

find out whether or not there is a GE ingredient or having to give up their privacy and go to a Web site sponsored by the company that made the food. That is not information that allows the consumer to make a choice.

What if a consumer had to go to a phone company operating overseas to find out—I don't know—the calories that are in the food or the vitamins that are in the food? That would be ridiculous. It is absurd. It is a sham and a scam. It is a theft of individual freedoms in this country. And shouldn't we all in the Senate be standing up for freedom for American citizens who, by the way, when asked in a nationwide poll, 9 to 1 say they want this information on the package; 9 to 1 say that. Here we are in this deeply divided country where we have this huge spectrum of ideologies that we are seeing in the Presidential campaign. Yet, on this issue, Independents, Republicans, and Democrats, 9 to 1—I am rounding off slightly, but very close—9 to 1 in all three categories say they want this information on the package, and 7 out of 10 said they feel very strongly about this. So that is the desire of the American people. That is the “We the People” that is in our Constitution that we are pledged to support.

Here we have a bill on the floor that is designed in the dark of night while people are paying attention to Presidential primaries, the press is paying attention to that, and in the dark of night they are trying to take away that freedom. Isn't that just completely wrong?

Mr. TESTER. Well, absolutely. The Senator from Oregon hit the nail on the head. We need to defeat cloture. We need to defeat this bill. If we want to take up a labeling bill, we ought to take up the Merkley bill and pass it. That would empower consumers. It would give them freedom. It would live up to what our forefathers had in mind for this country. Instead, in my opinion, they are doing exactly the opposite.

This is a bad piece of legislation. The Senator is right. The polls do show that across the parties, we are all Americans on this one, 9 to 1. We have to listen.

If folks are having a hard time hearing what people are saying, they should just read their emails. Hear what the folks out in front of our offices are saying, because folks are talking and we need to listen. Read the editorial pages. Folks are not asking for anything out of the ordinary. They just want to know so they can make decisions.

So I hope this body will defeat this bill, put it to bed, and then we can talk about a labeling bill that makes sense for this country.

Mr. MERKLEY. I thank so much my colleague from Montana for being such a clear and powerful voice on this issue of freedom, of American consumers' rights, of States' rights, and for his solid opposition to this Monsanto

DARK Act—Deny Americans the Right to Know—2.0. Thank you.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. LEE). The Senator from Arkansas.

NATIONAL AGRICULTURE DAY

Mr. COTTON. Mr. President, I grew up on a cattle farm in Dardanelle, where I started helping my dad around the farm when I was just a little boy. In fact, I was kicking hay bales off the truck when I was barely bigger than those hay bales. Growing up, most people I knew had some connection to farming, and I am proud to say that in Arkansas, that is still mostly the case today.

In honor of National Agricultural Day, I wish to say a few words about Arkansas' agriculture and what it means to our State.

Agriculture is Arkansas' largest industry. It accounts for over \$20 billion in value added to our State economy each year and contributes to thousands and thousands of jobs. Arkansas is a top 25 producer in 23 different agricultural commodities, and we rank first in the Nation in rice production, producing close to 50 percent of the rice in the United States.

It doesn't end there. We are also a major exporter of crops like soybeans, cotton, poultry, and feed grains. Our catfish and timber industries are booming and our cattle inventory exceeds 1.7 million head. Our agriculture industry is also expanding by the day. We have recently become a big player in the peanut industry.

For Arkansas, agriculture is more than just a business; it is a passion and a way of life. We have nearly 50,000 farms in Arkansas, and 97 percent of them are owned by families. Neighborly chats in Arkansas often tend to focus on planting seasons and beef prices. And in towns like Dardanelle, kids don't have to worry about farm chores keeping them from playing with their friends on a Saturday because those friends are likely busy helping on their farms too.

Agriculture is who we are. I have certainly taken the lessons I learned growing up on a farm with me into the Army, the Congress, and now fatherhood.

So, today, and every day, let's remember Arkansas' and America's farmers and ranchers. Happy National Agriculture Day.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mrs. MURRAY. Mr. President, I ask unanimous consent that I may speak in morning business.

The PRESIDING OFFICER. The Senator from Washington is recognized.

FILLING THE SUPREME COURT VACANCY AND WOMEN'S HEALTH CARE

Mrs. MURRAY. Mr. President, I come to the floor once again with a simple message for Senate Republican leaders: Do your job and let me do mine.

When President Obama sends us a nominee to fill this vacancy on the Supreme Court, Republican leaders need to stop playing politics, stop pandering to the tea party, and fulfill their responsibility to their constituents, their country, and the Constitution. That is what people across the country are demanding.

