

Iowa, the chairman of the Judiciary Committee, in writing an opinion piece. We expressed our joint view that the death of Justice Scalia represented a significant loss for our country and that while finding the right person to take the seat he occupied will clearly be a monumental task, it is one we think the American people are more than well equipped to handle. Some disagree and would rather the Senate simply rush through yet another lifetime appointment for a President who is on his way out the door.

Of course, it is within the President's authority to nominate a successor even in this very rare circumstance. Remember, the Senate has not filled a vacancy arising in an election year when there was a divided government since 1888—almost 130 years ago. But we also know that article II, section 2 of the Constitution grants the Senate the right to withhold its consent as it deems necessary.

It is clear that concern over confirming Supreme Court nominations made near the end of a Presidential term is not new. Given that we are in the midst of the Presidential election process, the chairman of the Judiciary Committee and I believe that today it is the American people who are best positioned to help make this important decision rather than a lameduck President whose priorities and policies they just rejected in the most recent national election.

#### MORNING BUSINESS

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

#### VOTE EXPLANATION

• Mrs. MCCASKILL. Mr. President, I was necessarily absent for today's vote on the motion to invoke cloture on the nomination of Robert McKinnon Califf to be Commissioner of Food and Drugs, Department of Health and Human Services. I would have voted nay.●

#### NOMINATION OBJECTION

Mr. GRASSLEY. Mr. President, I intend to object to the nomination of Dr. Mary Wakefield to the position of HHS Deputy Secretary.

The reason for my objection is the following: Last summer, separate inquiries from Chairman JOHNSON and myself and from Senators ERNST and BLUNT were sent to HHS regarding fetal tissue harvesting practices of Planned Parenthood Federation of America, an HHS grant recipient. Response to the letters did not fully answer the questions raised and, furthermore, raised additional concerns. Follow-up inquiries to HHS also failed to address some of the questions.

Today I sent a followup letter to Secretary Burwell in order to determine whether any audits of the fetal tissue programs have ever been undertaken.

#### REMEMBERING DAVID HURD

Mr. GRASSLEY. Mr. President, today I wish to honor David Hurd on his passing.

David was 86 years old, but his family and friends would tell you he packed much more into his years than even his long life would suggest.

He was a prominent businessman, chief executive officer of the Principal Financial Group from 1989 to 1994, and a member of the Iowa Business Hall of Fame.

He is credited with helping to build Principal into the global powerhouse company it is today.

David also was a well-regarded civic leader.

He wasn't a native Iowan, but Des Moines became his home in 1954 when he came to work for what was then Banker's Life, now Principal Financial.

Having lived in Des Moines for so many years, he became an advocate and an activist for making Des Moines an attractive place to live and work.

Des Moines is a thriving city today, and David did a lot to contribute to its success.

It was fitting that his longtime home was a high-rise building downtown, right in the middle of everything, where he could enjoy the benefits of city living and watch Des Moines change in so many positive ways.

David also held many hobbies and interests in diverse areas: running, patronizing the arts, playing Scrabble, rowing, protecting the environment, and more.

He made friends across these many fields who were united in their regard for his zest for life, sense of humor, and intellectual curiosity.

The phrase "renaissance man" is sometimes overused, but in David Hurd's case, it is 100-percent accurate.

Des Moines and the State of Iowa are richer for having had this renaissance man in our midst.

#### ADDITIONAL STATEMENTS

#### CONGRATULATING VICTOR L. CAMPBELL

• Mr. ALEXANDER. Mr. President, it is my honor today to congratulate Victor L. Campbell on receiving the Lifetime Achievement Award from the Federation of American Hospitals.

Mr. Campbell has devoted 44 years of service to the Nation's health care delivery system and the patients it serves. He has represented the hospital community with distinction and has earned the great respect of his colleagues as a voice of wisdom.

He has played a role in shaping Federal health care policy for decades. Mr. Campbell is a three-time chairman and longtime board member of the Federation of American Hospitals. He has also served on the board of the American Hospital Association.

Mr. Campbell's commitment and tireless leadership has led to the cre-

ation of positive legislative solutions designed to strengthen and improve our Nation's health care infrastructure. He has also developed numerous collaborative initiatives between hospitals and the communities which they serve.

As a longtime resident of Nashville, in my home State of Tennessee, Mr. Campbell is also active in various community organizations, which promote innovation, education, and charitable activities.

Mr. Campbell, through force of personality, geniality, and dedication, has worked relentlessly to promote market-based, creative approaches to health care delivery which have made difference in the lives of countless patients at community hospitals across our Nation.

