

Climate change is a big deal, and it is time to do something about it that is real—not play political games, but to actually do something thoughtful and real about it.

In the wise words of Hank Williams, Jr., “We need a little less talk and a lot more action.” Andrew Wheeler has repeatedly shown no interest in acting. In fact, he wants to take us backward—and is taking us backward—on climate change. He has no interest in reducing, let alone eliminating, carbon pollution. We need to act, and it is clear that Andrew Wheeler is the wrong person to lead the EPA at this critical time for our country.

I urge a “no” vote on Andrew Wheeler for EPA Administrator.

#### NOMINATION OF NEOMI RAO

Mr. President, one other brief comment, as some colleagues will be coming to the floor in a bit, and I want to join them in speaking about the DC Circuit Court nominee Neomi Rao. I stand with them in opposing this nomination.

In the era of #MeToo, when women are sharing their stories about assault and abuse, we don’t need a judge who has written that women who drink are to blame if they are then sexually assaulted.

We do not need a judge who blocked a critical equal pay measure intended to help close the wage gap.

So I join with colleagues in encouraging, at the appropriate time, a “no” vote on this nomination.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I ask unanimous consent that both Senator MENENDEZ and I be permitted to speak for up to 5 minutes each prior to the roll call vote on the Desmond nomination.

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

Mrs. MURRAY. Mr. President, I am delighted to join the Senator from Michigan today, to add to her comments about the replacement for now-Justice Kavanaugh after he was confirmed to the Supreme Court last year, and I want to remind my colleagues about the people who spoke up during Justice Kavanaugh’s nomination and the critical issues that they spoke about.

Women stood up. They rallied. They marched. They made clear they do not want to go back to the days before the *Roe v. Wade* decision affirmed their right to make their own healthcare decisions.

Incredibly brave survivors, such as Dr. Ford and so many others, said they wanted to be heard and believed, not silenced.

Families across the country said they wanted a Justice who would interpret the law fairly and objectively, without partisanship—someone whose priority is the Constitution and people across the country, not President Trump and his extreme agenda.

Unfortunately, but not surprisingly, it is clear that President Trump and Republicans in Congress aren’t listening to women or survivors or families, because the next nominee for the DC Circuit Court fails on each and every count I just listed.

As we speak, Neomi Rao is enacting the Trump agenda in her role as the head of the Agency that reviews and approves the Trump administration’s changes to regulations impacting so many people in communities who stood up to oppose Justice Kavanaugh’s nomination.

Under Ms. Rao’s leadership, the Trump administration finalized a rule that prevents healthcare providers from even informing patients who come to title X-funded health centers about where to go to get safe—safe—legal abortions and places new, burdensome, medically unnecessary requirements on title X-funded health centers, designed specifically to prevent Planned Parenthood from receiving these funds, meaning millions of patients may lose a source of quality, affordable, basic healthcare they trust.

Ms. Rao has helped put forward rules that would make it harder for members of the LGBTQ community and women to get the care they need by allowing providers to turn them away simply because of who they are or because they want birth control.

I also want to take a few minutes to address Ms. Rao’s deeply concerning comments about rape and sexual assault. While in college, she wrote that “a good way to avoid a potential date rape is to stay reasonably sober.”

Let’s be clear. It is never a survivor’s fault, ever, that someone raped or sexually assaulted them.

Ms. Rao was given an opportunity to explicitly reject those comments and failed to do so. She then sent a letter attempting to walk them back, but her actions speak louder than a letter sent during a nomination process, and her actions on this issue have been harmful.

In her role within the Trump administration, Ms. Rao has helped Secretary DeVos to roll back protections that help survivors get justice when they are sexually assaulted on campuses. In other words, at the same time that Ms. Rao claims her views have changed on sexual assault and consent, her actions are aligned with those who believe what she wrote in college. To the survivors I hear from and those who bravely spoke out against Justice Kavanaugh and so many others, Ms. Rao’s actions are what matters.

Ms. Rao is also listening to corporate lobbyists instead of scientists when it comes to climate and our public health and is advancing rules that would allow more discrimination in our Nation’s housing programs. Unfortunately, it seems that on many issues, where President Trump wants to do damage and hurt families, Ms. Rao is right behind him with a rubberstamp, just like Justice Kavanaugh and so

many others President Trump has nominated to the bench.

We need judges who will do what workers and families expect of a judge—to interpret our laws according to the Constitution and what is best for our country, not according to politics and what is best for President Trump. That is why I am strongly opposing her nomination, and I hope all of our colleagues will join us in doing so.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

#### NOMINATION OF MICHAEL J. DESMOND

Mr. MENENDEZ. Mr. President, I rise today in opposition to President Trump’s nominee for Chief Counsel of the Internal Revenue Service, Michael Desmond.

This nominee comes before us just a week into this year’s filing season, when our need for an IRS that treats all taxpayers fairly is clearer than ever.

Already, thousands of taxpayers across America are grappling with the fallout of the Trump tax bill and its capping of the State and local tax, or SALT, deduction. Already, the IRS has reported an average 17 percent drop in the size of tax refunds this year. Already, the broken promises made by President Trump and his Republican allies are being laid bare.

They promised middle-class families thousands of dollars of tax relief and a \$4,000 raise in their salaries. Instead, they got \$1.5 trillion in more debt and an economy that is even more rigged for big corporations and wealthy CEOs.

As bad as the Trump tax scam is for the whole country, it is worse for New Jersey families. That is because Republicans paid for a big chunk of their corporate giveaways by gutting the State and local tax deduction that New Jersey and other States’ middle-class families depend on to write off their property taxes. In 2016, 1.8 million people—about 40 percent of New Jersey taxpayers—deducted their property and State income taxes. More than 80 percent of them earned less than \$200,000, and the average deduction totaled \$18,000—far above the arbitrary cap imposed by the Trump tax bill.

With tax season under way, many homeowners are just now realizing how badly their President ripped them off. To add insult to injury, the IRS issued haphazard guidance for the Trump tax bill that unfairly targets States like New Jersey, trying to simply lessen the burden heaped on them by the GOP.

In the final days of 2017, just days after President Trump signed the tax bill, New Jerseyans rushed to prepay their 2018 local property taxes and preserve their deductions before the new cap on the SALT deductions took effect. But then came Trump’s IRS, which issued guidance to try to limit their ability to deduct property tax payments made in 2017 on their Federal returns—a stunning backdoor attempt to retroactively apply the cap on property tax deductions without cleared legislative tax to warrant doing so.