seems to be that because heroin has become much cheaper on the street, it has also become a more attractive drug for addicts to buy and use. At the same time, the heroin today is believed to be much more powerful than it used to be, and so it may be that people who use it are much more likely to overdose.

When we see statistics like these—or just talk to people, such as those who work in the emergency room, who have to deal with the drug addictions, 911 calls, opioid abuse, heroin abuse, and see all these problems—it is time for Congress to act. We can't turn a blind eye to Americans who are suffering and dying. That is why I think it is important that the Senate needs to take up action to help stop the damage being done.

Recently the Senate Judiciary Committee passed the Comprehensive Addiction and Recovery Act. It has bipartisan support, and it is one more sign that the Senate has gotten back to work on behalf of the American people. Just as the name of the legislation says, it actually addresses both problems—addiction and recovery. It will increase education and prevention efforts to help keep people from becoming addicted to painkillers in the first place. It is also going to strengthen State programs to monitor prescription drugs and to track when these drugs end up in the wrong hands.

For the people who have already passed from use of the medications to abuse and addiction, this legislation will help to launch treatment programs that are based on actual evidence of what works. There are a lot of treatment programs out there and lots of different opportunities to seek treatment. We want to make sure we can identify the ones that are actually succeeding and helping people and then make sure these programs are available to more people. These are just a few of the positive ideas in the legislation.

Senator KELLY AYOTTE, who is one of the main sponsors of this legislation, has said that we can't arrest our way out of this problem. She is exactly right. The misuse and abuse of these drugs is illegal. We must acknowledge that fact. We must still try to do everything in our power to keep this misuse from turning into addiction and even death. There are States and communities and families suffering because of the abuse of these drugs. We can all be part of the solution, and we must all be part of the solution.

I know that the Committee on Health, Education, Labor, and Pensions is looking into another aspect of this subject, as is the Finance Committee. There are lots of ideas out there, and I am glad to see Members taking the issue so seriously. I am glad we are moving forward with bipartisan legislations and solutions.

Senator AYOTTE has been a major force in talking about this problem. Senators WHITEHOUSE, KIRK, PORTMAN, and others have addressed this issue.

Another good, commonsense idea is looking into changing Medicare Part D and Medicare Advantage. This legislation has been introduced by Senator PAT TOOMEY of Pennsylvania. I am a cosponsor of that legislation. The bill is called the Stopping Medication Abuse and Protecting Seniors Act. That is it: Stopping Medication Abuse and Protecting Seniors. It allows Part D and Medicare Advantage plans to lock in patients to a single prescriber, a single pharmacy, for their opioid pain medicine. This is going to do a couple of things. It will deal with the issue of doctor shopping. That is when a patient goes to multiple providers to get duplicate prescriptions if they become addicted. Many private insurance companies already do this and so does Medicaid. So we should allow and encourage Medicare to do it as well.

These are all ideas with bipartisan support in the Senate. They are examples of ways that Democrats and Republicans are working together to help Americans who need and deserve help. The abuse of prescription drugs and heroin is happening everywhere in America. It is harming our Nation. Congress must do what it can to stop it.

I thank the Presiding Officer and 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.

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

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

FILLING THE SUPREME COURT VACANCY

Ms. HIRONO. Mr. President, our Republican colleagues have decided that the Senate should not hold a hearing or vote on any Supreme Court nominee this year. The reason? It is an election year. That is a breathtakingly candid but utterly irresponsible reason for the Senate not to do its job. That decision may not surprise those who have followed the Senate in recent years, as our Republican colleagues have time and again chosen to obstruct President Obama's agenda.

We can disagree on legislation, we can disagree on policies, we can certainly disagree on judicial nominations, but the idea that the Senate should not take any action on a Supreme Court vacancy is unprecedented.

In the last 100 years, the Senate has taken action on every Supreme Court nominee whether it is an election year or not. The Senate has not only taken action, but the Senate has confirmed more than a dozen Supreme Court Justices in the final year of a Presidency. In fact, a Democratic Senate confirmed Justice Anthony Kennedy in the final year of President Reagan's term. Yet roughly 9 months before the next election, the Republican position is that the Senate should not do its job because 11 months from now, we will have a new President. I ask you, what has that got to do with us doing our jobs?

