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Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Precious Lord, take our hands. Lead us forward, and help us to stand.

We praise You for the gifts and talents You have given our Senators. Continue to bless them with influence that can make a difference. Lord, give them the wisdom to cut through the complex issues and discover solutions to the challenging problems that threaten our freedom. Remind them to be good stewards of the abilities You have so generously given them. Prepare their hearts to respond to You with gratitude as they strive to live for Your glory.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. CRAMER). Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will pro-

ceed to executive session to resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative 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.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

NOMINATIONS

Mr. MCCONNELL. Mr. President, yesterday, the Senate confirmed the 31st new circuit judge since January of 2017. Eric Miller came to the Senate for our consideration with a stellar resume and a sterling legal reputation. We had every indication he would interpret our Nation's laws and Constitution as they are actually written. This is exactly the kind of judge the American people deserve to sit on our Nation's courts of appeals. That is why the Senate will continue to make judicial nominations a top priority.

This week, however, we need to make more progress on the backlog of important executive branch nominees whom Democrats' delaying tactics and obstruction have left literally languishing on the Senate calendar.

The first is Michael Desmond, the President's choice to serve as Chief Counsel of the IRS. Mr. Desmond has put his legal expertise to work through years of public service, including at the Department of Justice Tax Division and at the Department of the Treasury. He has an impressive private sector background as well.

So listen to this: In the last Congress, the Finance Committee recommended Mr. Desmond to the full Senate by a vote of 25 to 2. That was last August. Yet this noncontroversial nominee never got a floor vote and had to be sent back to the White House. Well, Mr. Desmond was renominated. Earlier this month, our colleagues on the Finance Committee reported him favorably yet again—26 to 2.

I am sorry my Democratic colleagues required us to file cloture on this thoroughly noncontroversial nominee. It is a good example of the unreasonable tactics that have, sadly, become their standing operating procedure in many cases, but I am glad we voted to advance the nomination yesterday, and I urge everyone to join me in voting to confirm him soon.

THE GREEN NEW DEAL

Mr. President, on another matter, the Environment and Public Works Committee, led by Chairman BARRASSO, is meeting today to consider legislation that would help reduce, capture, and find productive uses for carbon dioxide emissions. It is an important subject and deserves a serious approach, but, as we all know, some on the far left have recently offered other ideas on this subject. That is right—the much heralded Green New Deal. Nothing says forward-thinking and fresh ideas quite like borrowing the name of an 80-plus-year-old policy program and just adding the color “green.”

So what is this thing all about? That turns out to be an interesting question. It depends on whom you ask. The Democrats who authored it say it is a massive reorganization and government takeover of our Nation's economy and our culture. Some have argued it is the only way to stop the world from ending in about a decade.

This was interesting news, even to many of their fellow Democrats. Our colleague Senator DURBIN reacted this way:

I have read it, and I have reread it, and I asked [Senator] Ed Markey: “What in the heck is this?”

That was the assistant Democratic leader.

But it looks like, one way or the other, the Democratic Party as a whole is eager to get behind this great idea.

So what is in it? Here are just a few of the hits in the 16-page resolution the Senate will soon be voting on.

• This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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S1497

Here is one you will like: “Upgrading all existing buildings in the United States and building new buildings.”

Don’t want a Federal bureaucrat to decide how your house should look or what size it should be? Don’t want to pay to rebuild the entire downtown? Don’t want to tear down your small business so it can be replaced by the government? Too bad. These new social planners know best.

Here is another quote: “Meeting 100 percent of the power demand in the United States”—listen to this—without using any American fossil fuels or nuclear power whatsoever.

That is right. It is the War on Coal on steroids. Say goodbye to all of those jobs, and say hello to a new wave of cronism that would make the half a billion dollars in taxpayer losses from Solyndra look like pocket change. Everything in your garage will have to go too. A lengthy background document that this plan’s authors have since tried to scrub from the internet helpfully explains that a Green New Deal would mean “replac[ing] every combustion engine vehicle.”

How about this one: “Guaranteeing a job . . . to all people of the United States.”

That one is buried on page No. 14—a government-guaranteed job for everyone. That may sound like a good utopian goal, but their handy background document makes the real intention known, promising “economic security for all”—listen to this—even for those who are “unwilling to work.”

