

I urge my colleagues to vote no on this nomination and stand together in a bipartisan way to confirm nominees who reflect our States, our country, and respect the Senators.

Thank you.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mrs. MURRAY. Mr. President, I am here joining my colleagues on the floor to sound the alarm because right now, this Senate is being steered down a very dangerous path. I spoke last night about this and laid out my case, and I am here again to make it one more time.

Republican leaders are now barreling toward a confirmation vote on a Ninth Circuit nominee—a flashpoint that, if it succeeds, will mark a massive departure from the longstanding bipartisan process that has been in place for generations. It is a bipartisan process that has helped this Senate put consensus nominees on the bench for as long as we have all been here. This is wrong, and it is the American people who we represent who will be hurt.

Let's recap the facts. Neither I nor my colleague Senator CANTWELL returned a blue slip on the nomination of Eric Miller to serve on the Ninth Circuit court. I have deep concerns about Mr. Miller's work fighting against Tribes. Despite our objections, Republicans went ahead with Mr. Miller's confirmation hearing during a Senate recess when just two Senators—both Republicans—were able to attend, and the hearing included less than 5 minutes of questioning. It was a sham hearing. It was simply done to check the box.

For this Senate to go ahead and confirm this Ninth Circuit court nominee without the consent of or true input from both home State Senators and after a sham hearing—that would be a dangerous first for this Senate.

This is not a partisan issue; this is a question of this Senate's ability and commitment to properly review nominees.

The only logical conclusion I can draw as to why we are here at these crossroads is that Republican leaders are hoping that most Americans won't notice, that they are doing everything in their power to pander to President Trump and in doing that are trampling all over Senate norms in order to move our courts to the far right.

We are standing here today because this is too important and because the short- and long-term consequences of letting any President steamroll the Senate on something as critical as our judicial nominees are far too important.

Abandoning the blue-slip process and instead bending to the will of a President, by the way, who has demonstrated time and again his ignorance and disdain for the Constitution and rule of law is a mistake. At a time when we have a President whose policies keep testing the limits of the law—from a ban on Muslims entering the United States, to a family separation policy at our southern border, to declaring a national emergency without a real emergency—it is now more important than ever that we have well-qualified, consensus judges on the bench.

This new precedent of my Republican colleagues turning a blind eye to the blue slip and shunning longstanding bipartisan processes should stop every one of my colleagues, Republican or Democratic, in their tracks because today the two home State Senators left holding their blue slips are me and my colleague Senator CANTWELL, but in the future, it could be any Member of this body. Today it is Washington State families who are getting cut out from an important process. It is their concerns about Eric Miller's long history of fighting against Tribal rights that will be cast aside. But tomorrow it could be the concerns of any of your constituents and any of your home States that get tossed aside for a President's crusade to reshape our courts and satisfy their political base, and it could be your constituents and your home States hurt by Senate leaders unwilling to stand up for norms and precedents and our constitutional duty.

Again, I am here today to urge my colleagues to truly think about what moving ahead with this nomination means and to ask themselves, are we still able to work together in a bipartisan way and find common ground for the good of the country and the people we serve? Can we still even engage in a bipartisan process to find consensus candidates to serve on our courts, or will our work in the Senate be reduced to partisan extremes and political gamesmanship? Will Republicans accept simply being a rubberstamp for their leader in the White House? Will my colleagues be complicit in allowing our courts to be taken over by ideology alone, abandoning pragmatism and a commitment to justice for all? That is a choice every Senator faces now and, I sincerely hope, a choice for which every Senator will be held accountable.

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.

Mr. McCONNELL. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. McCONNELL. I know of no further debate on the Miller nomination.

The PRESIDING OFFICER. Is there further debate?

Hearing none, the question is, Will the Senate advise and consent to the Miller nomination?

Mr. McCONNELL. 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 senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Arizona (Ms. SINEMA) is necessarily absent.

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

The result was announced—yeas 53, nays 46, as follows:

[Rollcall Vote No. 29 Ex.]