Under the Republican timeline, the Supreme Court will be left with only eight Justices for over a year. The last time it took so long for the Senate to fill a vacancy on the Court was during the Civil War. The rationale that the Senate should not act because of an upcoming election is not only stunning, but I think most Americans would agree is absurd. In what other workplace can employees announce that they don't plan to fulfill their responsibilities for 9 months and still get paid? But that is exactly what Republicans are saying to the American people.

We work for the American people. The American people elect Senators, Representatives, and Presidents. Through elections, the people shape the direction of our country.

While Republicans may want to forget it, in 2012 the people elected President Obama to a full 4-year term. That term doesn't end for nearly a year. His responsibilities as President don't stop because a Republican Senate says so.

The Constitution requires a President to nominate someone to fill a vacancy on the Supreme Court. The Constitution requires the Senate to provide advice and consent on the President's nominee. That is our job as Senators.

The President hasn't nominated anyone to fill the current Supreme Court vacancy. When he does, no Senator is required to vote for that nominee, but what is required is for the Senate to fulfill its constitutional duties. The President's nominee deserves a hearing and a vote. No excuses. Let's do our job.

Mr. President, I wish to now turn to another subject.

(The remarks of Ms. HIRONO pertaining to the submission of S. Res. 373 are printed in today's RECORD under ''Submitted Resolutions.'')

Ms. HIRONO. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SULLIVAN). 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.

Mr. CORNYN. Mr. President, yesterday it was my privilege to say a few words honoring Justice Antonin Scalia, known to his friends as ''Nino,'' a man whose intellect, wit, and dedication to our Constitution have served our country for decades. I am pleased that others have said appropriate words honoring his memory and the many ways he helped strengthen our constitutional self-government and our democracy.

As we know, the Constitution gives the Senate an equal role in deciding who eventually is to serve on the Supreme Court of the United States.

President Obama called me and other members of the Judiciary Committee yesterday, saying he intends to exercise his constitutional authority, and I recognize his right to make that nomination. But not since 1932 has the Senate, in a Presidential election year, confirmed a Supreme Court nominee to a vacancy that arose in that Presidential election year. And it is necessary to go even further back—I believe to the administration of Grover Cleveland in 1888—to find an election-year nominee who was nominated and confirmed under a divided government, such as we have now.

So I found it very curious that some of our colleagues across the aisle are effusive in their criticism of our decision to withhold consent until we have a new President and in effect say this ought to be a choice not just confined to the 100 Members of the Senate and the President but to the American people.

We are not saying—we are not foreclosing the possibility that a member of one party or another party would be the one to make that nominee. This isn't a partisan issue. This is about the people having a chance to express their views and raising the stakes and the visibility of the Presidential election to make the point that this isn't just about the next President who will serve 4 years, maybe 8 years; this will likely be about who will serve the next 30 years on the Supreme Court of the United States.

I am going to remind our colleagues of some of the things they have said in the past for which they have so roundly criticized us. People understand when there are differences of opinion. It is a little harder to understand hypocrisy when you have taken just the opposite position when it suited your purposes in the past to the position you take today. So let me just be charitable and say maybe they have just forgotten.

For example, the minority leader, Senator REID of Nevada, the Democratic leader, said on May 19, 2005, when George W. Bush was President of the United States:

> 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.

That was Senator REID. I agree with him. That is exactly right, but that is not the position he appears to be taking today.

The President has every right to nominate someone, but the Senate has the authority to grant consent or to withhold consent. And what I and the other members of the Judiciary Committee on the Republican side said yesterday in a letter to the majority leader is that we believe unanimously—all the Republicans on the Senate Judiciary Committee—that we should withhold consent, exercising a right and an authority recognized by Senator REID in 2005.

I have read some of the press clips. People recoil in mock horror: Well, you are not even going to have a hearing? You are not even going to meet with the President's proposed nominee?