But the hearing Republicans on the Judiciary Committee held this morning makes it clear they are not getting the message, because while the Republicans on that committee say they won't take up their time to do their most important actual job, they were happy to spend their time this morning on their favorite hobby—doing everything they can to turn back the clock on women's health care. While they say they won't even hold a hearing on a Supreme Court nominee to fulfill their constitutional responsibilities, they were eager to hold the hearing this morning to attack women's constitutional rights.

Mr. President, I wish I were surprised by this, but, unfortunately, this is just the latest example of Republican leaders playing political games with the rights of women across the country and pandering to their extreme tea party base.

Republicans love to say they want to keep government out of people's lives, unless of course we are talking about women's health care and their choices. They love to talk about the Constitution, unless we are talking about a woman's constitutional right to make decisions about her own body or the part that lays out the Senate's responsibility when it comes to filling Supreme Court vacancies.

But people across the country are sick of the partisanship, sick of the gridlock, and sick of the games. They want Republicans to do their jobs, and they are not buying their excuses for inaction.

For the last few weeks, Republican leaders have been desperately trying to convince people that there is a precedent for their extreme obstruction in this election year. Well, first of all, their arguments have run up against the facts. They simply are not true. The Democratic Senate confirmed President Reagan's Supreme Court nominee in his last year in office. And that is just one example of many.

But in case the facts weren't enough, last week the Republicans' message facade began to crumble, and the truth began to come out. First, one Republican leader warned that any potential nominee should be aware that he or she

will be treated like a pinata. Republicans say they will refuse to even meet with the nominee. But they and their special interest groups are clearly getting ready to drag him or her through the mud.

Also, speaking to his constituents back home, another Senator made it clear that Republicans' refusal to do their jobs right now is nothing more than partisan politics. He said: If this President were a Republican, it would be "a different situation," and there would be "more accommodation."

We all knew this Republican obstruction had nothing to do with what is actually right and everything to do with the fact they do not like that President Obama is President right now, but it was nice to hear a Republican Senator actually admit that out loud.

Another Republican, the senior Senator from South Carolina, admitted last week that this kind of blind obstruction, this refusal to even meet with a Supreme Court nominee or hold hearings, is absolutely unprecedented. He said Republicans wanted to create a new rule—right now—limiting President Obama's constitutional authority and responsibility. Well, I am glad he made clear that what Republican leaders have been saying about their obstruction being based on precedent isn't true, but creating this new partisan precedent for Supreme Court nominations would be absolutely wrong too.

Republicans may not like to hear this, but the American people spoke. They elected President Obama twice, and they entrusted him with the powers and responsibilities laid out in the Constitution. Those responsibilities don't just last for 3 years. They last a full term, and people across the country are making it very clear they expect Republicans to work with the President, to meet with the nominee, to hold hearings, and to do their job.

But if Republicans are open to new election-year precedents, I have one I would like to offer for their consideration that would actually be helpful. I propose that Republicans stop using attacks on women's health care to rally their tea party base, that they stop using women's rights as an election-year political football. That would be unprecedented for sure, but it sure would be a step in the right direction, and women across this country would really appreciate it.

So when President Obama sends us a nominee, I hope Senate Republican leaders will move out of the partisan corner they are in now, will stop focusing on throwing red meat to the tea party, and will do their jobs.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I want to thank the Senator from Washington for her remarks and for her passion for women's health and also for doing our job—for doing our job.

The Senator from Washington is right. The Republican members of the

Senate Judiciary Committee have vowed not to hold a single hearing on a Supreme Court nominee when the President does his job and sends us down his nomination. They refuse to do their job. And I would say that if every American just got up in the morning one day and said: You know what, I don't feel like doing my job, they would be fired. They would be fired.

But do our Republican colleagues have time to do other things with their time? Oh yes. What are they doing right now? My colleague pointed this out. They are holding a hearing today on legislation that, if passed, would threaten the health and the lives of women.

This is about using women's health as a political football once again. It is about reopening debates we have already settled, including the debate over *Roe vs. Wade* itself. That case was decided in 1973. Before that, women died from back-alley abortions. Women received no respect for private personal decisions they made with their doctor, they made with their God. Oh no, they have to keep challenging *Roe v. Wade*.

That is what Republicans are doing today in the Judiciary Committee, after they decided, well, they just don't have time enough or will enough to hold a hearing on the President's nominee for the Supreme Court.

Now, the decision in *Roe* was very clear. It said that in the early stages of a pregnancy, a woman has the right to decide whether to continue her pregnancy. Later decisions confirmed that, yes, she still has that right. *Roe* also affirmed that later in the pregnancy, the health and the life of the mother must always be protected. Let me say that again. The health and the life of the mother must always be protected. That is the law of this land.