That is a lot of magic wand-waving, but I have only scratched the surface. The background document also called for a plan to “build out high-speed rail at a scale where air travel stops becoming necessary.” As our colleague Senator HIRONO pointed out, this might be a tough sell in Hawaii or in Puerto Rico or in other places. The Governor of California just scaled back a high-speed rail project in California because, as he put it, it “would cost too much and, respectfully, take too long.” Even with heavy Federal subsidies, it is billions over budget and behind schedule.

That document also promised to, magically, “remove pollution and . . . emissions from manufacturing” just like that. I wonder why nobody has thought of that before.

So it is clear what we have here. It is the far left’s Santa Claus wish list that is dressed up to look like serious policy.

Bad ideas are nothing new, and silly proposals come and go, but the philosophies and the ideas behind this textbook socialism are not just foolish; they are dangerous. Their ascent in the Democratic Party is a real threat to American prosperity and to working families.

Chairman BARRASSO reported that one analysis found that this proposal could increase the average household’s power bills by as much as—listen to this—\$3,800 a year. Another estimate predicted that families would have to

spend hundreds of billions of dollars just to replace common household appliances with Washington-approved models.

What about the total cost to the government for this socialist shopping spree? One recent estimate has that pegged at a cool \$93 trillion over the first 10 years—more than the combined GDP of the entire world. Let me say that again. Their plan is predicted to cost more than the entire economic output of every country on Earth combined.

Remember what the American people are supposedly getting in return—a sprawling socialist state to rule over us, a host of good jobs and key industries ripped away, and an end to every energy source that the middle class can actually afford. Remember, China has already sailed past the United States in terms of carbon emissions. The far left still wants us to unilaterally disarm our whole economy—lots of pain for us and no meaningful gain in containing global emissions. We will go bankrupt, but at least it will be great for China. I bet they are cheering in the streets.

So the way I see it—the way most Republicans see it—is this proposal is either a brilliant piece of comedy or a disastrous socialist vision that is totally alien to the United States of America.

What about our Democratic colleagues? Where do they stand?

Recently, I announced that Senators will get to go on record and vote for or against all of this, but curiously enough, this planned vote was met with outrage from the very people who were claiming to champion the proposal.

Last night, our colleague from Rhode Island said it was “truly preposterous” for me to schedule a vote on the Green New Deal. That is not exactly a ringing endorsement of a plan the Democrats claim to support. He does not seem to be alone in his uneasiness. At one point, the Speaker of the House dismissed her party’s own plan as the “green dream.” The senior Senator from California worried publicly the other day that there is no way to pay for it. As I noted, the assistant Democratic leader summed up a lot of people’s thinking when he asked: “What in the heck is this?” I think a great many Americans all across the country are asking themselves the very same thing—what the heck is this?

Before much longer, every Member of this body will have a chance to go on record, loud and clear. Do our Democratic colleagues really support this fantasy novel that is masquerading as public policy? Do they really want to completely upend Americans’ lives to enact some grand socialist vision? Do they really want this to be their Democratic Party? Well, before long, the Senate will vote, and these questions will be answered.

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

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

THE GREEN NEW DEAL

Mr. SCHUMER. Mr. President, I heard Leader MCCONNELL knocking the Green New Deal. I would ask the leader—and we are going to keep asking him and every Republican in this Chamber—what they would do about climate change, about global warming.

So, Leader MCCONNELL, do you believe that climate change, global warming, is real? Yes or no.

Second, do you believe that climate change, global warming, is caused by humans?

And, three, do you believe that Congress should take immediate action to deal with the problem?

Until Leader MCCONNELL and his Republican majority answer those questions, the games they are playing here will have no meaning. This is not a debate. It is a diversion. It is a sham.

Democrats will be introducing a resolution in a few days—shortly—that says we believe in these three things, and we will be asking our Republicans if they support or oppose that resolution.

The silence of the Republican majority on climate change is enormous. Is it because the oil industry gives so much money to our Republican friends? Is it because they are antisience? What is the reason?

Not a single bill has been brought to the floor to deal with climate change or global warming in the 5 years Leader MCCONNELL has been the majority leader. What is your plan, Leader MCCONNELL? What is your answer? We know what you don’t like. What do you like? Anything?