Well, that is right, for a very good reason—because it is not about the personality of that nominee. So it would be pretty misleading for us to take the same position that Senator REID has taken and then to say: Well, we are going to go through this elaborate dance of having courtesy meetings, maybe even having a hearing, when we have already decided—as Senator REID acknowledged is the right of the Senate—not to bring up this President's nominee for a vote. And not to preordain who that next nominee will be, whether they will be nominated by a Republican or Democratic President—we don't know what the outcome of the Presidential election is going to be. But this is too important for the Congress and for the Senate to be stampeded into a rubberstamp of President Obama's selection on the Supreme Court as he is heading out the door—a decision that could well have an impact on the balance of power on the Supreme Court for the next 30 years.

I am not through with my charts.

The next Democratic leader in the Senate, Senator SCHUMER—first, I guess you could call this the Reid standard. We call it the Reid rule and the Schumer standard. That rolls off the tongue better.

So this is what Senator SCHUMER said 18 months before President George W. Bush left office. We are only looking at, what, 10 or 11 months until President Obama leaves. In 2007, Senator CHUCK SCHUMER said: ''[F]or the rest of this President's term. . . . We should reverse the presumption of confirmation.''

I, frankly, don't know what he is talking about. The Constitution doesn't talk about a presumption of confirmation. But it is pretty clear to me that he wants a presumption that the nominee will not be confirmed for the next 18 months.

Senator SCHUMER, one of the Democratic leaders, said: ''I will recommend to my colleagues that we should not confirm a Supreme Court nominee except in extraordinary circumstances.''

So what we are doing is what Senator REID and Senator SCHUMER advocated back when it was convenient and served their purposes way back when. They are now taking a different position because, of course, their interests are different. They want to make sure President Obama gets a chance to nominate and the Senate confirm President Obama's nominee, who will serve for perhaps the next quarter of a century or more on the Supreme Court. But it is pretty clear that the Senate is not bound to confirm a Supreme Court nominee or even hold a vote.

Finally, I wish to point out—we will call it the Reid rule, the Schumer standard, and the Biden benchmark.

This is what the Vice President of the United States, JOE BIDEN, said in 1992 when he was chairman of the Senate Judiciary Committee. He gave a long speech, of which this is an excerpt. He said: ''[T]he Senate Judiciary Committee should seriously consider not scheduling confirmation hearings on the nomination until after the political campaign season is over.'' He went on to say: ''[A]ction on a Supreme Court nomination must be put off until after the election campaign is over.''

That is the Biden benchmark—the Reid rule, the Schumer standard, and the Biden benchmark.

I read a statement from the Vice President that he issued after he saw that this old news clip and his statement had been made public. He quite conveniently said this was ''not an accurate description of my views on the subject.'' Well, I think the words are very clear. I think what he might have said is ''These are no longer my views on the subject'' because, of course, he would like President Obama to be able to make that nomination.

So I wish to reject this myth that many of our Democratic colleagues are spreading that what we are doing here and now is somehow unprecedented. Quite the contrary. What we are doing is what the Democrats' top leadership has advocated in the past. What do they think we are? They think we are going to abide by a different set of rules than they themselves advocated? How ridiculous would that be? I could not explain that to my constituents back home in Texas. If I were going to say: Well, the Democrats can apply one set of rules, but then when the Republicans are in the majority, the Republicans must apply a different set of rules—well, the fact is, the rule book has been burned by the Democrats, and what we are operating under is the status quo they advocated back in 1992, 2005, and 2007.

The Senate has every right under the Constitution not to have a hearing, and we shouldn't go through some motions pretending like we are or that this is really about the personality of whomever the President nominates. I have confidence that the President will nominate somebody who he thinks is qualified to be on the Supreme Court. I would point out, though, that this nominee will not be confirmed. I don't know many leading lawyers, scholars, and judges who would want to be nominated for the U.S. Supreme Court to a seat that President Obama will never fill.

