

So far, by these measures, he has been a great success for a President who mocks climate science and who denies that this existential threat even exists, but there is no success for the American people. Mr. Wheeler's nomination puts the American public at great risk, and we should firmly oppose making his appointment permanent.

Unfortunately, Mr. Wheeler's upside-down priorities don't end at climate change. In addition to actively resisting climate action, Mr. Wheeler is not looking out for the health and well-being of my constituents or protecting my State's most precious resource, our water. There, like in so many other parts of the country, fire foam used by the Air Force has contaminated groundwater with toxic chemicals known as PFAS. These chemicals are linked to various cancers, heart disease, and other ailments. Groundwater in and around Cannon Air Force Base, near Clovis, NM, is contaminated with PFAS.

This is dairy country. One dairy is actually being put out of business because the PFAS is in groundwater and it has contaminated this farmer's water wells. The family that owns the dairy and its hard-working employees have drank water from these wells for years.

Will a Wheeler EPA put us in this situation? Will they help us out of it? During his confirmation hearings, he refused to commit to setting a drinking water standard. Then, later, we find out that he had already decided not to set standards for these toxic chemicals in December of last year. Under bipartisan pressure, he has since backed down and says EPA will set a standard—someday. I wouldn't hold my breath. In the meantime, millions of Americans and the dairies in eastern New Mexico are being hurt.

Furthermore, Mr. Wheeler is a committed soldier in the long-running assault on science that President Trump has championed. One of my constituents, Celerah Hewes, wrote this week asking me to vote against this nomination. She writes:

I grew up in Corrales, surrounded by farmland and fresh air. I remember when the Rio Grande was full of water and the ditches in the bosque flowed freely.

Climate change and drought have forever changed the land I call home and my daughter will not remember a time without severe fire danger and ozone pollution.

Celerah wants me to vote no because Mr. Wheeler "is putting our children's health and future at risk."

According to the 2018 "Fourth National Climate Assessment," we have 12 years to turn this around for Celerah, her daughter, and the world. Soon, the impacts will become irreversible.

The previous EPA set rules to reduce carbon pollution from powerplants by 32 percent by 2030. Mr. Wheeler's new plan will allow increased emissions from fossil fuel plants instead.

He is no better when it comes to even modest standards for methane waste

from oil and gas operations. Methane is an extremely potent greenhouse gas, 84 times more potent than carbon dioxide over the initial 20-year period. EPA's prior methane rules would have cut back methane pollution in a cost-effective way. Those regulations are out the window under Mr. Wheeler and replaced with loose rules, adding hundreds of thousands of tons of methane, volatile organic compounds, and toxins into the air.

Climate change is the most significant threat facing our planet. The EPA is the Agency that should be leading the charge on tackling this threat, but Mr. Wheeler is a former lobbyist for the coal industry. Like so many other nominations, the President has again put the fox in charge of the henhouse. This time, the consequences could be disastrous and irreversible for our country and our planet. If we vote to confirm him, there will be little, if any, hope for climate action for the next 2 years.

Mr. Wheeler leaves no doubt whose side he is on. His record shows that, under his watch, big polluters will get off scot-free.

Companies that pollute often try to reduce their cost of business and increase their profits by dumping that pollution and its costs on society as a whole. When environmental officials fail to enforce the rules against polluters, bad actors get an unfair advantage. Lax environmental enforcement is bad for American businesses that do the right thing and bad for taxpayers, who get stuck with the cleanup bills.

Sadly, Mr. Wheeler's EPA is the poster child for lax enforcement. In 2018, EPA collected the smallest amount of civil penalties against polluters since 1994. Inspections are half of what they were in 2010. EPA charged the fewest criminal defendants since 1991. It saw a steep drop in civil judicial enforcement cases as well. The bad news goes on and on.

So the best that can be said of Mr. Wheeler's record is that he is not Scott Pruitt. As far as we know, he has not abused taxpayer funds or staff for a variety of luxurious perks or rented his house from a lobbyist. But the bar is so low that it is in the Capitol basement.

Indeed, I believe that the EPA under this President has reached an all-time low. There is hardly even any pretense that their goal is to safeguard the environment and public health. They are actively damaging our environment and actively resisting action on climate change at a time when young people and so many others across New Mexico and this country are crying out for action. We simply must do better.

So I will vote no, and I will urge my colleagues to consider the consequences of this nomination for their children, grandchildren, and beyond, and to vote no as well.

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

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

#### ORDER OF PROCEDURE

Mr. McCONNELL. Mr. President, I ask unanimous consent that notwithstanding the provisions of rule XXII, all postcloture time on the Wheeler nomination be considered expired at 12:30 p.m. on Thursday, February 28, with the time between 12 and 12:30 equally divided in the usual form; further, that if confirmed, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action. I further ask that the cloture motion on Executive Calendar No. 12 be withdrawn and that following disposition of the Wheeler nomination, the Senate resume consideration of the Ryder nomination, with the time until 1:45 p.m. equally divided between the two leaders or their designees, and that at 1:45 p.m., the Senate vote on the nomination with no intervening action or debate; and that if confirmed, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's actions.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### JOINT REFERRAL OF NOMINATION

Mr. McCONNELL. Mr. President, I ask unanimous consent that PN389, the nomination of Ian Paul Steff to be Assistant Secretary of Commerce and Director General of the United States and Foreign Commercial Service, sent to the Senate by the President, be referred jointly to the Committee on Banking, Housing, and Urban Affairs, and the Committee on Commerce, Science, and Transportation.

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

#### LEGISLATIVE SESSION

#### MORNING BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate be in legislative session for a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

(At the request of Mr. SCHUMER, the following statement was ordered to be printed in the RECORD.)

#### VOTE EXPLANATION

• Ms. SINEMA. Mr. President, I was necessarily absent but, had I been present, would have voted no on roll-call vote 29, the confirmation of Eric D. Miller to be a United States Circuit Judge for the Ninth Circuit.