#### YEAS—53

Alexander	Fischer	Perdue
Barrasso	Gardner	Portman
Blackburn	Graham	Risch
Blunt	Grassley	Roberts
Boozman	Hawley	Romney
Braun	Hoeven	Rounds
Burr	Hyde-Smith	Rubio
Capito	Inhofe	Sasse
Cassidy	Isakson	Scott (FL)
Collins	Johnson	Scott (SC)
Cornyn	Kennedy	Shelby
Cotton	Lankford	Sullivan
Cramer	Lee	Thune
Crapo	McConnell	Tillis
Cruz	McSally	Toomey
Daines	Moran	Wicker
Enzi	Murkowski	Young
Ernst	Paul	

#### NAYS—46

Baldwin	Hassan	Rosen
Bennet	Heinrich	Sanders
Blumenthal	Hirono	Schatz
Booker	Jones	Schumer
Brown	Kaine	Shaheen
Cantwell	King	Smith
Cardin	Klobuchar	Stabenow
Carper	Leahy	Tester
Casey	Manchin	Udall
Coons	Markey	Van Hollen
Cortez Masto	Menendez	Warner
Duckworth	Merkley	Warren
Durbin	Murphy	Whitehouse
Feinstein	Murray	Wyden
Gillibrand	Peters	
Harris	Reed	

#### NOT VOTING—1

Sinema

The nomination was confirmed.

#### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant bill clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Michael J. Desmond, of California, to be Chief Counsel for the Internal Revenue Service and an Assistant General Counsel in the Department of the Treasury.

James E. Risch, Johnny Isakson, Todd Young, Mike Crapo, Pat Roberts, John Thune, Rob Portman, Roy Blunt, Thom Tillis, John Boozman, Roger F. Wicker, James Lankford, Tim Scott, Steve Daines, Michael B. Enzi, John Hoeven, Mitch McConnell.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Michael J. Desmond, of California, to be Chief Counsel for the Internal Revenue Service and an Assistant General Counsel in the Department of the Treasury, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Arizona (Ms. SINEMA) is necessarily absent.

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

The yeas and nays resulted—yeas 84, nays 15, as follows:

[Rollcall Vote No. 30 Ex.]

#### YEAS—84

Alexander	Ernst	Paul
Baldwin	Feinstein	Perdue
Barrasso	Fischer	Peters
Bennet	Gardner	Portman
Blackburn	Graham	Risch
Blumenthal	Grassley	Roberts
Blunt	Hassan	Romney
Boozman	Hawley	Rosen
Braun	Heinrich	Rounds
Brown	Hoeven	Rubio
Burr	Hyde-Smith	Sasse
Cantwell	Inhofe	Scott (FL)
Capito	Isakson	Scott (SC)
Cardin	Johnson	Shaheen
Carper	Jones	Shelby
Casey	Kaine	Smith
Cassidy	Kennedy	Stabenow
Collins	King	Sullivan
Coons	Lankford	Tester
Cornyn	Leahy	Thune
Cortez Masto	Lee	Tillis
Cotton	Manchin	Toomey
Cramer	McConnell	Udall
Crapo	McSally	Van Hollen
Cruz	Moran	Warner
Daines	Murkowski	Wicker
Durbin	Murphy	Wyden
Enzi	Murray	Young

#### NAYS—15

Booker	Klobuchar	Sanders
Duckworth	Markey	Schatz
Gillibrand	Menendez	Schumer
Harris	Merkley	Warren
Hirono	Reed	Whitehouse

#### NOT VOTING—1

Sinema

The PRESIDING OFFICER. On this vote, the yeas are 84, the nays are 15.

The motion is agreed to.

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant bill clerk read the nomination of Michael J. Desmond, of California, to be Chief Counsel for the Internal Revenue Service and an Assistant General Counsel in the Department of the Treasury.

The PRESIDING OFFICER. The Senator from Delaware.

#### CLIMATE CHANGE

Mr. CARPER. Madam President, I rise this evening to speak on a subject that, with the groundswell of activism, has once again captured national attention—and rightfully so.