NORTH KOREA

Now, the Trump administration is in the middle of two crucial negotiations with foreign capitals, the result of which will have ramifications for decades.

In Vietnam, President Trump will meet with Chairman Kim to continue discussions over the denuclearization of the Korean Peninsula, while at the same time administration officials continue negotiations with Beijing over a major trade pact. In both instances, President Trump would have the best chance of having success if he articulated clear objectives and maintained a hard line until those objectives were achieved.

For a time, that approach—the right approach—seemed to hold sway at the White House, as sanctions and tariffs brought both North Korea and China to the negotiating table. Recently, however, President Trump seems headed

down the path of capitulation on both North Korea and China, prepared to trade away our leverage in exchange for flimsy agreements. The President can't seem to stick to a policy, even when it is beginning to work. So eager is he for that quick photo op.

There is an old expression that March comes in like a lion and goes out like a lamb. Well, based on all reports, when it comes to North Korea and China, spring is coming a little early at the White House. President Trump, on both China and North Korea, came in like a lion, with tough rhetoric and hard-line policies, but now President Trump is poised to go out like a lamb, meekly accepting half-baked agreements from both capitals for the sheer sake of it.

In North Korea the highest priority of U.S. foreign policy has been the complete, verifiable, and irreversible denuclearization of the Korean Peninsula, as well as the cessation of human rights abuses by the brutal, despotic, and murderous Kim regime. But just this weekend, before leaving for Hanoi, President Trump said: "I don't want to rush anybody; as long as there's no testing, we're happy." That is a far cry from the complete denuclearization that he called for in the past, and it signals a dangerous softening of our position before the talks even started.

The irony of ironies is that for all the talk of "maximum pressure" and "fire and fury," President Trump's stance on North Korea may wind up far weaker than Hillary Clinton's. I know he doesn't like to hear that, but the truth is the truth.

President Trump seems more interested in touting his warm relationship with Chairman Kim as an accomplishment in and of itself. President Trump's calling a brutal autocrat a friend on Twitter is no substitute for actually achieving something for the American people in Hanoi.

I hate to say it, but it would be absolutely incredible and even pathetic if President Trump were giving in to North Korea for the sake of a photo op to knock Michael Cohen's hearing from the front page, but if the past behavior of the President is any guide, something like that is, unfortunately, totally conceivable.

CHINA

Now, Mr. President, the same situation is playing out in China. After starting down the right path, press reports indicate that President Trump appears to accept something far short of his initial aims. President Trump has already started promoting a "signing summit" at Mar-a-Lago before an agreement has even been inked. Just imagine how that undercuts our negotiators—to say already he is going to sign something when we are eyeball to eyeball with the Chinese. That is not the art of the deal. That is the art of capitulation.

As the Times reported this morning, "Mr. Trump has grown impatient with the talks, and a consensus is growing

in Washington that Mr. Trump will ultimately accept a weak deal." Shame on him if he does.

China is robbing and stealing our family jewels: American industrial know-how, American information technology, Americans' ability to do things.

When we are good at it, China doesn't let us in and compete, unless we give them all of the knowledge of how to do it themselves, and China steals our intellectual property. Just 2 weeks ago, there was another hacking—and now we are going to capitulate?

What the Times goes on to say is that "the Chinese have so far declined to make concrete commitments to reform their economy that the administration has demanded"—these are the words of the New York Times—"including ending China's practice of subsidizing companies, engaging in cyber-theft and forcing American companies to hand over intellectual property to Chinese partners in order to do business there."

Even our business community does not want the President to capitulate. I met with a bunch of them. They want him to stay strong. Everyone wants him to stay strong. Now he is caving.

This President cannot take a policy and pursue it to its end. His attention span is so small, his desire for immediate gratification seems to be so large that the American worker loses. If we capitulate to China, that American worker will lose for decades. That American worker's children will lose.

So I say to President Trump, it would be a momentous failure if you relent now and don't receive meaningful, enforceable, and verifiable commitments on structural reforms to China's unfair trade policy. Simply buying more soybeans or buying more materials or planes is not going to solve the structural problem, and in a few months China will continue to unfairly gain on us—not right.

