

employees of hospice programs to handle controlled substances in the residences of certain hospice patients to assist in disposal of those controlled substances.

S. 2708

At the request of Mr. MERKLEY, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2708, a bill to provide for the establishment of Medicare part E public health plans, and for other purposes.

S. 2774

At the request of Ms. KLOBUCHAR, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. 2774, a bill to reauthorize the COPS ON THE BEAT grant program.

S. CON. RES. 7

At the request of Mr. ROBERTS, the names of the Senator from Minnesota (Ms. SMITH) and the Senator from Iowa (Mrs. ERNST) were added as cosponsors of S. Con. Res. 7, a concurrent resolution expressing the sense of Congress that tax-exempt fraternal benefit societies have historically provided and continue to provide critical benefits to the people and communities of the United States.

S. RES. 407

At the request of Mr. COONS, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. Res. 407, a resolution recognizing the critical work of human rights defenders in promoting human rights, the rule of law, democracy, and good governance.

S. RES. 481

At the request of Mr. HATCH, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. Res. 481, a resolution calling upon the leadership of the Government of the Democratic People's Republic of Korea to dismantle its labor camp system, and for other purposes.

#### AUTHORITY FOR COMMITTEES TO MEET

Mr. ALEXANDER. Mr. President, I have 5 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

##### COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, May 8, 2018, at 10 a.m. to conduct a closed hearing.

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Tuesday, May 8, 2018, at 10 a.m. to conduct a hearing.

##### SPECIAL COMMITTEE ON AGING

The Special Committee on Aging is authorized to meet during the session of the Senate on Tuesday, May 8, 2018, at 10 a.m. to conduct a hearing entitled "Insulin Access and Affordability: The Rising Cost of Treatment."

##### SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, May 8, 2018, at 2:30 p.m. to conduct a closed hearing.

##### SUBCOMMITTEE ON AVIATION, OPERATIONS, SAFETY, AND SECURITY

The Subcommittee on Aviation, Operations, Safety, and Security of the Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Tuesday, May 8, 2018, at 10:15 a.m. to conduct a hearing entitled "Keeping Pace with Innovation—Updating on the Safe Integration of Unmanned Aircraft Systems into Airspace."

#### PRIVILEGES OF THE FLOOR

Mr. BROWN. Mr. President, I ask unanimous consent that privileges of the floor be granted to Rachael Hartford of my staff for the remainder of the day.

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

#### MEASURE PLACED ON THE CALENDAR—H.R. 4

Mr. MCCONNELL. Mr. President, I understand there is a bill at the desk that is due for a second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The bill clerk read as follows:

A bill (H.R. 4) to reauthorize programs of the Federal Aviation Administration, and for other purposes.

Mr. MCCONNELL. In order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The PRESIDING OFFICER. Objection is heard.

The bill will be placed on the calendar.

#### ORDERS FOR WEDNESDAY, MAY 9, 2018

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Wednesday, May 9; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed. Finally, I ask that following leader remarks, the Senate proceed to executive session and resume consideration of the Engelhardt nomination under the previous order.

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

#### ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator BROWN.

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

The Senator from Ohio.

#### OPIOID EPIDEMIC

Mr. BROWN. Mr. President, everyone in this Chamber knows how bad the opioid epidemic is. In my State, we have the second highest number of opioid deaths per capita in the country next to West Virginia. In my State, we also have more people die of opioid overdoses than any other State in the country. On average, 11 people died yesterday, 11 will die today, 11 will die tomorrow, and 11 will die on Thursday of opioid overdoses.

Last month at the Cleveland City Club, I called for a comprehensive, coordinated, and sustained public health campaign to fight addiction through education, prevention, treatment, and recovery.

We know from history that we cannot arrest or execute our way out of this crisis, whether in Montana or in Ohio. I met with law enforcement officers in every corner of my State. They shoulder a huge burden. They all tell me the same thing: They need resources to fight this. That is why I joined Senator PORTMAN and a bipartisan group of our colleagues on the POWER Act—to get State and local law enforcement the high-tech tools they need to effectively screen for dangerous opioids, such as fentanyl.

We also know from history that those enforcement tools are just one piece of this fight. We need a comprehensive approach, and that means recognizing how important treatment and rehabilitation are. We don't write off thousands of Ohioans struggling with addiction. We simply don't write off entire communities. That is where drug courts come in. These courts are partnerships between law enforcement and treatment providers. They are spearheaded by judges who see the same people back in their courtrooms over and over again for drug offenses. These judges realized that traditional court proceedings simply were not working. They weren't curing people's addictions. Fines and jail time don't cure a medical condition. So judges set up these special courts where participants agree to enter treatment programs and are strictly supervised by law enforcement. If they successfully complete the program, instead of going to prison, they have a graduation ceremony.

We have seen this model work successfully for veterans. There are hundreds of these courts across the country, which are built around counseling and treatment. Veterans who get into

trouble with the law often face unique issues, such as PTSD.

My office recently visited the first Federal Veterans Court in the Southern District of Ohio, in Dayton. We saw the difference it made in the lives of men and women who served this country. The court was created by my friend, Judge Michael Newman, with the support of Chief Judge Edmund Sargus. It works with the VA to help address the issues veterans are struggling with. My staff met with Page Layman, a veterans justice outreach coordinator who helps the participants in the program. He talked about how one of the participants in the court had limited transportation options and lived in a rural area, so Mr. Layman drove to meet him at the local library. Judge Newman reports that 49 veterans have graduated from the program with their charges dropped and are now leading healthier lives.

We have the same opportunity with drug courts. The Ohio Office of Criminal Justice Services studies these courts. They found that drug courts enhance treatment, increase collaboration in the community, and save taxpayers money.