Many years ago, I was a young naval flight officer stationed at a mock field naval air station in the Bay area out in California, preparing for the first of what would be three tours of duty in Southeast Asia during the Vietnam war. I joined there with tens of thousands of people one day to celebrate our country's first-ever Earth Day. I will never forget it.

This was back when polluters dumped waste into our waterways with impunity. Garbage littered our shores, and too many rivers oozed instead of flowed. One of them was in Cleveland, OH. The Cuyahoga River, north of where I went to school at Ohio State, actually caught on fire. Factories spewed toxic fumes, and acid rain fell from the sky. The urgency was clear then, and it is even clearer today.

That very first Earth Day was a transformative experience for me, and it will serve as an inspiration for me for the rest of my life.

As I look at what is happening across our country today, I see the movement for bold and transformative action to save our planet. I see the faces of those who were there with me that day in Golden Gate State Park.

I have had a lot of different jobs since then, but it is not lost on me that I stand here today on the brink of yet another watershed moment as the top Democrat on the Senate Committee on Environment and Public Works—the committee that oversees our Nation's environmental laws—to talk about climate change.

In the days and weeks ahead, Senator MCCONNELL intends to engage in a ploy to try and undermine the Green New Deal by calling a vote for a resolution he does not even support. I believe he hopes that, in turn, there may be some disruption and damage inflicted on the Democratic Party and the climate change movement.

To the American people, hear this; it is a simple message: We cannot—we will not—allow cynicism to win, not now and not with so much at stake.

When it comes to climate action, there could not be a starker difference in this Chamber between the Democratic Party and the Republican Party in this debate.

We, as Democrats, may not agree on exactly how we should address climate change, but we all agree it is happening. We agree that human activity is the main cause, and we agree that we must act now.

Democrats know that climate science isn't part of some grand hoax. It is not an alarmist prediction. It doesn't come from some left-leaning organization. It doesn't come from talk radio. It comes directly from our Nation's leading scientists and leading scientists from all around the world.

Just 3 months ago, 13 Federal Agencies released a comprehensive climate report that described the dire economic and health consequences we face if we fail to take meaningful action to address climate change now. I may be

mistaken, but I believe those 13 Federal Agencies were acting under law signed by a Republican President. I believe it was George Herbert Walker Bush.

This report is the Fourth National Climate Assessment. It was developed over a 3-year period by more than 300 Federal experts and non-Federal experts who volunteered their time—who volunteered their time.

Here is a brief summary of their report: The science behind climate change is settled. Let me say that again. The science behind climate change is settled.

From our warming oceans to our atmosphere, climate change is happening, and human activity, such as burning fossil fuels, is greatly contributing to this crisis.

Our Nation's scientists have found a direct link between climate change and the extreme weather we experienced in 2017, which altogether cost the American economy more than \$300 billion—that is \$300 billion in economic damages, more than any year before.

Scientists are no longer asking if climate change is happening but rather how bad is it going to be. How bad is it going to be? Numbers and the facts don't lie. It will only get worse if we do nothing.

If we don't act on climate change by 2050, wildfire seasons could burn up to six times—six times—more forest area every year. If we don't act on climate change, we will see more extreme flooding that devastates small communities like Ellicott City, MD, not far from here, which has been hit by not one 1,000-year flood in the past year but two. These are floods that are supposed to occur maybe once every 1,000 years. They had two of them in the last 2 years.

If we don't act on climate change, rising temperatures, combined with increasingly frequent and severe rain, mean farmers are likely to experience a reduction in corn and soybean yields by up to 25 percent. If we don't act on climate change, we will see more deadly category 5 hurricanes and storm surges like the ones we saw with Hurricanes Irma and Maria just 2 years ago.

If we do not act on climate change, we will see economic pain across every major sector of our economy in this country. The 2018 National Climate Assessment concludes that at the end of this century, climate change could slash our gross domestic product by 10 percent.

How much is that compared to what? Well, compared to the losses we sustained in the great recession just a decade ago, 10 percent is more than double those losses—more than double.

It doesn't matter if you are from a coastal State or from a landlocked State. I have lived in both. It doesn't matter if you care about public health or the environment or if you care about our economy or national security. The fact is, every person living in