So, I wonder, where are all the supposed hawks? Where is Secretary Pompeo on China and North Korea? Where is Ambassador Bolton? Do they feel they can argue internally with the President and he overrules them and that is that? What good is it for them to be there? Oh, yes, they can say: It would have been even worse if we weren't there. That is no way to do policy when either American safety, in regard to North Korea, or American economic prosperity in the future, in regard to China, is at stake.

I believe Ambassador Lighthizer has made a sincere effort to do the right thing on China, but his efforts are constrained by a President who seems intent on weakening his hand every few weeks. Again, where is Bolton? Where is Pompeo? Where are they? They have been hawks on these two issues their whole lives. Now they get in the administration; they just go along, when they were among the loudest critics of President Obama and President Clinton? Not right. Not good for America.

It just so happens that two of President Trump's signature foreign policy issues will come to a head at roughly the same time. There are historic opportunities here to make America safe by removing nuclear weapons from a rogue regime and to end two decades of rapacious Chinese trade policy. We can finally put American companies on a level playing field with our largest competitor. If the President, having brought the Chinese to the table with tough sanctions and tariffs, takes 10 percent or 20 percent of what we can get, that would be very bad for this country, American workers, and American incomes. As they continue to stay flat or decline, one of the main reasons is unfair trade practices by China. We have to be strong and tough. We can win this fight if we can stay strong.

The bottom line is this. If over the course of the 1 month President Trump capitulates to both Beijing and Pyongyang, the foreign policy of his Presidency will be in shambles. It will zig and zag to no real accomplishment. More importantly, the national security and economic security of the American people will greatly suffer as a consequence.

I yield the floor.

THE PRESIDING OFFICER. The majority whip is recognized.

THE GREEN NEW DEAL

Mr. THUNE. Mr. President, in a document later removed from her website, one of the Green New Deal's sponsors had this to say about the Green New Deal: "The question isn't how we will pay for it, but what we will do with our new shared prosperity."

"The question isn't how we will pay for it . . ." That was the quote. That is a pretty staggering statement when you consider that the Green New Deal plans to upend most of American society as we know it, from transportation to healthcare, but I suspect there was a simple reason the Green New Deal authors didn't want to talk about how to pay for it—because they couldn't figure out how.

This week, one think tank released a first estimate of what the Green New Deal would cost, and here is the answer: between \$51 trillion and \$93 trillion over 10 years—between \$51 trillion and \$93 trillion. Those numbers are so large that they are almost impossible to process.

Just for perspective, consider the fact that the entire Federal budget for 2019 is less than \$5 trillion. That is the entire Federal budget—defense spending, domestic priorities, Medicare and Medicaid, Social Security, everything.

The Green New Deal could end up costing \$9.3 trillion each year—double the current Federal budget—and the government would still have to pay for a lot of other priorities on top of that. That money wouldn't cover defense spending, or Social Security, or a number of other urgent needs.

The Green New Deal would assuredly raise Americans' energy bills, but that is just a tiny fraction of what Democrats' Green New Deal, which goes far

beyond mere energy policy, would cost American families. It is difficult to even imagine the staggering tax hikes that would be required to pay for this plan.

This plan would never be paid for just by taxing the well-off. That is always the argument we hear. Taxing every household making more than \$200,000 a year at a 100-percent rate for 10 years would leave the Democrats far short of \$93 trillion. Taxing every family making more than \$100,000 a year at a 100-percent rate for 10 years would still leave Democrats far short of \$93 trillion. In short, actually implementing this so-called Green New Deal would involve taking money not just from the well-off but from working families in this country—and not a little bit of money either.

Ninety-three trillion dollars breaks down to over \$600,000 per household. That is over 10 times the median household income in my State of South Dakota.

Should the Democratic Green New Deal come to pass, ordinary Americans would see incredible tax hikes. Middle-class Americans would see a substantial and permanent reduction in their standard of living.

When we talk about Democrats' socialist fantasies, we tend to quickly fasten on the staggering costs of these programs, but it is important to also remember what else they would cost Americans.

Socialism just doesn't come with a staggering pricetag; it also comes with less freedom, fewer choices, and less control of your own destiny.

