

have clearly noted that fewer telehealth patients started taking escalated doses of opioids than people who were simply taking medicine on their own. Telehealth holds promise in lots of areas. I believe this happens to be one of them. As chairman of the Labor, Health and Human Services Appropriations Subcommittee, I was proud to see us increase funding at a 284-percent increase. I will say again that we did that by cutting funding in other areas. One of the things the government has to start doing is to truly prioritize. If everything is a priority, nothing is a priority.

Today, with this piece of legislation, the Senate is telling our friends on the other side of the Capitol and around the country that this is an epidemic we intend to deal with. I look forward to the continuation of this debate, the end of this debate, and passing this bill.

Thank you.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### FREEDOM FOR BOB LEVINSON

Mr. NELSON. Mr. President, I wish to speak about Bob Levinson, a retired FBI agent who 9 years ago today disappeared in Iran. He was on the tourist island of Kish. It is a little island off the coast of Iran, and it is Iranian territory. It is in the Persian Gulf. It is just a few minutes' flight from Dubai. Bob Levinson was there. There is conflicting information, but in the process of checking out from his hotel and getting into a cab and going to the airport to return—I think to Dubai—he disappeared 9 years ago today.

There is a lot of mystery surrounding the disappearance, and there is a lot of mystery surrounding what has happened ever since. There is a mystery as to why the FBI, shortly after his disappearance, was somewhat lackadaisical about pursuing it. It is a mystery as to why the CIA was not coordinating with the FBI in pursuing vigorously the disappearance of Bob. There is no mystery surrounding the fact that, finally, the two agencies got their act together and started to vigorously pursue the disappearance of Bob Levinson. I wish to give great credit to the agency, since they tried to get to the bottom of it, but that has led us nowhere, and here we are 9 years later.

It is particularly troubling to all of us, including all of our negotiating team for the Iranian nuclear agreement, because at every meeting, both high level and low level, at the direction of our Secretary of State, first Hillary Clinton and then John Kerry,

over and over it was brought up to the Iranian Government. It is frustrating for this Senator, being the Senator from Florida where a wife and seven children are left behind, and for Christine Levinson, whom I have met with many times, as well as her sons and daughters and most recently both Christine and her son, as they plead for help, for just any information.

About 5 years ago there was proof of life, and it was a video, and Bob was looking very gaunt. He had been gone several years at this point. He was pleading: Don't forget him. Sometime after that, but within a year, the last proof of life was a photograph showing an even more emaciated Bob with a huge beard and unkempt hair. Again, the picture says all we need to know. Why is he being left behind? Here, 9 years later, supposedly we don't know anything.

This Senator, on behalf of Christine and her family, went years ago to the Iranian mission at the United Nations—the only place that Iran had an ambassador here in the United States, since we do not have diplomatic relations—and made the case on humanitarian grounds. That case has been made over and over and over again, including directly with Foreign Minister Zarif and the new Iranian Ambassador last September, in a meeting of a handful of Senators on behalf of all of those who have been kept by Iran. Subsequently, some have been released, including the fellow from Michigan, the former marine, and so forth, whom we know about—but nothing about Bob Levinson.

Of course, the Government of Iran always says: We don't know anything about it. Oh, we thought he was in Pakistan.

Those are always the answers. But he disappeared in Iran, and with the very strict state-controlled Iranian security apparatus, obviously, they know what happened. Certainly, 9 years later, they should know what happened or at least have the capacity to be able to find out what happened to Bob Levinson. The rest of us keep searching in every possible way.

A couple of years ago it became apparent to this Senator that the Associated Press was about to publish a story talking about Bob Levinson's clandestine activities. This Senator called the executive editor and pled that they not publish the story, that they do what the responsible New York Times had done. New York Times investigative reporter Barry Meier sat on the story for over 3 years, knowing that if the story about clandestine activities were published, it could jeopardize Bob's life. To no avail, the Associated Press executive editor said to this Senator: Well, they already know this. Despite my pleading to them, the answer was no, and they went ahead and published the article. I vigorously disagreed with the Associated Press's conclusions, and I think that jeopardized Bob's whereabouts as well as his safety.

