years as a judge, fighting for at risk youths and a more equitable juvenile justice system. Although Judge Scholz could be tough, he had a softer side that put a gentle and compassionate face on the criminal justice system. He was celebrated in the courts for his well-reasoned and thoughtful decisions. Throughout his tenure, he was honored by several civic organizations and community groups, but it was dealing one-on-one with people that gave him the greatest joy and satisfaction.

Chuck Scholz, former Quincy mayor and Judge Scholz's nephew, recalled meeting a longtime Quincy resident who told him a story: ''Your uncle sent me to jail, and it was the best thing that ever happened to me.'' He went on to explain how Judge Scholz visited him one day at the correctional facility in St. Charles. The reason for his visit? To make sure he got his diploma while he was incarcerated. And when he was released, Judge Scholz got him a job. That is the kind of man Judge Scholz was. He understood that the job didn't end in his courtroom.

Judge Scholz believed in serving the community by serving the individual. He knew the recipe for building strong, healthy communities was getting the right people involved in the right way. And the community was better for it.

Born in 1928, Judge Scholz grew up in Quincy and attended St. Francis grade school, Quincy Notre Dame High School, St. Ambrose College, and the University of Illinois. After college, he moved down south and received his law degree from Mercer University in Macon, GA. While studying law, he met and married Ellen W. Scholz and shared 58 wonderful years before her death in 2009.

Following law school, the young couple returned to Quincy to raise their family and practice law with his father and brother. In 1958, he was elected judge of the 8th Judicial Circuit and served as chief judge from 1975 to 1979. In 1982, Judge Scholz retired from the bench and returned to private practice.

During his time on the bench, Judge Scholz presided over high profile cases, fought for higher pay for the county's chief probation officer and the Youth Home superintendent, and he worked tirelessly with community leaders to build the Adams County Youth Home, now the Adams County Juvenile Detention Center—one of only nine facilities of its kind in Illinois.

Hanging above the doorway at the Scholz family farm, there was a sign that read: ''You will only be a stranger here but once.'' Always willing to offer a helping hand, Judge Scholz made time for everyone. He helped young attorneys understand the right way to conduct themselves in and out of the courtroom. As a mentor to countless attorneys, judges, and children, Judge Scholz's mark on the community will endure for years.

I will close with one more story. Years ago, a mother from a Quincy family had been murdered. Her children were orphaned, and State welfare officials planned on placing them into different foster homes. Judge Scholz wouldn't hear of it. He said: ''No, you are not breaking up this family.'' The family stayed together, and there is a photo of them standing around Judge Scholz, with the words: our hero, carved into the picture—a hero indeed.

The stories of Judge Scholz's kindness and affection to the children and families in Quincy go on and on—what a legacy and what a great friend to the people of Quincy. Judge Scholz will certainly be missed.

NOMINATION OF MERRICK GARLAND

Mr. LEAHY. Mr. President, yesterday I had the honor of speaking at an event hosted by the Edward M. Kennedy Institute for the U.S. Senate on this body's role in considering Supreme Court nominees. The institute is a wonderful organization ''dedicated to educating the public about the important role of the Senate in our government.'' My friend Ted Kennedy loved the Senate and worked hard every day here to improve the lives of the people of Massachusetts and the people of America. I thank Vicki Kennedy for all of her efforts to build the institute. She has also continued the Kennedy legacy by working to advance medical research and health care for all Americans. I was honored by her invitation to speak at the event.

The institute's event was held on the important and timely issue of the Senate's constitutional role in providing advice and consent on nominees to the Supreme Court. As Senator Kennedy once said, ''Few responsibilities we have as Senators are more important than our responsibility to advise and consent to the nominations by the President to the Supreme Court.'' Ted understood the momentous nature of Supreme Court nominations, as well as the Senate's undeniable and irreplaceable constitutional role in providing advice and consent on the President's nominees.

And the Senate Judiciary Committee, on which Senator Kennedy and I served together for years, plays a singularly important role in considering nominees to serve in our Federal judiciary. But that critical role has been abdicated by the Senate Republicans' unprecedented decision to deny any process to Chief Judge Merrick Garland, who has been nominated to the Supreme Court.

In the last 100 years since public confirmation hearings began in the Judiciary Committee for Supreme Court nominees, the Senate has never denied a nominee a hearing and a vote. No nominee has been treated the way Senate Republicans are treating Chief Judge Garland. Even when a majority of the Judiciary Committee did not support a nominee, the committee still reported out the nomination for a vote on the Senate floor. This allowed all Senators to exercise their duty to consider the nominee.

