

at the EPA. That is what I am trying to do. That is what we are trying to do.

As the President's nominee to lead this Agency, under the provisions of the Federal Vacancies Reform Act, Mr. Wheeler can continue to lead the EPA as Acting Administrator until August 7 of this year. He is there, and he is going to be there. Rushing to judgment on this nomination will close the window of opportunity we have to ensure the Acting Administrator reverses course at the EPA and embraces the commonsense, bipartisan policies I just laid out—policies which make our environment cleaner and safer while they also create jobs and strengthen America's economy. I think we all want that. I think that is why people sent us here to negotiate those kind of win-win agreements.

I urge my colleagues to join me in voting no on this nomination so we can achieve those win-win situations that are there for the taking.

I thank the Presiding Officer.

I reserve the balance of my time.

THE PRESIDING OFFICER. The Senator from Wyoming.

MR. BARRASSO. Mr. President, the Senate is today considering the nomination of Andrew Wheeler to serve as the Administrator of the Environmental Protection Agency. It is the job of the EPA to protect both the environment and human health. This critically important Agency needs Senate-confirmed leadership in place.

President Trump picked the right person to lead this Agency when he nominated Andrew Wheeler. Since April of last year, he has served as the Deputy Administrator of the Environmental Protection Agency, and since July of last year, he has served as the Acting Administrator of the Agency. I believe Andrew Wheeler has done an outstanding job in leading the EPA over the past 7 months.

During the last administration, the EPA issued punishing regulations that would hurt the economy and raise costs on families. Under Acting Administrator Wheeler's leadership, the EPA has taken a different approach. The Agency is now putting forward proposals that both protect our environment and allow the country's economy to flourish.

Acting Administrator Wheeler has led efforts to issue commonsense regulatory proposals. These include the affordable clean energy rule and revising the definition of the waters of the United States. Both of these proposals show Mr. Wheeler is serious about clean air and clean water while they also show he understands there is an important role for States and local communities to play. It can't be a top-down, Washington-knows-best approach.

Acting Administrator Wheeler has played a critical role in implementing updates to the Toxic Substances Control Act and has taken steps to limit people's exposure to dangerous and toxic chemicals. These updates are the

result of major bipartisan legislation that came out of the Senate Environment and Public Works Committee in 2016.

Andrew Wheeler is working to limit lead exposure as well. Last December, he helped to unveil the Trump administration's multiagency effort to reduce the number of children exposed to lead in drinking water, in consumer products, and in paint. During his tenure, the EPA has also worked to provide greater regulatory certainty to States, to Tribes, to communities, and to the industries it regulates.

Mr. Wheeler is well qualified for the position of EPA Administrator. He has spent decades—actually, over 25 years—working in environmental policy. He has served as a career employee at the EPA as an environmental protection specialist. This experience makes him uniquely qualified to serve as the head of the Agency.

After that time, he spent over a decade here on Capitol Hill. When he left the EPA, he came here to work on the Environment and Public Works Committee. He served as the staff director of the Senate Environment and Public Works' Clean Air and Nuclear Safety Subcommittee for 6 years. Then he spent another 6 years working as the Republican staff director and chief counsel for the full committee under Chairman JIM INHOFE. After his time on the Hill, he also worked as a consultant for a variety of energy and environmental clients. He is very well qualified, and that is a big reason his nomination has received broad support.

There are 63 agricultural and forestry groups that wrote a letter in support of Mr. Wheeler's nomination to be the Administrator: "It is hard to imagine a more qualified individual for the role of EPA administrator, and we respectfully request that the committee move to confirm his nomination so that he may be considered by the full Senate," they say, "at the earliest date possible."

Mr. Wheeler has received praise from the United Mine Workers of America.

Cecil Roberts, the union's international president, said the following about Mr. Wheeler: "[H]e will be a reasonable voice within the agency, and will recognize the impact on both the workers and mining communities that are directly affected as EPA develops future emissions regulations."

His experience and commitment to sound environmental policies has received recognition from the Democrats as well.

Senator CARPER, who is with me on the floor and was the ranking member of our committee at one point, said of Mr. Wheeler when he was nominated for the Deputy Administrator's role: "I think having worked in the agency, he actually cares about the environment; the air we breathe; the water we drink; the planet on which we live." I agree.

It is time to end the needless delays by the Senate Democrats. Andrew Wheeler's nomination to serve as the

Deputy Administrator was delayed for months and had to be reported out of the EPW Committee twice before he was confirmed. Now the Senate Democrats are calling to delay the process again. These delays only slow down the Agency from meeting its objectives of helping communities and protecting the environment.

The EPA needs a Senate-confirmed Administrator in office. The EPA Administrator plays a central role in developing and implementing programs that are focused on meeting the EPA's mission of protecting human health and the environment. Andrew Wheeler is well qualified to lead this Agency and to serve in the President's Cabinet. He is the right person to be the Administrator of the Environmental Protection Agency, and I strongly encourage every Senator to support the nomination.