So during this already very heated election year—and the election is already underway. Democrats are voting in Democratic primaries, and Republicans are voting in Republican primaries and caucuses. The election is already underway, and the Supreme Court can function in the vast majority of cases with eight members. It frequently does anyway because most cases are not decided 5 to 4; most cases are decided on a consensus basis.

But let's say, for the six or so cases in which Justice Scalia was a deciding vote on a 5-to-4 case last year—if there

is a deadlock, those cases can simply be held over until the next year when there is a new Justice or the Court can come up with some other way to dispose of it as it sees fit. That frequently happens. For example, Justice Kagan was Solicitor General of the United States. She was recused from and could not sit on cases that she handled as an advocate for the U.S. Government once she got to the Supreme Court. So the Court operated with eight Justices for a long time because of Justice Kagan's recusal. Similarly, Justice Anthony Kennedy served on the Ninth Circuit Court of Appeals. Once he got to the Supreme Court of the United States, he couldn't then sit on those cases and decide them once as a circuit court judge and another time as a Supreme Court Justice. He recused, which means there were eight Justices to decide those cases. That is not extraordinary; that is not uncommon. And it is not going to paralyze the Supreme Court of the United States from doing its job. It has all the tools it needs at its disposal to handle these cases as it sees fit—either to dismiss them as improvidently granted, to hold them over if they are truly deadlocked, or to find some other perhaps more narrow basis upon which to decide the case, which would command a five-vote majority with eight members of the Court.

So Mr. President, I would like our colleagues to come out here and explain this apparent contradiction in the position they took in 2007, 2005, and 1992. Because if they can't explain that, then it looks to me like this is pure hypocrisy—holding Republicans, when we are in the majority, to a different standard than they themselves were willing to embrace when they were in power.

As I said, people may not understand a lot of the nitty-gritty details of this, but they do have a strong sense of fairness and evenhandedness, and they do smell hypocrisy and see it when it is right before their eyes.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Ms. HEITKAMP. Mr. President, I come to the floor today with what I think is a pretty simple message—a message the American people have been delivering to me and the people of North Dakota and which reflects exactly why I wanted to come to Washington, DC—which is that Congress needs to do its job. Whether it is legislating on WOTUS or making sure we are moving appointments properly or taking votes that may make some of us uncomfortable, that is our job. That is why the American taxpayers pay us. So I come today to say: Congress, do your job. Senate, do your job.

Every day families across this country go to work and fulfill their responsibilities and obligations. They do their jobs to put food on the table for their family, and they pay their bills. Imagine a construction worker in North Dakota telling his boss he didn't want to do his job for the rest of the year until conditions are probably more favorable. He might get a good laugh. He might be told to go back to work. If he was serious, he wouldn't have a job very long.

Everyone here knows American workers can't go to their jobs and just announce: I don't want to do that today. They can't just say: I am not going to do my job for the rest of the year. I am going to wait to find out who might be the new boss. That is not how it works for the American people, and it is certainly not how it should work for the Senate.

In many ways, I think it is an embarrassment that some of my colleagues would not only ask the President not to do his job—a job our Constitution instructs him to do—but they would also shirk their own duties to provide advice and consent to the President simply because it is not a good political time to do it.

It says something pretty terrible about Congress if the Senate now is making determinations about how a popularly elected President, regardless of political party—regardless of whether that President is popular in this Chamber or not—is no longer allowed to perform the duties of that office and nominate and receive a vote on the Supreme Court nominee of his choosing.

It is a disappointing day when some Senators will tell the President: Don't even bother because we will not even consider or even talk to your nominee. This is before the President has even announced or named a nominee. It is particularly frustrating to those of us who really want the Senate to work that some Senators are willing to hamper the functioning of yet another branch of our Federal Government simply to play politics, with the hope that those politics will benefit one party—to maintain and possibly take control of the other two branches of government.

I don't think anyone can dispute the facts. The Supreme Court considers some of the most critical issues facing our country, and the American people deserve a fully functioning Court. To insist the Court go through potentially two terms without a full slate of Justices is an abdication of our responsibility as Senators. That responsibility is to make sure that America's three branches of government are fully functioning.

