

have mocked and derided him. The climate denial machine keeps working its poison. In fact, we just learned that Arch Coal's bankruptcy filing shows they were funding an extremist group dedicated to harassing and threatening scientists.

As the evidence comes in, as every major science agency and organization lines up with all our National Labs and military services and our home State universities across the country, it turns out the mockers and the deniers were wrong. In fact, in all decency, Al Gore deserves an apology, as do the countless men and women who scrutinize these data, who labor in the real science, and who call us to action. If we continue sleepwalking in Congress, we will need to apologize not just to Al Gore but to future generations. We will need to apologize to our own grandchildren for our negligence when we knew better.

So let us wake up from our fossil fuel-funded make-believe and meet our moral obligation.

Madam President, 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.

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 Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

BACKPAGE.COM

Mr. CORNYN. Madam President, this afternoon the Senate will proceed to a vote on S. Res. 377, a resolution that would hold backpage.com in contempt of Congress for not complying with an investigation being conducted by the Permanent Subcommittee on Investigations. Unfortunately, concerns have been raised that the Web site has connections to sex trafficking. Backpage has refused to comply with the subpoena request from the subcommittee. We all know that sex trafficking is a heinous, evil practice, and we should not and we will not tolerate it.

In 2012 I sponsored an amendment to the Violence Against Women Act that included a sense of Congress demanding that the owners of backpage.com remove the adult services section of their Web site.

Last year this Chamber passed the Justice for Victims of Trafficking Act, and it was signed into law by President Obama in the spring. This law contains language offered by Senator KIRK from Illinois which gives law enforcement officials additional tools to prosecute individuals such as those behind backpage.com who knowingly facilitate the sale or advertisement of human trafficking victims online.

Today's resolution is another opportunity for the Senate to stand up for the victims of human trafficking.

As a reminder, when we debated the Justice for Victims of Trafficking Act,

we talked about the profile of a typical victim of human trafficking—not that any of them are typical, but on average it is a girl between the ages of 12 and 14. This is a horrific business and sordid business, and I encourage every Member to support this resolution.

I thank the chairman of the subcommittee, Senator PORTMAN from Ohio, who has been working tirelessly to highlight this issue and bring it to the Senate's full attention. I am grateful for his bipartisan efforts and strong leadership and look forward to voting yes on the resolution later today.

FILLING THE SUPREME COURT VACANCY

Mr. CORNYN. Madam President, on another matter, we all know that yesterday President Obama exercised his authority under the U.S. Constitution to suggest to the Senate a nominee for the Supreme Court of the United States. During the announcement, President Obama spent time talking about the serious task of selecting a Supreme Court nominee, particularly one to succeed a legal lion such as Justice Scalia, whom the President appropriately called one of the most influential jurists of our time. His point was that the Supreme Court of the United States—the highest Court in the land—is an institution of unparalleled importance. What happens at the Supreme Court affects the lives of every American. So lifetime appointments to this most powerful Court in the land should not be taken lightly. As the President put it, our Supreme Court Justices have been given the role as the “final arbiters of American law” for more than 200 years. Of course, today they consider and answer some of the most pressing and challenging controversies and questions of our time. I agree with what the President said to that point.

We all know the Supreme Court is critical to our form of self-government and our democracy, and the role it serves is an essential one. When it plays a role our Founders did not intend, it really undermines respect for the rule of law and for the Court as an institution. So the selection of the next Supreme Court Justice should be handled thoroughly and thoughtfully.

I understand the President is taking his authority seriously, but under the same Constitution—the same Constitution that gives the President the authority to nominate a person to fill this vacancy—that same Constitution has a separate responsibility for the U.S. Senate either to grant or to withhold consent to that nomination.

With the passing of Justice Scalia, the Senate must exercise its constitutional authority as well. Regardless of how we come down on the controversy of the day with regard to when this vacancy should be filled, we all take this responsibility seriously, and because of that, I believe we should follow the examples set by the minority leader, Senator REID; the senior Senator from New

York, Mr. SCHUMER; and Vice President BIDEN when he was chairman of the Senate Judiciary Committee—their admonitions made over the years when they were in the majority—and not move forward with the President's nominee at this time.

I think it is only a matter of fundamental fairness to apply the same rules to the same situation no matter who is in the majority and who is in the minority. When they were in the majority, they argued that these vacancies should not be filled the last year of the President's term of office. JOE BIDEN did that in 1992 during the Presidency of George Herbert Walker Bush. Senator REID made that same argument when George W. Bush was President of the United States. And in 2007, 18 months before George W. Bush left office, Senator SCHUMER, the heir apparent to the Democratic leader, said there should be a presumption against confirmation. So it is only fair to play by the same set of rules which they themselves advocated.

Based on the conduct, based on the behavior of our Democratic colleagues when they were in the majority—well, first when they were in the minority, when they filibustered judges for the first time, and later when they were in the majority, before they saw the majority flip to Republicans, the Democratic leader packed the DC Circuit Court of Appeals by invoking the so-called nuclear option, breaking the Senate rules in a raw display of political power in order to pack a court that many people call the second most important court in the land. So this lifetime appointment to the Court is a critical check on the executive branch—a check this administration has proved over and over again we need desperately.

As others and I pointed out long before the President announced this nominee, this nomination will change the ideological balance of the Supreme Court for a generation. Justice Scalia served for 30 years. Because of that, because of all of this, I believe the American people should have their voices heard in the selection of the next Supreme Court nominee. We have already undertaken the process here of the Democrats choosing their nominee for President, and Republicans are doing the same. There is simply too much at stake to leave this decision in the hands of a President who is headed out the door—a decision that will have dramatic consequences on the balance of the Court and the direction of the country for a generation to come.

I believe we should listen to the voices of the American people and allow them to cast their vote and to raise their voice and determine who will make that selection.

I know there have been some members of the press who have asked: Well, if not now, how about in a lameduck session of the Congress; that is, after the election and before the new President is confirmed?