#### NOMINATION OF JOHN L. RYDER

Mr. President, I also rise in support of the nomination of John L. Ryder to serve as a member of the Board of Directors of the Tennessee Valley Authority, the TVA.

The TVA serves 9 million people in parts of seven Southeastern States. It provides affordable electricity for business customers and local power companies, for flood control, navigation, and land management for the Tennessee River system, plus economic development for the region. The TVA is credited with transforming the region into a growing population and a growing economic base.

With over 40 years of experience as a lawyer, Mr. Ryder will be a strong complement to the TVA's Board of Directors. The Environment and Public Works Committee attested to this fact when it reported his nomination favorably to the Senate by a voice vote twice—first, on May 22, 2018, during the 115th Congress, and the next on February 5 of this year after he had to be renominated during this Congress because of the delays in the nomination approval process last year. Mr. Ryder is another example of how the confirmation process has deliberately run aground. Mr. Ryder, in normal times, would have been confirmed and in office last summer. Instead, we have to go through a cloture vote on a well-qualified nominee who has twice been reported unanimously through the Environment and Public Works Committee.

Let's not delay this any longer. I urge my colleagues to vote with me in supporting the nomination of John L. Ryder to be a member of the Board of Directors of the Tennessee Valley Authority.

I thank the Presiding Officer.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Connecticut.

#### BIPARTISAN BACKGROUND CHECKS BILL

MR. MURPHY. Mr. President, later today, the House of Representatives will pass a proposal that will be supported by 95, 97 percent of Americans.

This is a proposal to make sure anybody in this country who wants to buy a gun in a legitimate transaction has to go through a background check—a background check that in 90 percent of the cases takes less than 5 minutes of time. That background check will assure that only people who should be buying guns and owning guns will be buying and owning guns—people who don't have violent criminal histories and people who don't have histories of serious mental illness. It is a popular proposal. It is an impactful proposal. It will save thousands of lives all across this country.

I have come down to the floor to just remind my colleagues as to why this is so important, and I want to tell a quick story to try to put a little meat on the bone when it comes to this conversation we are having about the importance of making sure people go through background checks before they buy weapons.

Mr. President, 2008 to 2012 was a period of time in this country's history where violence was declining. Homicides were declining. Gun murders were declining. They were declining across the country. Specifically during that period of time, they were declining in the Midwest. Yet there was one State that stood out as a curious outlier during that period of time, and that was the State of Missouri.

In the State of Missouri, there was a dramatic jump during this period of time in gun homicides. In fact, it happened right away after 2007. In 2008 and 2009, about 50 to 60 to 70 additional people every year were being murdered with guns inside Missouri. A researcher from Johns Hopkins went to try to figure out why this was, and I think it is important to tell that story on the floor today.

Let me give a little historical context first. During the Civil War, Missouri was one of the most violent, most dangerous places in the country because there were these outlaws, these renegades of Confederates who were out in the bush—they call them the bushwhackers—who were doing regular battle with Union troops. It was one of the first instances of true, sustained guerilla warfare in this Nation. When the Civil War was over, they didn't go home. They had been brutally put down by the Union, but they stuck, and they formed their own smaller criminal enterprises.

We know about this because Jesse James and his brother Frank were amongst those who made their name as bushwhackers fighting the Union and then turned into criminals who robbed stage coaches and banks and trains.

To combat this post-Civil War continuation of violence, Missouri decided to change its firearms laws, and it started with a crackdown on the ability of individuals to conceal weapons. It extended to a change in the Constitution to make it perfectly clear that Missouri politicians had the ability to limit who could own guns and who couldn't.

Eventually, a provision got passed that said that in order to own a handgun, you had to get a permit from your local authority. As time went on, that permit came to include a background check, so that if you wanted to own a gun in Missouri, you had to go and get a background check. You had to prove you did not have a serious criminal history or a serious history of mental illness.

What happened in 2007 was that, very quietly, that provision got repealed. It was part of a much louder effort to repeal a whole host of gun laws in Missouri. Missouri kind of became the epicenter of the NRA's focus in the 2000s. It was this Southern—semi-Southern State that still had pretty tough gun laws, and the NRA went all in and had their annual convention in St. Louis and spent millions of dollars trying to elect folks who would sign laws they were pushing through the legislature. In 2007, they finally got their way. They got all these laws that had been passed since the Civil War repealed. One of them was the law that required you to get a background check before you could buy a gun.