Just yesterday, we heard that our colleagues are not even going to entertain the thought of a hearing before the Judiciary Committee for any nominee the President puts forward. I don't know how to explain that decision. I don't know how one can say that for the next 10 months that doesn't matter. I don't know how to explain that to people back in North Dakota.

In the last 100 years, the full 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. According to CRS—Congressional Research Service—since 1975 the average number of days from nomination to final Senate confirmation is 67 days or just over 2 months.

Since committee hearings began in 1916, every pending Supreme Court nominee has received a hearing, except nine nominees who were all confirmed within 11 days. In addition to holding hearings on the nominations, the Senate Judiciary Committee has a longstanding bipartisan tradition of sending to the full Senate all pending nominees to the Supreme Court for a Supreme Court vacancy, even when the majority of the committee may not have supported that nominee.

If, in fact, this Supreme Court vacancy is held open until the next President makes the nomination, that will mean it is vacant for well over a year. Not since the Civil War—not since the Civil War—has the Senate taken longer than 1 year to fill a Supreme Court vacancy.

An extended period of time with only eight members of the Supreme Court sitting would delay or prevent justice from being served. There are American citizens across the country who need decisions from the Court on a variety of issues. In fact, what we have done is we have elevated the circuit courts—the courts that have made the decisions that are currently pending—to the position of the Supreme Court of the United States, denying access to those claimants one way or the other—whether the court agreed with them or the court disagreed with them in the circuit courts—denying them access to that final appeal, to that Supreme Court decision.

So I simply want to say: Let's do our job. Let's give the nominee a hearing. Let's vote in committee. Let's all do our job to vet the candidates. Let's not prejudge this. Let's do the responsible thing and vote yes or no. Let's take a look at the candidate to be nominated, and let's get a fully functioning Supreme Court.

I want to close with just one reminder. The last time we went through a very contentious hearing was the hearing for Justice Thomas, and I think my colleague from Washington, who is on the floor, well remembers that, as do a lot of people here remember that. I want to remark that Justice Thomas was sent to this floor without a positive vote out of committee. But his nomination was sent to the floor, and the nomination of Justice Thomas, at the urging of then-majority leader Mitchell, was not filibustered. So probably the most contentious nominee in my lifetime certainly—and it certainly raised some very interesting gender issues—did not even get filibustered.

Let's do our job. Let's do the work the people sent us here to do. Let's vet this candidate, whoever it might be, and let's move forward so that every person who has a case pending before the Supreme Court or will have a case pending before the Supreme Court is given access to justice by providing a fully functioning Supreme Court.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I ask unanimous consent to speak on behalf of the nomination before the vote for 2 minutes.

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

Mrs. MURRAY. Mr. President, the role of the FDA Commissioner is central to the health and safety of every family and community nationwide, from a dad making his daughter's peanut butter sandwich in the morning to a patient headed into an operating room. I know this is a nomination we all take very seriously.

After careful review, I believe Dr. Califf's experience and expertise will allow him to lead the FDA in a way that puts patients and families first and upholds the highest standards of patient and consumer safety. Dr. Califf has led one of our country's largest clinical research organizations, and he has a record of advancing medical breakthroughs on especially difficult-to-treat illnesses.

He has a longstanding commitment to transparency in relationships with industry and to working to ensure academic integrity. He has made clear he will continue to prioritize independence at the FAA as the Commissioner and always put science over politics. His nomination received letters of support from over 128 different physician and patient groups.

He earned the strong bipartisan support of the members of the HELP Committee. There is a lot the FDA needs to get done in the coming months, including building a robust postmarket surveillance system for medical devices, making sure families have access to nutritional information, putting all of the agency's tools to work to stop tobacco companies from targeting our children, and playing a part in addressing the epidemic of opioid abuse that is hurting so many communities so deeply.

I believe Dr. Califf will be a valuable partner to Congress in taking on these challenges and the many others the FDA faces. I am here to encourage my colleagues to join me in supporting this nomination. I look forward to continued work with all of the Members on ways to strengthen health and well-being for the families and communities we all serve.