Now, the major problems with the bills the Judiciary Committee is hearing today is they have no respect for the health and the life of the mother and they have no respect for doctors.

The first bill, the 20-week abortion ban, is a direct violation of *Roe v. Wade* and a grave threat to women. And, by the way, the Senate has already rejected that bill. They are bringing it back again. No matter what *Roe* says—that you can't threaten the health and life of a woman—they have brought it back. That bill—that 20-week abortion ban—offers no health exception for a woman facing cancer, facing kidney failure, facing blood clots, or other tragic complications during the pregnancy. And it would throw doctors in jail for doing nothing more than helping a woman who is at risk for paralysis or infertility or who has cancer and whose life would be in danger if the pregnancy continued.

That bill—that bill they say is going to help women—harms women. It also revictimizes survivors of rape and incest by assuming they are lying—lying—and creating unconscionable barriers to care.

The American Congress of Obstetricians and Gynecologists, which rep-

resents thousands of physicians nationwide—physicians who help women with their first line of health care in many cases—said: These restrictions are "dangerous to patients' safety and health."

So that is the first bill they are hearing today—a bill that has already been rejected, a bill that will hurt women and their families.

The Judiciary Committee is also wasting precious time debating a second bill this morning because we already have a law that we voted for called the Born-Alive Infant Protections Act. That bill, which I supported, says that a fetus that is alive at birth has the same protections as every other human being. We voted on it, I say to my friend, in 2002.

So what they are doing over in the Judiciary Committee is rehearsing a bill we already voted on, and they are rehearsing a bill that passed, and then they are rehearsing a bill that we voted down. This is politics, pure and simple.

Our job is to improve the health and lives of the people, not to undermine it. Our job is to act when there is a vacancy on the Supreme Court.

You know, the Republicans always quote Ronald Reagan. Some of us do as well, but he is definitely a Republican hero. Let's see what President Ronald Reagan said when there was an opening in an election year during his Presidency and he nominated Justice Kennedy. What did he say? Ronald Reagan said: "Every day that passes with a Supreme Court below full strength impairs the people's business in that crucially important body."

That is not BARBARA BOXER. That is not PATTY MURRAY. That is not President Obama. That is not Vice President BIDEN. That is not HARRY REID. That is not CHUCK SCHUMER. And I could go on. That is Ronald Reagan. So let me say it again. "Every day that passes with a Supreme Court below full strength impairs the people's business in that crucially important body."

You know what. We had a Democratic-controlled Senate, and we voted on Justice Kennedy in an election year, and we didn't give speeches and say: Well, let's wait for the American people to decide the next election. You know why we didn't say that? Because that would be laughable. Ronald Reagan got elected twice, just like Barack Obama got elected twice. He deserves respect. He needs to do his job, and we need to do our job.

So when you say you are not even going to hold a hearing on the President's nomination, you are showing disrespect for the Constitution—and let's see what the Constitution says—and disrespect to Ronald Reagan, I would argue. Look at what the Constitution says: The President "shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, and Judges of the supreme Court."

My friends are saying that the Constitution should be obeyed, that they

are strict constructionists. Where are these people? They are hiding in the corner not doing their job. Look at what it says: The President "shall nominate, and by and with the Advice and Consent of the Senate, shall appoint . . . Judges of the supreme Court." It doesn't say: P.S., unless you don't like who is President. It doesn't say that.

So I say to everyone on the other side of the aisle who says they are strict constructionists—and most of them do—read the Constitution and read what Ronald Reagan said.

The American people have three words for Republicans: Do your job. Stop disrespecting the Constitution. Stop disrespecting our President and stop threatening to create a manmade crisis at the Supreme Court.

The Supreme Court has to do its job. This isn't some ideological discussion in a salon somewhere, because every day the Court considers cases with profound impacts for the American people—like whether States can have voter identification laws that put an unfair burden on voters or whether the American people have the right to organize and fight for fair pay. I could go on, because almost every issue that American families face eventually winds its way to the Court. So regardless of your political position or your personal position on any individual case, we have to fill the vacancy because Americans deserve a full functioning Supreme Court.

In closing, I want to quote Sandra Day O'Connor. Now, here is a woman—the first woman on the Supreme Court, appointed by Ronald Reagan—who made history. She says this to us in the clearest of terms: "I think we need somebody there now to do the job, and let's get on with it." So if you don't want to listen to the Constitution, and you don't want to listen to Ronald Reagan, how about giving some respect to a woman who made history and understands how the Court functions. We have to get on with it.