Here we are, several years later, 9 years after the apparent disappearance, and still there is nothing about Bob Levinson. So it is the conclusion of this Senator that if the Government of Iran—namely, President Ruhani, as told to us by his Foreign Minister Zarif—knows nothing about it, well, somebody in Iran does. Maybe that tells us something about Iranian society and the Iranian Government—that there are these different power centers, one being the Revolutionary Guard and another the exclusive Quds Force. But there is one person that is over all of this in Iran, and that is the Supreme Leader, and he should know. All the pleas that have been made on the basis of a humanitarian plea for a family—a wife and seven children—thus far have been ignored.

This brings us to the next point. According to New York Times investigative reporter Barry Meier, a meeting took place in 2011 in Paris in the Iranian Embassy with the Iranian Ambassador by a group of private American citizens who were doing what they could to facilitate the location of Bob or any information about Bob, and the Iranian Ambassador told them that, yes, Iran had Bob Levinson. This is according to a story published in the New York Times by Barry Meier a few months ago.

This Senator called Barry Meier and asked: "Are you sure of your facts?" And he said yes. This Senator then called one of the people that was associated with this audience of private citizens, and that person, when I met with him, confirmed that what the New York Times had published was accurate and true, and that, in fact, the FBI had been called and the FBI had met with representatives of the Iranian Embassy in Paris right across the street from the Embassy in a cafe in Paris.

This Senator called the former Deputy Director of the FBI—a man of impeccable reputation—Sean Joyce, who before he was Deputy Director had spearheaded the efforts on trying to find Bob Levinson and continued that in his new role as the No. 2 in the FBI. Just last week this Senator talked to Sean Joyce, and he said that he didn't know anything about this. Well, if an investigative reporter has found out this information and it has been confirmed by people who were there or knew of that meeting and, at the time in 2011, the top guy in the FBI who is spearheading the efforts to try to get Bob Levinson, a former FBI agent, doesn't know about it, what does this suggest? It suggests that there is a huge disconnect in the FBI, which leads this Senator, who has been on this case for 9 years on behalf of a grieving wife and seven children, to wonder what in the world is going on.

Until this turmoil is sorted out, the bottom line is that we want Bob Levinson home with his family for humanitarian reasons. I know John Kerry is doing all he can, but we have to find

another way to get to the Supreme Leader. Maybe it is through some of these private contacts. Why has that not been coordinated? I know the White House is involved in this, but do they know about that 2011 meeting? If FBI agents were there on the case, why was the White House not informed along with the leadership of the FBI? Something is terribly amiss, and we need to get to the bottom of it.

Sadly, on this ninth year of Bob Levinson's disappearance, a patriotic American who—poof—on the way to the airport disappeared from Kish Island, Iran—sadly, 9 years later, there is no information about bringing Bob Levinson home.

To the President of the United States, the Secretary of State, the head of the FBI, the head of all of our alphabet agencies: It is time to get the information about Bob and bring him home.

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

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

#### 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. Under the previous order, the time until 12 noon will be equally divided between the two managers or their designees.

The Senator from Oklahoma.

#### REMEMBERING JUSTICE SCALIA

Mr. LANKFORD. Mr. President, on February 13, 2016, the Supreme Court lost one of its Justices, our Nation lost a true legal giant.

Justice Scalia was described by colleagues as "extraordinary," "treasured," and "a stylistic genius." Beyond his unwavering dedication to upholding the originalist viewpoint of the Con-

stitution, Justice Scalia was also wholeheartedly committed to his family. He was a husband, father of 9, and grandfather to 36 grandchildren.

His son Paul said of him during his homily:

God blessed Dad with a love for his family. . . . He was the father that God gave us for the great adventure of family life. . . . He loved us, and sought to show that love. And sought to share the blessing of the faith he treasured. And he gave us one another, to have each other for support. That's the greatest wealth parents can bestow, and right now we are particularly grateful for it.