In fact, when I became chairman of the Judiciary Committee in 2001 during the Bush administration, I and Senator HATCH—who was then the ranking member—memorialized how the committee would continue in this tradition to consider President George W. Bush's Supreme Court nominees. In a letter to all Senators, Senator HATCH and I wrote, ''The Judiciary Committee's traditional practice has been to report Supreme Court nominees to the Senate once the Committee has completed its considerations. This has been true even in cases where Supreme Court nominees were opposed by a majority of the Judiciary Committee.'' Senator HATCH and I agreed to that. And then-Majority Leader Trent Lott agreed, too, saying this back in 2001: ''the Senate has a long record allowing the Supreme Court nominees of the President to be given a vote on the floor of the Senate.'' We all agreed to this because that is what we in the Senate have done for a century, in an open and transparent manner, allowing the American people to see us doing our work.

This is exactly what the Judiciary Committee should be doing this very day. It has now been 42 days since Chief Judge Merrick Garland was nominated to the Supreme Court. If we follow the average confirmation schedule for Supreme Court nominees over the last 40 years, the Judiciary Committee should be convening a hearing today on Chief Judge Garland's nomination. The late Justice Scalia, whom Chief Judge Garland would replace on the Court, received a hearing 42 days after his nomination. And Democrats were in charge when the Senate last voted on a Supreme Court nominee in an election year when Justice Anthony Kennedy was confirmed in 1988. Justice Kennedy received a hearing in the Judiciary Committee just 14 days after President Reagan nominated him. Had he been nominated at the same time as Chief Judge Garland, his hearings would already have been completed.

Last month, the Kennedy Institute released a national poll that showed just 36 percent of Americans know that the Senate confirms Supreme Court nominees. Our response as Senators to this unfortunate fact should not be to deny Chief Judge Merrick Garland a public hearing and a vote, breaking 100 years of Senate tradition and failing to do our jobs as Senators. Instead, our response should be to engage with the American people and to show them through our actions that the Senate can hold up its part of the constitutional framework.

And although many Americans may not be able to tell you that the Senate confirms Supreme Court nominees, a solid majority of the American public does know—by a 2-to-1 margin—that Chief Judge Garland deserves to have a hearing. That strong majority of the public is telling us that the Senate should show up for work and carry out

its constitutional duty by holding a hearing for Chief Judge Garland.

We are hearing that call from so many around the country, including historians, faith groups, civil rights organizations, and legal leaders. In an oped yesterday, the president of the Vermont Bar Association, Jennifer Emens-Butler, and others, including a former president of the American Bar Association, made clear that Republicans' obstruction of Chief Judge Garland's nomination undermines the rule of law. They wrote: ''As leaders in the legal profession, we are committed to protecting the rule of law. Thus, we cannot remain silent as the Senate refuses to consider Garland. This level of obstructionism is unprecedented in American history and undermines the rule of law, the very foundation on which this great nation was built.'' I ask unanimous consent that a copy of this op-ed be printed in the RECORD following my remarks.

Some Republican Senators have claimed that their unprecedented obstruction against Chief Judge Garland is based on ''principle, not the person.'' There is no principle in refusing to confirm Supreme Court nominees in election years, as the Senate has done over a dozen times, most recently for President Reagan's last nominee to the Court. Furthermore, we have seen Republican Senators and outside interest groups attack Chief Judge Garland's judicial record, but then refuse to allow him the chance to respond at a public hearing. This is not principled, it is not fair, and it is not right.

To deny Chief Judge Garland a public hearing and a vote would be truly historic—but that is not the kind of history the Senate should be proud of. Over the more than 40 years I have served in the Senate, I recall times when the consideration of Supreme Court nominees was controversial.

But in every one of those instances, the nominee received a public hearing and a vote. We did not avoid doing our jobs simply because it was hard.

We must remember why we are here in the United States Senate. We are all here to serve the American people by carrying out our sworn oaths to uphold the Constitution. Protection of our enduring constitutional system requires that we hold our constitutional duties as Senators above the partisan politics of the now. I hope that Republicans will soon reverse course and put aside their obstruction to move forward on Chief Judge Garland's nomination.

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

[From The Hill, Apr. 26, 2016]

SENATE'S REFUSAL TO MOVE ON GARLAND CONTINUES TO UNDERMINE RULE OF LAW

(By Monte Frank, James R. Silkenat, and Jennifer Emens-Butler)

A month ago, Sen. Richard Blumenthal (D–Conn.) and Monte Frank (one of the co-authors of this piece) warned that the Senate's refusal to consider President Obama's nomination of Chief Judge Merrick Garland to the U.S. Supreme Court would undermine the rule of law. Despite this warning, the Senate Judiciary Committee has continued its blocking tactics and has rebuffed calls for hearings and a vote. As leaders in the legal profession, we are committed to protecting the rule of law. Thus, we cannot remain silent as the Senate refuses to consider Garland. This level of obstructionism is unprecedented in American history and undermines the rule of law, the very foundation on which this great nation was built.