I yield back my time.

The PRESIDING OFFICER (Mr. SASSE). Under the previous order, the question is, Will the Senate advise and consent to the Califf nomination?

Mrs. MURRAY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. CORKER), the Senator from Texas (Mr. CRUZ), the Senator from Wisconsin (Mr. JOHNSON), and the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from Missouri (Mrs. MCCASKILL), the Senator from Vermont (Mr. SANDERS), and the Senator from Virginia (Mr. WARNER) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 89, nays 4, as follows:

[Rollcall Vote No. 25 Ex.]

YEAS—89

Alexander	Flake	Nelson
Baldwin	Franken	Paul
Barrasso	Gardner	Perdue
Bennet	Gillibrand	Peters
Blunt	Graham	Portman
Booker	Grassley	Reed
Boozman	Hatch	Reid
Boxer	Heinrich	Risch
Brown	Heitkamp	Roberts
Burr	Heller	Rounds
Cantwell	Hirono	Sasse
Capito	Hoeven	Schatz
Cardin	Inhofe	Schumer
Carper	Isakson	Scott
Casey	Kaine	Sessions
Cassidy	King	Shaheen
Coats	Kirk	Shelby
Cochran	Klobuchar	Stabenow
Collins	Lankford	Sullivan
Coons	Leahy	Tester
Cornyn	Lee	Thune
Cotton	McCain	Tillis
Crapo	McConnell	Toomey
Daines	Menendez	Udall
Donnelly	Merkley	Vitter
Durbin	Mikulski	Warren
Enzi	Moran	Whitehouse
Ernst	Murkowski	Wicker
Feinstein	Murphy	Wyden
Fischer	Murray	

NAYS—4

Ayotte	Manchin
Blumenthal	Markey

NOT VOTING—7

Corker	McCaskill	Warner
Cruz	Rubio	
Johnson	Sanders	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

The Senator from Missouri.

MORNING BUSINESS

Mr. BLUNT. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

Mr. BLUNT. Mr. President, I wish to address the Senate in morning business.

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

REMEMBERING JUSTICE ANTONIN SCALIA AND FILLING THE SUPREME COURT VACANCY

Mr. BLUNT. Mr. President, I wish to talk about Judge Scalia for a few minutes, and then I will address the vacancy on the Court.

There is no question that the Supreme Court has lost a strong and thoughtful voice. No matter what issues the Justices on the Court might have disagreed with, or even when there was a disagreement on how to interpret the Constitution, there is no question that Judge Scalia had a unique capacity to get beyond that. He will be missed by the Court for both his intellect and his friendship. He was an Associate Justice on the Court for almost 30 years. He was a true constitutional scholar, both in his work before the Court and on the Court, and he brought a lifetime of understanding of the law to the Court.

He began his legal career in 1961, practicing in private practice. In 1967, he became part of the faculty of the University of Virginia School of Law. In 1972, he joined the Nixon administration as General Counsel for the Office of Telecommunications Policy, and from there he was appointed Assistant Attorney General for the Office of Legal Counsel. He brought a great deal of knowledge to his work and finished the first part of his career as a law professor at the University of Chicago, and that is the point where he became a judge.

In 1982, President Reagan appointed him to the U.S. Court of Appeals for the District of Columbia, a court that gets many of the cases that wind up on the Supreme Court. He was on that court for a little more than 4 years.

In 1986, President Reagan nominated him to serve as an Associate Justice. He was an unwavering defender of the Constitution, and as a member of the Supreme Court, he had the ability to debate as perhaps no one had in a long time—and perhaps no one will for a long time. He had a sense of what the Constitution was all about and a sense of what the Constitution meant, and by that he meant what the Constitution meant to the people who wrote it.

There is a way to change the Constitution. If the country and the Congress think that the Constitution is outmoded in the way that it would have been looked at by the people who wrote it, there is a process to do something about that. That process was immediately used when the Bill of Rights was added to the Constitution and can still be used if people feel as though the Constitution no longer has the same meaning as what the people who wrote