches of time. But I think this is about something more. This is about an unwillingness to allow this President, a Democratic President, to replace a Justice on the Supreme Court while Republicans are in charge. They say it is because it is the last year of his term—or perhaps the last 4 years of his term. But if this is simply about a Democratic President replacing a Justice on the Supreme Court who tended to be more conservative, then that precedent has no end either. I think Republicans are naive to believe that Democrats wouldn't avail themselves of the same precedent at some point in the future and hold up nominees being offered by Republican Presidents. That is certainly not our hope nor is it the stated intention of anyone on this side of the aisle. But once you cross that Rubicon, I think it would be very hard to come back. All of a sudden we will have entered an era in which no Senate will want to take up the nomination of a President of the opposite party.

Senator CORNYN talked about how there is very little precedent for this. Well, there is very little precedent because there are very few instances over the course of the last 100 years in which there has been a vacancy created in an election year. It is not because there is a history of past Senates blocking the replacement of a Supreme Court Justice when a vacancy occurs in an election year. It is because the very scenario we are faced with today has not happened. In fact, over the course of the last 100 years, the only time in which the Senate has not acted on a vacancy created in an election year was, A, very late in an election year and, B, with respect to the elevation to the position of Chief Justice. The reality is that in the last 100 years the Senate has taken action on every pending Supreme Court nominee to fill a vacancy, regardless of whether the nomination was made in a Presidential election year.

Over the course of our Nation's history, there have been 17 Justices confirmed in a Presidential election year. Not since the Civil War has it ever taken more than a year to confirm a nominee for a Supreme Court vacancy. The average, of course—we heard it over and over—has been 67 days from nomination to the final Senate vote.

But what Senate Republicans are proposing is that this President—with over 300 days left in his term—will not even get the courtesy of a vote in the Judiciary Committee, never mind a vote on the Senate floor. They contend that this nominee will be rejected sight unseen, which is why we think all America is saying to Senate Republicans: Just do your job. Go through the hearing process, meet with the nominee, and bring that nominee to a vote on the Senate floor.

There were lots of Democratic Senators who opposed Clarence Thomas when he was nominated, but that didn't stop them from allowing a vote on the Senate floor. You can oppose this nominee once you take a look at their credentials and assess their suitability for the Court, but do your job and show the respect for the institution of the Presidency such that his choice will at least get a fair hearing in the Judiciary Committee and on the floor of the Senate.

I hope that for my sons' sake the effect of our actions over the next year doesn't effectively rewrite the Constitution and that pages don't need to be added to their textbooks in order to place caveats on the obligations of the President and the responsibilities of this body. I hope we don't all of a sudden create a new rule in which you only get a vacancy filled if the Senate and the Presidency happen to be of the same party or you only get a vacancy filled, as Senator CORNYN would suggest, when you have a nomination in the first 4 years of your potential 8-year tenure.

Lastly, what I worry about most greatly is the effect of this decision giving credence to the belief among some that this President is illegitimate. I don't think that is held by Members of this body, but I do know there are many in this country who don't recognize the legitimacy of this President, and the way in which we treat this office often gives purchase to those arguments. There is a standard of review that we have created for diplomatic agreements that we never held previous Presidents to. There is a furor over the Executive actions taken by this President even though previous Presidents have taken similar Executive actions—such as with the issue of immigration—and have taken far more Executive actions than this President has. I worry that, by disrespecting the institution and not even allowing for meetings to be held between this nominee and Members of the Republican majority, we feed this belief that this particular President doesn't share the legitimacy of previous Presidents.

For all of those reasons, I hope we can just make a commitment to do our jobs and begin the process of considering the Supreme Court nominee once the President makes this nomination.

I thank the Presiding Officer, and I yield the floor.

**THE PRESIDING OFFICER.** The Senator from New Mexico.

**MR. UDALL.** Mr. President, I rise today to talk about the prescription drug crisis. Every day someone in our Nation dies—a son, daughter, a parent—from a drug overdose. Most overdoses are from prescription drugs, such as opioid painkillers. Too often drugs that were intended to bring comfort end up bringing tragedy. Oxycodone, hydrocodone, OxyContin—we have an epidemic of these prescription drugs and the abuse of them. These drugs wreck lives, wreck families, and wreck entire communities.