The rule of law is the restriction of the arbitrary exercise of power by subordinating such exercise to well-defined and established laws. As discussed in the earlier piece with Blumenthal, in the United States, the rule of law is grounded in our Constitution, which unambiguously lays out the process for filling vacancies to the Supreme Court. Article II, Section 2 of the Constitution states the roles the president and the Senate must play in the appointment process: ''The President . . . shall nominate, and by and with the Advice and Consent of the Senate, shall appoint . . . Judges of the Supreme Court.'' The Constitution is also clear that the president's term is four years, not three or three-and-one-fourth years.

Now that Obama has fulfilled his constitutional responsibility and made a nomination promptly to fill the current Supreme Court vacancy, the Constitution requires the Senate to likewise fulfill its responsibility to consider and act promptly on the nominee. The Senate needs to move forward by holding meetings, conducting hearings and ultimately taking a vote.

While Garland is preeminently qualified, having served as chief judge of the United States Court of Appeals for the District of Columbia Circuit since 1997, whether the Senate ultimately confirms him is an entirely different question than whether the Senate should even consider him. The current arbitrary exercise of power to deny Garland a hearing and a vote is the kind of abuse the rule of law is designed to protect us from. If the well-defined and established provisions of the Constitution are permitted to be willfully ignored, then the rule of law will be undermined.

In a letter to the leadership of the Senate, 15 past-presidents of the American Bar Association emphasized their utmost respect for the rule of law and the ''need for the judicial system to function independently of partisan influences. The founding fathers understood this as well, and structured the constitutional system of government to insulate the judiciary from changing political tides. The stated refusal to fill the ninth seat of the Supreme Court injects a degree of politics into the judicial branch that materially hampers the effective operation of our nation's highest court and the lower courts over which it presides.''

The Senate should follow the example set by President Reagan and then-Senate Judiciary Committee Chair Joe Biden (D–Del.) in considering Justice Anthony Kennedy, who was confirmed in an election year. Reagan urged the nation to ''join together in a bipartisan effort to fulfill our constitutional obligation of restoring the United States Supreme Court to full strength.'' He asked the Senate for ''prompt hearings conducted in the spirit of cooperation and bipartisanship.'' Biden responded: ''I'm glad the President has made his choice. We will get the process under way and move as rapidly as is prudent. We want to conduct the committee's review with both thoroughness and dispatch.'' Sen. Chuck Grassley (R–Iowa) was also on the Senate Judiciary Committee at that time. Now that he is the chair, he should follow the example set by Reagan and Biden.

The Senate's refusal to process the nomination has already impacted the lives of everyday people throughout the United States. If lower court decisions are confirmed simply because of a tie in the Supreme Court, as has already occurred and will continue to occur until the vacancy is filled, then the court will not have created precedent and the lower courts will not be able to rely on those decisions. Open questions of law on significant issues will continue to be left unanswered. To fill this void, the Senate must move forward on a bipartisan basis with meetings and hearings, consideration of and a timely vote on the nominee.

President Reagan's words in 1988 on the confirmation of Justice Kennedy are just as applicable today: ''The Federal Judiciary is too important to be made a political football. I would hope, and the American people should expect . . . for the Senate to get to work and act.'' We urge the Senate to put partisan politics aside for the good of the American people and to avoid undermining the rule of law.

PARIS CLIMATE CHANGE AGREEMENT

Mrs. SHAHEEN. Mr. President, I wish to speak in strong support of the United Nations' Paris climate change agreement and the President's decision for the United States to be among the first nations to sign the agreement.

Last Friday, April 22, the United States and more than 170 nations came together in New York to sign the international climate agreement negotiated last year that would slow global warming and help poorer nations most affected by it. I find it very symbolic that April 22, the first day that nations could officially sign the agreement, was also Earth Day. Earth Day is a reminder of our obligation to preserve and protect our environment for our children and future generations to come.

Last year, I joined nine of my Senate colleagues in Paris to attend the 21st United Nations Climate Change Conference, also known as COP 21, where the climate agreement was negotiated. What we witnessed at COP 21 was monumental: 195 countries, representing more than 95 percent of global carbon emissions, came together to adopt the first universal climate agreement that calls for international cooperation on addressing the causes of global warming and helping poorer nations most affected by it.

I am proud to say that the United States was a big part of that effort. President Obama's leadership was key in encouraging China, the world's largest emitter, to submit an aggressive climate action plan, and helping countries to find consensus necessary to make such a landmark agreement.

The Paris agreement establishes a long-term, durable global framework for countries to work together to reduce carbon emissions and keep the global temperature rise well below 2 degrees Celsius in order to avoid some of the worst consequences of climate change. For the first time, countries have committed to putting forward ambitious, nationally determined climate targets and reporting on their