The researcher from Johns Hopkins sort of looked at all these laws, controlled for all sorts of other factors, and came to the conclusion—you should read the paper; it is very well done—that it was this provision which removed the background check that led to this dramatic spike in violence. He has all sorts of interesting data to show why that is. All the other violent crime in Missouri stayed flat from 2008 to 2012, but gun crimes spiked. All of a sudden, guns bought in Missouri were being used in crimes all over the region. Other States started to report an increase—a curious, sudden increase—in crime guns that were bought in Missouri. Well, guess why. It was because all of a sudden, you didn't have to get a background check if you wanted to buy a gun in Missouri. All of a sudden, criminals and people with serious mental illnesses could get guns through gun shows and internet sales—transactions on the private market—without that background check.

I tell this story because I hear opponents of this bill in the House saying: This isn't meaningful. It won't work. These mass shootings weren't perpetuated with weapons that were bought without background checks.

Well, that is true. This one public policy intervention won't stop every single bad thing that happens in this country. But the data is the data, and it shows us that States that have background checks have dramatically lower rates of gun crime than States that don't have them.

A little bit earlier than the changes made in Missouri, my State of Connecticut made the opposite change. My State of Connecticut made a change to go from being a non-background check State to a background check State. We put in a local permit that came with a background check requirement. So

even if you bought your gun outside of a bricks-and-mortar gun store, you had to get a permit, and that permit required you to get a background check.

Well, that same researcher went to Connecticut, ran all the numbers, and found out that in Connecticut, after that change was made, gun murders dropped by 40 percent. They increased in Missouri by about 25 percent and decreased in Connecticut by about 40 percent—and again controlling for all sorts of other factors that could explain those changes.

So on both sides of the ledger, there is what I would tell you is incontrovertible evidence that a State that has background checks is going to end up having many fewer gun crimes than a State that doesn't have them. The problem is, as we saw in and around Missouri, guns don't respect borders, so when Missouri dropped its gun background check requirement, those guns started moving into other States.

That is what happened in my State. The guns that are used to commit crimes in our cities—the guns that are trafficked out of the back of vans—aren't bought from Connecticut gun stores; they are bought by criminals in other States because they know they can go to gun shows and they can turn to internet sales in those other States and buy those weapons.

The same thing happens as weapons move across our border. I have heard an awful lot from this President about how dangerous Mexico and Central America are. Well, there is some truth to that, but the guns that are being used in those crimes are trafficked from the United States of America, and the way they get to the southern border is through States that don't have background check requirements.

Just go online and check out what people say who have been arrested for gun trafficking. They tell you exactly how they did it. They go to gun shows in Texas. They buy guns at unregulated gun shows in Texas, and they take them back across the border and sell them in Central America.

So we have all the evidence we need—empirical evidence, anecdotal evidence—to pass this piece of legislation, but maybe the most important reason that we should pass it, that we should take it up here in the Senate when it passes the House later today, is that it is just so darn popular. There really isn't anything else in America today that is as popular as universal background checks. The minimum score is about 90 percent. There is plenty of really good polling that says that 97 percent of Americans support universal background checks. Grandma isn't that popular. Apple pie isn't that popular. There is nothing we debate here that gets 97 percent on agreement other than the issue of background checks.

So I am here on the floor today to try to fill in some of the details on why this is so important and to implore my colleagues, once it passes the House of Representatives, to bring it here. Obviously, I would love to have a vote on

the House bill, but I understand how this place works. We are going to send a letter to Chairman GRAHAM asking him to at the very least convene a hearing on background checks in the Judiciary Committee.

We came to a conclusion here in the Senate as to a bipartisan background checks proposal that could get 50 votes—in 2013—and I would love to start that process again. But there is no reason not to do it because all the evidence tells us that when we make sure that only the right people buy guns, a lot less people die from gun crimes.

This is not controversial anywhere except for Washington, DC. Everybody out there in the American public wants us to pass universal background checks. Maybe some other interventions in this space are a little bit more controversial, split folks a little bit more, but not background checks. This thing is decided outside of the Senate Chamber and the House Chamber. Popular in the public, deeply impactful, will save thousands of lives—that is a triple we don't get very often here, and we should take advantage of the opportunity.

Let me leave you with this: I convened a panel a couple of nights ago to talk about the importance of background checks, and there were a number of parents of those who were lost to gun violence. One of the parents was from Sandy Hook. Another was a parent of a child who was killed in Chicago, and she really wanted to make sure we knew what the real impact of gun violence in America was. She wanted to make sure we knew that the victims aren't just those who show up on the police blotter; the victims are the parents and the brothers and the sisters and the friends and the coworkers.

The average number of people who experience some diagnosable trauma when somebody in their life is shot and killed is 20. So when you hear the number that 100 people in the United States die every day from guns—which is a number 10 to 20 times higher than in any other high-income nation on a per capita basis—you have to understand that number isn't really 100; that number is 20 times higher than that because the people who have to live with that loss have to ask these questions: Why did they shoot themselves? What do I do about that individual who shot my son? How do I get over that combination of pain and anger? That is hard to understand unless you have spent time with the mothers and the fathers who will be dealing with this catastrophic, life-changing trauma for the rest of the time they are on this Earth.