In my home State of New Mexico, we know this all too well. We have the second highest rate of drug overdose deaths. We are in a crisis, and it is getting worse. More New Mexicans are dying from drug overdoses than ever before. It touches home and it hits hard.

One of those we lost was a young man named Cameron Weiss. According to the Albuquerque Journal, Cameron was 18 years old, an athlete, a poet, and then became addicted to painkillers for the treatment of sports injuries. That led, as it often does, to heroin. Within 2 years this promising young man with his whole life ahead of him was dead from a heroin overdose.

His mom, Jennifer Weiss, took her grief and put it to work to help others. After Cameron's death, she founded a group called Healing Addiction in Our Community so she could help other young people struggling with addiction. She told the Albuquerque Journal the following:

Something tragic has to happen before change happens. Unfortunately, when it comes to heroin, that tragedy happens all the time.

Most of us know young people like Cameron. A similar story of another young life that was lost to a heroin overdose was shared with me last week. This young man's father who visited my office is a medical professional in New Mexico. With all of the resources and knowledge available to him, he was still not able to prevent his son's tragic death last year at the age of 22.

One of my own staff members who was raised in Albuquerque lost four of his friends at Cibola High School. All four turned to heroin after abusing prescription drugs. One was his best friend, Michael, whose life was cut short at 30 years old.

We see this pattern time and again. A person becomes addicted to painkillers and then turns to another prescription or to heroin, which is cheaper and easier to get. It is a lethal combination and a downward spiral.

We have all heard the numbers, and they are chilling. Opioid-related deaths quadrupled nationally from 2002 to 2013. In 2014, nearly 30,000 Americans died from prescription opioid and heroin overdose. More Americans die each year from drug overdoses than from car crashes. Addiction knows no boundaries of race, gender or background, but our Hispanic and tribal communities in places such as Rio Arriba County, NM, are ground zero. Year after year, Rio Arriba County has the highest rate of overdoses in the Nation, more than five times the national average.

Just a few weeks ago KOB-TV reported on the toll that this has taken, generation after generation casting a long shadow over the beautiful Espanola Valley.

A young man named Rufus Billy said: "Growing up here, they'd say this was the heroin capital of the world."

For many, prescription painkillers come first and heroin comes later. Ac-

cording to KOB, prevention groups report that 2 million opioid prescriptions were filled in New Mexico in 2014, double the number from 10 years ago.

The abuse is so severe, according to Rio Arriba County Sheriff James Lujan, that "6 and 7-year-olds are talking about grandma and grandpa being addicts. . . . It's like a never-ending cycle."

New Mexico is on the ropes and so many other States are as well. I listened to my colleagues from both sides of the aisle. The stories are heart-breaking, and, sadly, we are losing the fight.

This is not just about numbers. It is about families and communities torn apart. Too often it is a story of those looking for help and not finding it. We can change that, but it will take more than words, more than handwringing. It will take a real commitment, and, let's be clear, real money.

Rehab saves lives—not always, and that is a tragedy all its own for some families. But treatment certainly can't help when you can't get it. People are desperate and trying to get treatment and help. We see this every day, especially in rural States like New Mexico. That is why we need to pass the Comprehensive Addiction and Recovery Act, because this isn't just about addiction. It is about recovery and giving hope to those who feel hopeless.

I am proud to cosponsor this bill, and I thank Senators WHITEHOUSE and SHAHEEN for their leadership. CARA will help States and local communities fight this battle for prevention, education, treatment, and law enforcement efforts. CARA is a step forward, and we urgently need to move forward. We can't keep falling behind.

In Spanish, C-A-R-A, "cara," means face. We should remember the faces and remember our loved ones. These are not just statistics. That is why I have also introduced legislation to improve monitoring of prescriptions and to have a better referral for addicts to treatment services. It also directs the FDA to review naloxone, which is an important lifesaving medication for over-the-counter use.