Socialized medicine like Medicare for All wouldn't mean just big tax hikes; it would mean giving up your private insurance plan, even if you like your coverage. It would mean being forced onto the government's healthcare plan, whether you like it or not. It would mean waiting in long lines. It would mean long wait times you can't do anything to avoid.

The Green New Deal would mean higher electricity bills and higher taxes, but it would also mean limited transportation choices, including no airplane travel, increased government control over your housing options, less reliable energy, and the list goes on.

Democrats' socialist fantasies would cost Americans untold amounts of money and permanently damage our economy, but the loss of choice and freedom would cost Americans even more. Democrats' green dream would be a green nightmare for Americans and American families.

I yield the floor.

The PRESIDING OFFICER. The assistant Democratic leader.

Mr. DURBIN. Mr. President, if you are a student of history, the speech you just heard is not a new speech. It is a speech that has been given repeatedly in the Senate Chamber. It was back in the 1930s, when a President named Franklin Delano Roosevelt had an idea, and the idea was radical at the time.

Here was the radical idea: Shouldn't we allow people, during the course of their work-life, to put a little money away and to invest for their retirement so that when they reach the age of 65, they will have a program called Social Security?

That was considered a radical socialist idea, taking money from everyone to create a positive program to help retirees across America when they reach retirement age. It takes away our freedom, they said. We ought to be able to make our own choices in life. They resisted it, but, fortunately, they failed and in their failure allowed the creation of the Social Security Program, which is the single most popular government program in America today. Over 95 percent of Americans count on Social Security to make sure that when they reach retirement, there is something there to take care of them, but that wasn't the end of the speech you just heard. It was repeated again in the 1960s because another Democratic President by the name of Lyndon Baines Johnson came up with a notion that, perhaps, if people are going to live a little longer and have Social Security, they should also be able to have affordable healthcare. So Lyndon Baines Johnson suggested the creation of Medicare.

What did the critics say about Medicare? Socialism; that you would collect money from people all across America just to provide for the benefits to those who are retired; that you would take away our freedom to make our own savings plans for our future by saying we have to pay into Medicare. It is an attack on our freedom, they said. It is a socialist idea, they said. Thank goodness they lost in that debate as well.

What happened, of course, was a creation of a Medicare Program, and we can see what came about as a result of it, a dramatic increase in the number of hospitals in America and doctors in America. We started taking healthcare seriously when it came to senior citizens. What is the proof in the pudding? Senior citizens started living longer and longer lives. They were healthier, they were independent, they were strong because of this so-called socialist program of Medicare.

So if you listened this morning as Republican leaders came to the floor and decried socialism again, what is their point now? Their point now is, they believe that if we make a national effort toward dealing with climate change and global warming, it is socialism. It takes away our freedom.

I would agree with them in this respect. If we do something as a nation, a sensible approach that is moderate, constructive, and positive, it is going to change the future. It is going to take away the opportunity that some of us will have to leave a planet for our children that is uninhabitable.

Does anyone doubt—does anyone doubt—that we are dealing with some change in the climate that we face around this world? Does anyone doubt

that the scientific evidence, year after year after year, about the increased temperature of this planet has had a negative impact on the world we live in—more extreme weather events than we have ever seen, tornadoes in Taylorville, IL, in December?

Listen, I grew up in Illinois. I was awakened many times in the summer to get down in the basement because there was a tornado warning. My parents were worried about it. It was part of growing up in the Midwest, part of growing up in Illinois. I don't recall ever going down to the basement around Christmas. It turns out that tornado season in Illinois, and many other places, is now becoming a year-round event and flooding and fires and flooding in the city of Miami. All of these things are evidence to me that something is going on, and we have the scientific explanation. Greenhouse gas emissions are creating a different environment, warming our planet, changing our weather patterns.

I have come to the floor repeatedly over the last several years and asked one basic question, can anyone name any major political party in the world today—any major political party in the world today—that, like the Republican Party of the United States, denies climate change?

I make that open challenge over and over again on the floor and have never had a Republican come to me and say: No, there is another party somewhere that takes our position on the issue that climate change is a fallacy and a fiction. I will tell you, though—maybe I am not supposed to repeat this—but one Republican Senator, after I made that challenge over and over again, drew me aside in the elevator, looked in both directions, and said: I think there is a political party in Australia that also denies climate change. That is as good as it gets—one more party somewhere halfway around the world.