Justice Antonin Scalia was nominated to the Supreme Court in 1986 by President Reagan and was confirmed by the Senate in a unanimous vote. While his time on the Court often led to some criticism of his legal opinions and his very colorful dissents, he remained respected by his colleagues, even those of the opposite end of the judicial spectrum. This is a sign of true character—to have an open, honest debate about a particular issue while respecting the individual person holding an opinion different from your own.

Justice Scalia said:

I attack ideas. I don't attack people. And some very good people have some very bad ideas. And if you can't separate the two, you gotta get another day job.

The sentiment was best portrayed through his friendship with Justice Ginsburg. As one of his friends, she said:

We are different, but we are one. Different in our interpretation of written texts. One in our reverence for the Constitution and the institution we serve. From our years together on the D.C. Circuit, we were best buddies. We disagreed now and then, but when I wrote for the Court and received a Scalia dissent, the opinion ultimately released was notably better than my initial circulation.

Justice Scalia was known for his wit and his sarcasm in his writings, famously referring to legal interpretations of his colleagues as "jiggery-pokery," "pure applesauce," and "a ghoul in a late horror movie." Yet it was these same criticisms that Justice Ginsburg said nailed the weak spots in her opinions and gave her what she needed to strengthen her writings.

Justice Scalia represented a consistent, constitutional voice on the Supreme Court. Just as the Constitution is the pillar of our legal system, so too is his affirmation to this foundational document of our Nation. He said:

It is an enduring Constitution that I want to defend. . . . It's what did the words mean to the people who ratified the Bill of Rights or who ratified the Constitution, as opposed to what people today would like.

Justice Kennedy said:

In years to come any history of the Supreme Court will, and must, recount the wisdom, scholarship, and technical brilliance that Justice Scalia brought to the Court. His insistence on demanding standards shaped the work of the Court in its private discussions, its oral arguments, and its written opinions. Yet these historic achievements are all the more impressive and compelling because the foundations of Justice Scalia's jurisprudence, the driving force in all his

work, and his powerful personality were shaped by an unyielding commitment to the Constitution of the United States and to the highest ethical and moral standards.

#### FILLING THE SUPREME COURT VACANCY

Mr. President, with Justice Scalia's passing, we have a vacancy on the Court to fill.

The question is, When?

I would submit, with only months left until the Presidential election, that we should let the people decide.

I have heard over and over for the past 7 years that elections have consequences, but apparently some people seem to only think elections have consequences on Presidential elections. The American people elected a brand new Senate in 2014 because of their incredible frustration with the operation of the previous Senate and because of the direction that we are now heading under this President.

I have heard this argument for years: The President should be able to do what he wants. He is the President. But may I remind everyone of a document in our National Archives called the U.S. Constitution, which gives divided power to our Nation. The President is not over the Senate, not over the House, and not over the Supreme Court.

Hyperbole of this has been overwhelming to me in the debate of the past few weeks. I have heard that unless we replace Justice Scalia right now, we will "shut down the court." I have heard on this floor people say that if we don't replace Justice Scalia immediately, it is "dangerous," it is "unprecedented," it is unheard of. I have heard: "Do your job"—a failure to do your duty. I even heard one Senator say: "The Constitution says the President shall appoint and the Senate shall consent."

Well, let me show you article II, section 2 of the Constitution where that comes up. It says that the President "shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate"—the President shall nominate. That is his constitutional responsibility. But it is not the constitutional responsibility—it never says the Senate shall give consent to the President. Why? Because the Constitution gives the role of selecting a Supreme Court nominee in a 50-50 responsibility between the Senate and the President of the United States.

The President shall nominate; that is his responsibility. But that only moves forward with the advice and consent of the Senate. There is no "shall give consent." There is no requirement how it moves.

In fact, Alexander Hamilton in *The Federalist Papers*, on this very issue, said that the "ordinary power of appointment is confided to the President and Senate jointly."

This is a 50-50 agreement. What we are facing right now are incredible attacks on the chairman of the Judiciary