So that is why this is so serious to me. It is because we have an answer for their pain—not an answer that will stop every gun crime in this country but an answer that will result in thousands fewer people dying. We know that because the evidence tells us that.

And I can't explain to these families—to that mother in Chicago—why something that has been proven to work and is supported by 90 percent of Americans can't get a vote or a debate in the Senate.

I will leave it at that for today. I hope that when this passes in the House with a big bipartisan majority, we will take advantage of the opportunity to get a big bipartisan majority here in the Senate. If the Republican majority commits to starting that process, I guarantee that will be the result.

I want to thank all of the people who made this possible in the House today.

For the record, I have introduced a version of H.R. 8 here in the U.S. Senate.

To Chairman NADLER, MIKE THOMPSON, Speaker PELOSI, Majority Leader HOYER, and to their Republican cosponsors who helped bring it to the floor—I thank them on behalf of all of the folks they will never know, those lives they will save by their action today if we do the right thing and take it up here in the Senate.

I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. PERDUE). Without objection, it is so ordered.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that Senators LEAHY, KLOBUCHAR, KING, and TESTER be recognized in the next 40 minutes or so for a colloquy with me.

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

#### CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, it was 1986, a third of a century ago. Six U.S. Senators wrote a letter to the Office of Technology Assessment, the office then charged with providing technical and scientific advice to Congress.

Mr. President, I ask unanimous consent that their letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### UNITED STATES SENATE, COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS,

*Washington DC, December 23, 1986.*

DR. JOHN GIBBONS,  
*Executive Director, U.S. Congress, Office of  
Technology Assessment, Washington, DC.*

DEAR DR. GIBBONS: The Senate Environment and Public Works Committee has held three days of hearings this year on the massive and, to some degree irrevocable, alterations in the stratosphere commonly referred to as the "greenhouse affect", as well as ozone depletion.

The testimony convincingly portrayed a fundamentally altered planet, with shifts in ocean circulation and climate zones; altered

precipitation and storm patterns; more frequent and extreme weather events such as droughts, monsoons, and lowland floods. Individually and collectively, these changes bring about others, ranging from disruption of forest, crop, and ocean productivity to shifts in populations. Witnesses before the Committee testified that the Earth is now committed to a substantial greenhouse warming, projected to be about 2 degrees Centigrade, as well as an ozone layer depletion.

We are deeply troubled by the prospect of such a rapid and unprecedented change in the composition of the atmosphere and its implications for the human and natural worlds. It may be necessary to act soon to at least slow these trends or, perhaps, halt them altogether.

We therefore request that the Office of Technology Assessment undertake a study for the Committee on Environment and Public Works of policy options that, if enacted, could lead to the stabilization and minimization of greenhouse gases in the atmosphere. These gases include carbon dioxide, methane, nitrous oxide, tropospheric ozone and chlorofluorocarbons. This is a large and difficult task but fundamental and perhaps permanent alteration of the stratosphere has profound implications for the future of the world as we know it.

The Office of Technology Assessment has proven itself capable of policy analysis on difficult and complex issues. Despite this, OTA may find it difficult to immediately provide a set of options which both complete and detailed. However, the Congress must soon begin to weigh the alternatives facing the United States and other nations. For this purpose, we hope that you can provide information on omissions as well as other considerations relevant to those decisions.

Due to the likelihood that legislation will be seriously considered by the Committee early in the next Congress, it would be most helpful if this analysis could be undertaken without delay. If we or our staffs can be of assistance to you or your staff, please do not hesitate to call upon us.

Sincerely,

ROBERT T. STAFFORD,  
*U.S. Senate,*  
JOHN H. CHAFEE,  
*U.S. Senate,*  
DAVE DURENBERGER,  
*U.S. Senate,*  
QUENTIN N. BURDICK,  
*U.S. Senate,*  
GEORGE J. MITCHELL,  
*U.S. Senate,*  
MAX BAUCUS,  
*U.S. Senate.*

Mr. WHITEHOUSE. These six U.S. Senators were troubled by testimony they had heard about climate change in three separate hearings of the Senate's Environment and Public Works Committee. They wrote:

The testimony convincingly portrayed a fundamentally altered planet, with shifts in ocean circulation and climate zones; altered precipitation and storm patterns; more frequent and extreme weather events such as droughts, monsoons, and lowland floods. Individually and collectively, these changes bring about others, ranging from disruption of forest, crop, and ocean productivity to shifts in populations. Witnesses before the Committee testified that the Earth is now committed to a substantial greenhouse warming, projected to be about 2 degrees Centigrade, as well as an ozone layer depletion.

Well, that was quite a prediction. Who were these six Senators? Quentin