When Senator SCHUMER, the Democratic leader, comes to the floor and challenges the Republican leader, Senator MCCONNELL, with the basic questions, I believe we have the right to ask for an answer.

To the Republicans, to my friend from South Dakota who just spoke, to Senator MCCONNELL of Kentucky, the first question is this: Do you believe that there is such a thing as climate change and global warming? That is a pretty easy question. The scientists overwhelmingly believe it. I do too.

The second question that Senator SCHUMER has posed to them is this: Do you believe that our human activity has something to do with it? Well, the scientific evidence is overwhelming again. Once we got into the industrial age and starting spewing all of the smoke and chemicals into the air, things started warming up on this planet Earth.

The third question that Senator SCHUMER has posed to the Republicans is basically fundamental, as well: What

are you going to do about it? The answer is obvious. For the 4 years the Republicans have been in control in the Senate, they have done nothing—nothing. Now they have a President who has the United States as the only country in the world—the only Nation on Earth—that has withdrawn from the Paris accord, which tried to create a global strategy to deal with climate change.

The President is enthralled by the notion that climate change is a fallacy, a fiction, and so are the Senate Republicans. So any effort to address this is socialism. Any idea that we should come together as a nation and work toward a planet that our kids can live on is taking away our freedom. Well, we know better.

Under President Obama, we started moving toward more fuel-efficient cars and trucks. A gallon of gas is giving us more mileage because of government policy. Well, I guess it took away the freedom of gas guzzlers, but we can at least say we made a positive step forward, and this administration is stepping backward, and they are doing it for the fossil fuel industry—for oil and gas and coal interests. They are coming to the floor and trying to get us into a fight, once again, over socialism when we talk about government policies that would guide us in the right direction for the future.

PRESCRIPTION DRUG COSTS

Mr. President, I come to the floor this morning to give the first of what may turn out to be many speeches on a subject that affects every single American. The question is the rising cost of prescription drugs in this country.

The first drug that I wanted to address, I wanted to choose carefully because I wanted to choose a drug that really is important to the largest number of Americans. So I thought to myself, what is the most commonly used life-or-death drug in America today? There is some debate about it, but I am going to suggest that it is insulin.

In 1923—almost 100 years ago—researchers were awarded the Nobel Prize for the groundbreaking discovery of insulin to treat diabetes—1923.

The chief scientist in the discovery was Dr. Frederick Banting. He believed that insulin should be accessible to everyone. His team sold the patent to the University of Toronto for \$1 so that “no one could secure a profitable monopoly” on the production of insulin. That might seem hard to believe today, with the price of insulin having increased more than 600 percent over the past two decades.

Take a look at the chart, which maps the increases in price. Eli Lilly’s blockbuster insulin drug, Humalog, was introduced in 1996 at a cost of \$21. By 2019, the cost went up to \$329.

Sanofi’s Lantus was \$35 when it came to the market in 2001. It now costs \$270. The insulin drug, NovoLog, cost \$40 in 2001. By 2018, it went up to \$289—for insulin.

How many Americans are affected by this? There are 30 million Americans

who live with type 1 or type 2 diabetes—almost 10 percent of our population. Approximately 7.5 million of them rely on insulin to manage their blood sugar levels. It is a matter of life and death. Yet patients are suffering because of these dramatic price spikes.

A recent study found that one-quarter of patients who rely on insulin have been forced to ration their doses due to cost, basically in contravention of the advice of their doctors.

This is a story that many of us have heard here. Last year, we heard from the mother of Alec Raeshawn Smith. He went off his mom’s health insurance. Under the Affordable Care Act, he could remain covered until he reached the age of 26. He had diabetes. He had coverage for his insulin until he reached the age of 26. Then he couldn’t afford to buy health insurance. So when he went off of that insurance, he was faced with the monthly cost of his insulin out of pocket. That monthly cost was \$1,000.

He managed a little restaurant, and he couldn’t come up with \$1,000. So he decided that he would ration his insulin and not take as much as was required by his doctor, trying to make it last between paychecks. Alec died as a result of that decision.

How is it that in the richest country on Earth, patients are having to ration their insulin or start GoFundMe websites just to survive?