Every one of us has to do our job. The Judiciary Committee should stop holding hearings to hurt women, and they should instead go down to the White House and advise and consent with the President on this nomination. They should stop playing politics. We should all come together. We see such division in the country. It is making a lot of our people afraid because there is no respect. How about we start off with respecting the Constitution and working together to fill this vacancy and showing the public that we can come together to have a fully functioning Supreme Court. The American people deserve nothing else.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. FLAKE). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

JUSTICE AGAINST SPONSORS OF TERRORISM ACT

Mr. CORNYN. Mr. President, I come to the floor to speak on two topics. The first is the piece of legislation that I introduced last year, along with the senior Senator from New York, Mr. SCHUMER, right after the anniversary of the September 11 attacks. This bill is entitled the "Justice Against Sponsors of Terrorism Act," or JASTA for short. It makes minor adjustments to our laws that would clarify the ability of Americans attacked on U.S. soil to get justice from those who have sponsored that terrorist attack.

The Senate Judiciary Committee considered this bill last month and reported it to the floor without any objection, so now it is my hope that we can soon take up this legislation because this is important to the victims of the 9/11 attacks. Actually, that is an understatement. This bill, if signed into law, will hopefully help victims and their families achieve the closure that they so terribly need from this horrific tragedy. But this legislation is more than that. As our Nation confronts new and expanding terror networks that are targeting our citizens, stopping the funding source for terrorists grows even more important. So I hope Senators can work together to get this critical bipartisan bill done soon.

FILLING THE SUPREME COURT VACANCY

Mr. CORNYN. Mr. President, on another note, I come to the floor to make a few remarks about the Supreme Court vacancy left by the death of Justice Scalia.

It is pretty clear that our colleagues across the aisle do not believe that the American people deserve a voice in the process by which the successor to Justice Scalia is selected. We have made our position pretty clear that there will not be a new Justice confirmed until the American people, in the elections that come up in November, make their preferences known about who will make that appointment.

Instead of following the rule book of the minority leader, the senior Senator from New York, and our current Vice President—the ones that they advocated for under a Republican administration—our Democratic friends now argue that a lameduck President should be able to nominate someone to a lifetime appointment to our Nation's highest Court, which will upset the ideological balance on that Court for a generation. As I have mentioned before, the last time a Supreme Court nominee was nominated and confirmed during an election year was 1932, and we have to go back much earlier, to 1888, to find a similar situation in divided government, which we have now.

When Vice President BIDEN was chairman of the Senate Judiciary Com-

mittee, he made perfectly clear that a Supreme Court nominee should not be considered until after a Presidential election has concluded. As we all know, both Democrats and Republicans are well down the road to making their selection for their nominee for President, and obviously we will have that election in the coming November. But our friends across the aisle continue to contradict themselves and their previous statements, insisting that this decision is somehow unprecedented. Well, we know it is not, because if the shoe were on the other foot, they have made clear what they would do.

I thought I might share with my friends across the aisle what so many of my constituents in Texas have told me about our decision to let them have a voice in the selection of the next lifetime appointment to the Court.

Killeen, TX, is the home of Fort Hood, one of the largest military installations in the world. Last Friday, the town decorated a memorial to honor those who lost their lives in the terrorist attack of 2009, when MAJ Nidal Hasan went on his violent rampage. But John from Killeen wrote:

President Obama is free to make any nomination he wants under the Constitution. The Senate, under the same Constitution, has no obligation to hold hearings on or confirm that nomination. The Judiciary Committee's decision to observe the so-called Biden Rule is absolutely correct. The replacement for Justice Scalia should be nominated by the next president.

I agree with the letter writer, and the minority leader agreed with him in 2005 as well. That is basically what Senator REID said in 2005 during the Bush 43 administration. While the President could nominate anybody he wanted, the Senate was not obligated under the Constitution to vote on that nominee.

At the end of the letter, John asked me to "hold the line" on this decision. He, like many Americans, is passionate about having a say in the selection of the next Supreme Court nominee. I intend to do everything I can to make sure they do have that voice.

Another constituent from Plano—just north of Dallas—was emphatic that the Senate should "Give We The People a say." I couldn't agree with him more.

The American people made clear they wanted a check on the Obama administration in November of 2014 when they put Republicans in the majority of the Senate. Now we have an obligation to use that mandate from the people for issues that matter most to our country, and that includes the direction of the Supreme Court.

My constituents are right to care deeply about this because there is so much at stake. As I said, the next Supreme Court Justice could well change the balance of the Supreme Court for a generation and fundamentally reshape American society in the process. So the people should have a chance for input and should have a voice. I am proud to stand alongside my Republican colleagues and make sure their voice is