

for so long, for the people of Flint who were told the water was OK and it wasn't—and I have now been watching coverups and slow-walking for going on 2 years—this is just one more time when they are watching inaction and we could be stepping up and doing something to help.

So that is what we are asking for; that when we come back, the children of Flint be a priority for action; that we work together, as we have done across the aisle, to put forward something that will address water infrastructures to help the people of Flint, to help people around the country so they don't find themselves in a situation like the people of Flint; and that we do that together; that we pass that bill; that we pass an energy bill; and that we move forward after weeks and weeks and weeks of good-faith efforts to get something done.

All we are asking for is a vote. That is all we are asking for, after all this effort, is the opportunity to vote. If someone believes it is not the right thing to do, they have the opportunity that we all have, to vote no, but the children of Flint deserve a vote. The children in Jackson, MS, and the people around the country are worried they might become the crisis, the catastrophe in Flint, and are asking us simply to vote.

Lead poisoning is a frightening thing. It gets in your body and never leaves. It goes from your blood to your bones. When a woman gets pregnant, it goes into the fetus. It is a frightening form of poison. If that is not a national emergency worthy of action by the Senate and the House—the Congress of this country—I don't know what is.

Frankly, there are a whole lot of people who have lost faith in the government right now of Flint, who are asking us to see them, to care about them, and to help.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

FILLING THE SUPREME COURT VACANCY

Mr. PERDUE. Madam President, regarding the vacancy on the Supreme Court, many of our colleagues in the minority party have said the same things we are saying today. Let's stop kidding each other. This kind of political showmanship—and, yes, indeed, hypocrisy—is exactly what makes everyone in my home State absolutely apoplectic with Washington.

The last time I addressed the Supreme Court vacancy on the Senate floor, I urged my colleagues on the other side of the aisle not to let the nominations process get bogged down in partisan politics—that is not what this should be about—not to let this process turn into political theater because that is exactly what has happened far too often in this body ever since the Bork nomination way back in 1987.

The organized campaign of vilification and character attacks surrounding Judge Bork's nomination was so unprecedented and so extreme that it took the creation of a new word, "to Bork," to describe what had happened.

The process for nominating Justices to the Supreme Court has been thoroughly politicized ever since. That politicization has done great damage not only to the Court but to this body, the U.S. Senate. It has expanded beyond just Supreme Court nominees and now affects so many of our nominees for circuit judgeships as well. That is what happened in 2013, when then-Majority Leader REID broke a tradition almost as old as the Senate itself by invoking the nuclear option and breaking the Senate's filibuster rule to stack various circuit courts.

I don't think I need to remind any of my colleagues that when the Democrats were in the minority, there was no shortage of protests heard in this room about how sacred an institution the filibuster was. Keep in mind that the nuclear option was invoked after the Senate confirmed the President's first nominee to the DC Circuit by a unanimous 97-to-0 vote. It was an act of raw political power, the nuclear option.

We heard yesterday that the President has named his nominee to the Supreme Court, but let's be clear, any previous confirmation or record as a judge or professional qualifications are not the issue for any nominee. What is at stake is the integrity of the process, not the person. It is the principle, not the individual, because our judicial nominees to the Supreme Court, the circuits, and the district courts deserve better than to be used as pawns in any political fight, and that is exactly what would happen if the Senate were to consider any nominee in the middle of this political season.

I am a new Member to this institution, but this has been the view of my colleagues in both parties who have served in the Senate far longer than I have. This was their view no matter who the nominee was. This was their view even when there wasn't a vacancy to fill.

The former chairman of the Judiciary Committee, Vice President BIDEN, recognized this in 1992, when he said:

Once the political season is underway, and it is, action on a Supreme Court nomination must be—I want to emphasize that "must"—must be put off until after the election campaign is over. That is what is fair to the nominee and is central to the process. Otherwise, it seems to me, we will be in deep trouble as an institution.

I agree. The Vice President correctly saw that when we inject a nomination into a contentious election-year atmosphere, we do a disservice not only to the nominee but to the institution of the United States Senate itself. It is my view that enough institutional damage has already been done to the Senate through these politicized nominations.

I wish to say a little about the text of the Constitution. We hear both sides talk about this, but let's see it in detail.

I have heard so many of my Democratic colleagues claim that the Senate has an obligation to schedule hearings and hold a vote on this nominee. We have all read article II, section 2, of the Constitution. Every Member of this body knows the Constitution says nothing about hearings or votes on judicial nominees. It is simply not there.

Senators of both parties have always understood this and have said so for years, regardless of who was in the majority. In 2005, Minority Leader REID said: "Nowhere in the Constitution does it say the Senate has a duty to give Presidential appointees a vote." Before that, in 2002, the former chief judge of the DC Circuit, Abner Mikva, who was a Carter appointee, said: "The Senate should not act on any Supreme Court vacancies that might occur until after the next presidential election." The senior Senator from Nevada and Judge Mikva were right then, and Chairman GRASSLEY and my Republican colleagues are right now.

Despite many of them previously making the exact same points we are today, my Democratic colleagues are continuing this diatribe of telling us to do our job. I would respectfully say to my Democratic colleagues today, we are doing our job. Our job as Senators is to decide how to responsibly exercise the powers of advice and consent delegated to us under our Constitution.

The responsible course of action here—a course of action endorsed by both Democrats and Republicans for decades—is to refrain from initiating the nomination process in the midst of an election-year political fight. The responsible course of action is to avoid the political theater this nomination would become.

I 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.

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

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

HONORING NEBRASKA'S SOLDIERS WHO LOST THEIR LIVES IN COMBAT

Mrs. FISCHER. Madam President, I rise today to continue my tribute to Nebraska's heroes and the current generation of men and women who lost their lives defending our freedom in Iraq and Afghanistan. Each of these Nebraskans has a special story to tell. Throughout this year and beyond, I will continue to honor their memory here on the Senate floor.

FIRST LIEUTENANT JACOB FRITZ

Today, I wish to highlight the life of 1LT Jacob Fritz of Verdon, NE. Jake,