I sincerely congratulate Mr. Campbell on earning this distinguished award and wish him well.●

#### RECOGNIZING MAINE STITCHING SPECIALTIES

• Mr. KING. Mr. President, today I wish to recognize the success of Maine Stitching Specialties, a fast-growing company that is quickly establishing itself as an important business in the Skowhegan manufacturing community. During the first week of March, Maine Stitching Specialties' founders, Bill and Julie Swain, will celebrate a major step forward in the expansion of their company as they team up with Wal-Mart to sell their premium textile goods. The company will commemorate this milestone with a ceremonial loading of the first truck and a celebratory farewell as the first shipment of goods departs to be sold at Wal-Mart stores.

Bill and Julie Swain founded their pet products company, Dogs Not Gone, 8 years ago, and since then, their business has expanded to employ 22 people at their new Maine Stitching Specialties manufacturing facility. Their successful expansion 15 months ago set Bill and Julie apart from their competition, and today their company is one of the largest in Skowhegan.

Maine Stitching Specialties' commitment to local manufacturing and high-quality products has garnered respect from numerous mainstream retail stores. In recent years, Bill and Julie have had the opportunity to sell their products to well-established companies like L.L. Bean and now Wal-Mart. Their reputation for manufacturing durable products and their commitment to the traditions and spirit of our State will ensure that Maine Stitching Specialties continues to grow and prosper.

Bill and Julie represent a strong community of small business owners who are devoted to boosting our State's economy and creating jobs in local communities. Manufacturing is at the heart of industry in Maine, and the success of hard-working people like Bill and Julie helps our State remain economically competitive.

I would like to recognize and congratulate Bill and Julie on their success and ongoing commitment to producing high-quality goods. Our State owes Maine Stitching Specialties a great deal of thanks for their vision and dedication and for their social and economic contributions to the people of Maine and to our economy. I look forward to Bill and Julie's continued success over the coming years and to watching Maine Stitching Specialties grow and thrive.●

#### REMEMBERING EDGAR MITCHELL

● Mr. NELSON. Mr. President, I would like to take this opportunity to remember and honor the life of Ed Mitchell. Ed was one of our Nation's great space pioneers and one of only a handful of Americans to walk on the moon. Ed once said of his *Apollo* 14 crew: "We went to the moon as technicians; we returned as humanitarians." Ed and his fellow *Apollo* astronauts not only inspired a generation of astronauts and explorers, they blazed the trail we are all now following as we continue to journey outward to Mars and beyond.

Thank you, Ed.●

#### VERMONT ESSAY FINALISTS

● Mr. SANDERS. Mr. President, I ask to have printed in the RECORD copies of some of the finalist essays written by Vermont High School students as part of the sixth annual "What is the State of the Union" essay contest conducted by my office. These finalists were selected from nearly 800 entries.

The material follows:

NICK SEARS, VERMONT COMMONS SCHOOL  
(FINALIST)

The United States of America is an amazing nation that continues to lead the world through the complex geopolitical problems that we are faced with today. As a strong economic and political world leader, we have become the role model for developing nations attempting to give their people the same freedoms and opportunities that Americans have become so accustomed to. This is why it is so important to work harder than we ever have before to better ourselves as a nation, because what we change will set a precedent of improvement around the world and inspire change.

The biggest problem in the U.S. is the incarceration system. It has been broken for decades, and there has been no legitimate attempt to fix it. Over the past thirty years, there has been a 500% increase in incarceration rates, resulting in the U.S. leading the world in number of prisoners with 2.2 million people currently incarcerated. Especially in this example, it is important to humanize these statistics. These are 2.2 million people, who now because of their conviction will find it much harder to be truly integrated back in their communities, due to the struggles of finding a job with a record, and the fact that they often do not qualify for social welfare. The incarceration system is also bankrupting both the state and federal government. It currently is the third highest state expenditure, behind health care and education.

Fortunately, we as a nation have the opportunity to fix the incarceration system.

First, we need to get rid of mandatory minimum sentences. Judges from across the nation have said for decades that they do not like mandatory minimums, that they do not work, and that they are unconstitutional. Mandatory minimum sentences, coupled with racially biased laws concerning drug possession is the reason why we see the ratio of African American males to white males over 10:1. This leads to the second action we must take; we must end the war on drugs. It has proven to be a failed experiment that has reopened many racial wounds in our nation. The war on drugs also put addicts behind bars, rather than treating addiction like the problem it actually is; a mental health issue.