My staff and I met with judges across Ohio who are helping people break the cycle of drug use and crime. Earlier this year, we talked with Hocking County Municipal Court Judge Fred Moses while he was in town as a State of the Union guest of Representative STEVE STIVERS of Ohio. He started an innovative drug court program just outside Chillicothe, OH, in 2012. As a judge, he saw the opioid epidemic coming years before most folks in Washington saw it. He started the first medication-assisted drug court program certified in my State. Five years later, his programs are reuniting families, cutting down on repeat offenses, and helping participants get jobs.

He and his staff are improving the lives of people in Southeast Ohio and serving as a model for other drug courts around the State and country. Since the program began, more than 30 other judges have visited Hocking County to learn about its success. Now we are seeing similar success all over Ohio.

Tuscarawas County has two drug courts—COBRA, in the Common Pleas Court, and the New Philadelphia Municipal Recovery Court. Judge Elizabeth Lehigh Thomakos runs the COBRA court, which held its 125th graduation. One graduate said:

When I couldn't get clean, you helped me get clean. You guys believed in me when I couldn't believe in myself.

Another:

My daughter has her mamma back. A healthy mom, hard-working, motivated, goal-oriented mom, who smiles again and is grateful in all she does. By this program shaping my future, it has also shaped hers.

The Recovery Court in New Philadelphia is run by Judge Nanette DeGarmo VonAllman. She hears so many stories like that one. She told the Times Re-

porter—the newspaper in Tuscarawas County—“We try to give them and their families hope: that treatment works and people do recover.” Programs all over Ohio and all over the country are offering families that hope.

In Cleveland, the Cuyahoga County Drug Court, under Judge David Matia, has graduated more than 300 people. Both that court and the Cleveland Municipal Drug Court operate under the Stephanie Tubbs Jones Greater Drug Court umbrella, named for my former colleague.

In Marion, OH, Common Pleas Court Judge Jim Slagle, a longtime friend of mine, held a graduation ceremony for eight graduates at the end of last month. Jennifer, one of the women who spoke, talked about her granddaughter. She said:

The most challenging part was admitting I needed this.

When she found out her granddaughter was going to be placed in foster care:

I knew I had to do something. I needed to get myself together. I had to do it for her.

She has now been clean for 2 years. She has custody over her 18-month-old granddaughter.

These are the kinds of success stories we hear all over the State and all over the country. If we are successful in this fight, hundreds of thousands of fewer Americans will use opioids, but we will also have hundreds of thousands more who have used opioids but whose lives are not lost or ruined. They are going to be living with and managing their addiction. That is why we need to expand and build on these approaches.

I am also working with my Republican colleague, Senator CAPITO of West Virginia, on bipartisan legislation—the CARE Act—to combine existing resources from the Departments of Labor and Health and Human Services to fund combined addiction treatment and workforce training efforts.

I hear the same thing from mayors from New Philadelphia, Middletown, Chillicothe, and Piqua: Employers can't fill openings because workers can't pass drug tests. Ohioans struggling with addiction—even those who have completed successful programs like these drug courts—can't find jobs. Our bill will help those Americans continue their recovery with good jobs that provide stability.

The government is spending money on drug treatment, mostly through Medicaid, and the government, through the Department of Labor, is spending money on job retraining. Why not put them together so that people, while they get clean and get whole, are ready to go to work because they have had that job training?

I hope my colleagues will join me in supporting the CARE Act and finding ways to support successful drug court programs around the country.

## NOMINATION OF MICHAEL BRENNAN

Mr. BROWN. Mr. President, tomorrow the Senate will vote to move forward with the President's nominee to join the Seventh Circuit Court of Appeals. It is a new law that sets a dangerous standard for judges who have the power to make critical decisions that impact the everyday lives of the people we serve.

Take a look at Judge Michael Brennan's record. At his hearing, he refused to acknowledge the ways our criminal justice system is biased against Americans of color. He made statements condoning judicial activism. He argued that judges are justified in not following precedent if they feel it was incorrectly decided. Think about that for a minute.

I am not a lawyer, but I understand this about our courts: A judge who feels no obligation to follow precedent laid out by higher courts is not a judge; that is someone who has ceased to be bound by any standards guiding a judge. Precedent is the backbone of our legal system. Saying that judges can disregard it if they feel it is incorrect would be a radical departure. Think about how this could work. In a Brennan court, it could be OK for a judge not to follow a Supreme Court decision like *Brown v. Board of Education*, which desegregated schools, as long as that judge—in this case, I guess, Judge Brennan—believes the case was incorrect. If you disregard precedent, decades of legal progress could be rolled back. The well-established rights of so many Americans would be at risk.

During his hearing, Brennan claimed he was only talking about precedent from the same circuit, but the article where he originally made these arguments made no such distinction then, and Brennan even admitted that at the hearing.

We cannot entrust the people we serve to a judge who can't be trusted to follow settled law.

Brennan would also be the first judge in more than 35 years to be confirmed over the objection of a Senator from his home State. Think about that. That doesn't even account for the backstory that I am going to mention. He would be the first judge in 35 years to be confirmed over the objections of a Senator from his home State. Senator BALDWIN from Wisconsin has not returned her blue slip on Brennan. In departure from Senate tradition, Republicans had a hearing and are now allowing a vote on Brennan's nomination despite not having a blue slip from Senator BALDWIN.

The seat Brennan is nominated for has been vacant since 2010. Why? Because Senator JOHNSON, now the senior Senator from Wisconsin, did not return a blue slip on President Obama's first nominee to fill this seat. This body honored Senator JOHNSON's blue slip and was not going to confirm that nominee because the blue slip had not been returned. That was following the