There is no doubt we have a crisis. We can't just say what works. We need to pay for what works. Our commitment has to be equal to the challenge, so I am quite disappointed that last week we did not adopt a key amendment for additional emergency funding. Let us step up to the plate and get this done.

I yield the floor.

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

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

Mr. BARRASSO. Mr. President, a couple of weeks ago, a small agency in

New York State took a very big step that I think is very dangerous. The State Board of Regents said it will start giving some illegal immigrants a license to practice medicine in the State of New York. This is a State agency that grants certificates and licenses for more than 50 different professions. You need this board's permission if you want to be a nurse in New York, a pharmacist, a dentist or a doctor. I think it is a terrible idea to grant licenses to illegal immigrants because doctors, dentists, and others are entrusted to prescribe powerful medications. That is the point of the bill we are on right now. These include these very opioid painkillers we have been talking about for the past few weeks.

Right now the Senate is debating what we can do to help communities and families who are struggling with abuse of these drugs. I think a big part of the problem is that these powerful medications are just too widely available. I can tell you that, as somebody who practiced medicine in Wyoming for 25 years, I worry that there are physicians and dentists who may be too free in prescribing opioids, very addictive medicines.

There are pharmacists who maybe haven't been as careful as they could be about making sure the drugs are used appropriately by the people who come to pick up prescriptions, and families across the country have been hurt by this abuse of these opioids, including many in New York State itself. Senator GILLIBRAND came to the floor last week to talk about it. She talked about the problem of opioids being overprescribed in New York.

So then the question is: Why is New York State so eager to allow these drugs to be prescribed and dispensed by people who we know have already broken the law? The legislation we are debating today tries to reduce the flow of opioids, to reduce the ways that they might be prescribed improperly. It includes language that would help States monitor and track prescriptions. That is a very important part of this legislation which I support.

Senator MARKEY of Massachusetts has actually offered an amendment that would do even more. It would tighten the process for registering people to dispense powerful drugs like these opioids. Under the rules today, the Drug Enforcement Administration registers doctors before it allows them to write these prescriptions. Senator MARKEY's amendment says that before anyone could even get this registration, they would have to complete additional training.

We all want to make sure people who have been handing out these medications can be trusted to do it responsibly. We all should have to be very careful about giving a prescription pad to someone who, by history and maybe even their identity, may be unclear. So I am submitting an amendment to this Comprehensive Addiction and Recovery Act that will help us do this. This

amendment actually takes the same approach as Senator MARKEY's does. It adds a simple requirement, a requirement that before the Drug Enforcement Administration can register someone to prescribe or dispense these powerful addictive medications, that this applicant must be able to prove that they are either a U.S. citizen or a legal resident. That is it.

There is actually a Federal law already on the books that requires this. It was signed into law and passed by Congress and signed by Bill Clinton in 1996, but there was a loophole in the law that allowed States—like what New York is doing—States to come around later and exempt illegal immigrants from the requirement in their State.

New York is doing that right now through its board. It is not the State legislature that is doing it in New York. It is not the citizens of New York who are doing it. They are not the ones saying they are willing to take a chance and loosen the standards of those who can prescribe these powerful, addictive medications. This is being done, and this decision is being made by a very small State agency acting on its own authority. I think this decision is much too important to be left to a small group of people in Albany, NY.

I want to be clear. This is not about immigrants. This is about the threat that comes from the misuse of opioid painkillers. It is about maintaining the standards of the law. My grandfather came to this country. He did it legally like millions of others. He followed the rules. He worked hard. He continued to obey the law. We all know this is a country of immigrants, and we know America still proudly welcomes legal immigrants today.

We also know that being a doctor is not like other jobs. When a patient goes to her doctor, she may literally be placing her own life in that doctor's hands. People need to have complete confidence that their doctor is ethical, honest, and can be trusted with life-and-death decisions. How can a patient have this kind of faith in someone who broke the law and is in the country illegally at this time? This action by the New York Board of Regents could seriously undermine the doctor-patient relationship and the trust that needs to be there.