PAIGE THIBAUT, CHAMPLAIN VALLEY UNION  
HIGH SCHOOL (FINALIST)

In common day society, education is widely accepted as a valuable resource to our nation's future. Education has immeasurable impact on our lives and on our identity, as we build foundations of our growth off of our learning. However with all these potentially influential factors that education possesses, the system that we have nurtured has failed in reaching students with meaning and value. Like other things in our world, the system is broken.

What I've been noticing within my own education is that the prospect of content is idolized in the classroom. Teachers no longer cram memorization into our heads (an educational revolution in itself), yet their focus is still the intimate prevalence of deadlines and test scores. Yes—school is where we learn—yet the purpose of our learning should not to become 'smart'. When students start thinking that this is indeed the purpose of their learning, inspiration and drive are completely decimated. Being 'smart' is a subjective standard that we press upon our kids, yet it's something which has shallow value. Classes stuffed with disconnected information only promote this misconception even further. Why should we be focusing on feeding students material when the students themselves don't see why they're supposed to consume it?

And this isn't just the content; it's the atmosphere. An example: When an adult reads from a manual in front of a class, there are two parties in play. There's the instructor (includes the teacher, the manual, the authors of the manual), and there is the student body. Notice it's not twenty individual humans learning differently on the same topic, it is the singular and collective student group. Sitting in this blob of the "student body" and being considered solely for the fact that you belong to a mass of apparent learning is an extremely demoralizing thought in the learning setting. I want to be appreciated for what I can bring to my learning; not what the class average is. What value do I have if I can be replaced with a statistic?

I'll tell you why: our hopes and dreams are original. Our minds run differently. And most importantly our souls all want to go in our own direction. No matter how similar our test scores are, we will never be destined to have the same future, so why are we clustered to have the same upbringing? Why are we held to the same expectations if the only thing that is the same about us is the year on our birth certificate? I understand that grouping students by age is a positive thing, but we should not let that number classify us as learners.

We need to rethink education, emphasizing personal growth versus increased IQ. Students should not be accepted with their differences, but should be accepted because of them. The teachers that guild students should be trained with the ideology that learning is not for a destination, it is for a

journey. Administrators and Curriculum Directors or Superintendents need to see the content and need to understand that force-feeding students knowledge is not knowledge at all. We need to create the environment where students have choice of what their learning environment looks like; choice of how they learn material; choice of how they develop and a choice of how they grow.

It's true: education is an important system that gets a significant share of financial and governmental attention. Now let's make it a revolution of consciousness. Let's make meaningful education for our future; not for our brains.

PETER UNGER, CHAMPLAIN VALLEY UNION HIGH  
SCHOOL (FINALIST)

The internet is the first human creation with the potential to unify and connect the world; with the potential to change the way we collaborate and innovate forever; with the potential to reestablish the United States of America as the preeminent global leader in education, technology, and medicine. However, none of this potential will be realized without a fundamental rethink of Internet Service Provider regulations. We also need a fresh approach on infrastructure capable of launching a new age industrial revolution. The United States of America needs a government maintained and mandated fiber optic network. We no longer have an economy based on production of tangible products for a regional economy, instead we produce innovative and revolutionary ideas. Without a fiber optic backbone, these ideas won't reach their potential. Let me convey to you the urgency and importance of this issue. The competition has already started or even finished the improvements this country is in dire need of. The cost of broadband in dollars per megabits per second ranked Bulgaria as number one with a cost of forty seven cents per megabit per second, and in thirty third place is the United States of America at three dollars and fifty cents. This disconnect between value and product is dousing the innovative fire that is the American Technology industry.

What do we do? Myself and experts alike, know for certain that the Internet Service Providers aren't going to figure it out on their own. They are up selling us into decade old technology for a premium. Currently, there is no incumbent to challenge the oligopoly that are the American Internet Service Providers. The only realistic solution to this dire problem is a mindset change in the legislative branch of this very country; people don't do things on the internet, people just do things. Internet needs to be classified as the true utility it is. The internet may be the most powerful collaboration and creation tool ever known to man. I personally believe that we can't currently comprehend the possibilities that will be made real by this truly amazing tool.

Do you want cable companies to control what website you visit and to prioritize services that pay a premium? Currently, these are controlled by a concept known as net neutrality, the cable companies' lobbyists want to abolish this fundamental protection of freedom of speech and innovation. Without this fundamental freedom, the creativity, innovation, and communication, at which the internet is so powerful at stimulating, will be stomped out for good.

The only way to protect the openness, fairness, and freedom we as United States Citizens are accustomed to as well as enhance the creativity, innovation and communication, which we all use the internet for, is for the Federal Communications Commission to reclassify broadband service under Title II of the Telecommunications act. This letter is not a preventative measure, this letter is an