Doctors are held to the highest possible standards. They need to be outstanding members of their community. In the State of New York, a doctor can actually lose their license if convicted of a crime. What is it being in the country illegally? Why would we then give a license to someone who already knows they have committed a crime by being in the country illegally? It makes no sense.

As a doctor, I will tell you these opioid medications are very powerful. They can be abused, and they have been abused, especially if they fall into the hands of someone who is not up to the highest moral professional and

legal standards who is writing the prescription in the first place.

We in Congress have a responsibility to make sure such dangerous medications can be given out only by people who meet the standards. I think it would set a terrible precedent if we allow people who are in this country illegally to begin prescribing these highly addictive drugs, but that is what New York wants to do. I don't think we can allow someone who has broken the law to serve as the gatekeeper for those potentially dangerous medications. We owe every American the peace of mind that the doctor treating their sick child is who that doctor claims to be and that their doctor is in the country legally.

The New York Board of Regents is ignoring, absolutely ignoring, this important public health and public safety concern. If New York will not act to protect its people, then Congress must.

Thank you.

Mr. President, I yield the floor.

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

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

#### RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:30 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

#### COMPREHENSIVE ADDICTION AND RECOVERY ACT OF 2015—Continued

The PRESIDING OFFICER. The Senator from Rhode Island.

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

The PRESIDING OFFICER (Mr. LANKFORD). Without objection, it is so ordered.

Mr. PORTMAN. Mr. President, today the Senate continues to work on legislation that addresses the heroin epidemic affecting our communities all over the country. Every State represented by a Senator in this Chamber is affected by it. I am pleased to see that yesterday we had a strong vote on an important step forward to consider more amendments, with the hope we will consider them today or tomorrow and then have a vote on this legislation before the end of the week and send it over to the House of Representatives,

where there is similar legislation, a companion bill that has already been drafted and is also bipartisan.

I thank SHELDON WHITEHOUSE, who is on the floor now, my coauthor, and also Senators AMY KLOBUCHAR, KELLY AYOTTE, and the 42 other bipartisan co-authors of our legislation. This is bipartisan, but it is also comprehensive and evidence based. It is not just supported by a lot of Senators, but it is also supported by a lot of groups. That is very important.

Over the past few years, Senator WHITEHOUSE and I have worked with groups around the country and in our own States to come up with the right answers; in other words, evidence-based solutions to prevention and education to help people not make the mistake and get into the funnel of addiction but also, once those people are addicted, to help them more with better treatment, better recovery, and to ensure we are treating addiction like a disease, which it is. We are also helping law enforcement and helping to keep prescription drugs off the bathroom shelves and helping to monitor people's prescription drug use because a lot of this comes from the overprescribing of prescription drugs for pain medication.

I am pleased to see we are making progress, and I want to talk about one specific issue that is included in the legislation but which we have yet to talk about, at least at length on the floor.

Over the last few years, we have had five forums in Washington, DC, to talk about issues related to addiction. Some have been with regard to the science of addiction, some about our youth, some about prevention, and some about better treatment options, but we had one that was particularly interesting, I thought. It was about a very special issue; that is, how to treat substance abuse impacting our veterans and servicemembers and how to prevent our veterans and servicemembers from becoming subject to this addiction.

In the legislation we are considering on the floor, we focus on this issue. This came out of the expert testimony we had and the work that has been done around the country on this issue. CARA allows veterans who were discharged for a substance abuse disorder to use drug courts as they recover.

Too often our men and women come home from serving our country with untreated trauma and PTSD, which often manifests itself in an addiction. We know from the research that has been done that more than 20 percent of veterans with PTSD also suffer from an addiction or dependence on drugs like heroin or a dependence on alcohol. So post-traumatic stress disorder is related very much to this addiction issue.

A few weeks ago, I was in Columbus, OH, and met with our veterans court there. We had a roundtable discussion with some of the veterans who had been through it. It was actually a very inspiring experience hearing from veterans, many of whom had been serving