Insulin was a cure found in the 20th century that patients now cannot afford in the 21st century. Pharma’s war on patients with diabetes must come to an end.

Yesterday, there was a hearing, widely televised, where seven or eight of the CEOs of major pharmaceutical companies faced the music before the Senate Finance Committee. Senator GRASSLEY, Senator WYDEN, and many others asked questions about the issue I am raising today: What is going on? Why are you raising prices so high? There were no good answers coming from these executives.

Today, I am going to start highlighting on the floor of the Senate the egregious cases of pharmaceutical greed in the United States.

Years ago, there was a Senator from Wisconsin named William Proxmire. He was an unusual man. He was far different than most Senators today. He was the type of fellow who would show up at the University of Wisconsin games, passing out cards. That was his style of campaigning. He didn’t spend a lot of money on television and radio.

He really was a grassroots politician, and he was a tenacious fellow. He started something called the Golden Fleece Award—Proxmire of Wisconsin’s Golden Fleece Award. Once a month or more, he would come to the floor and talk about waste—taxpayer waste—in our Federal Government. It developed a national reputation.

In deference to Senator Proxmire, whom I had a chance to meet when I was a college student, I am going to

try to follow in his tradition by pointing out egregious examples of greed by the pharmaceutical industry in the United States on a regular basis with the Pharma Fleece Award.

My first Pharma Fleece Award is for the pharmaceutical industry’s extortion of 7.5 million diabetic patients in America who depend on insulin. This is a lifesaving product that has been around for almost a century.

How can the most common life-and-death drug be so expensive? First, the United States is an outlier. The same companies I am talking about sell exactly the same drug in other countries around the world for a fraction of the cost.

The United States represents only 15 percent of all of the global insulin market; yet we generate more than half—more than 50 percent—of Pharma’s revenue for this drug.

How can Lantus cost \$372 in the United States? The exact same drug made by the same company costs \$46 in France and \$67 in Canada. Why? Why are we paying five, six, and seven times more in the United States for exactly the same drug? It is because the governments of France and Canada care about the cost, and they say to the company Sanofi, in this case, that makes Lantus: If you want to sell Lantus in Canada, we are not going to let you hike the prices and raise them to the high heavens. We are going to keep the prices reasonable so that the people of Canada can afford this lifesaving drug. What do we do in the United States? Nothing. We let them charge whatever they wish.

How can Lantus cost \$372 for Americans, while the same, exact drug for the French is \$46, and just across the border, in Canada, it is \$67?

Our problem is that our system doesn’t function as a free market. There is virtually no competition. Three companies control the insulin supply in America: Eli Lilly, Sanofi, and Novo Nordisk.

Typically, in a free market, three competitors would lower the prices, wouldn’t they? But in America, these three charge as much as they can and get away with it because they are protected by government-granted monopolies.

We should reward innovation, we should promote research, and we should ensure that companies do make a profit for their good work, but abusive manufacturers should not be protected from competition by our government.

Lantus has been on the market since the year 2000. Sanofi has received 49 secondary patents on insulin. What does that mean? They have created a fortress around this lucrative drug for a 37-year monopoly in offering this drug for sale in America.

Unfortunately, there is no effective deterrent today against Big Pharma’s greed and price gouging on these and so many other drugs. That is why, earlier this month, I introduced a bill called

the Forcing Limits on Abusive and Tumultuous Prices Act, or FLAT Prices Act. This legislation will discourage and deter the pharmaceutical industry from raising prices by reducing the government monopoly periods when they do.

You see, companies are awarded monopoly periods from 5 to 12 years by the Food and Drug Administration for drug approval beyond the patent protection. My FLAT Prices Act would reduce this FDA-granted exclusivity period for a drug whose price increases more than 10 percent a year, bringing generic competitors into the marketplace, creating real competition, and trying to lower prices for Americans.

That brings us to another issue. Today, there remains no generic, or biosimilar insulin that can be substituted in a pharmacy. Think about it. Almost a century after the discovery of human insulin and even half a century after the discovery of synthetic and analog insulin, we still don't have a generic insulin for sale in America that is affordable.

I will acknowledge that these changes in insulin have improved the quality of life for patients. They have made them safer, more effective, and more convenient, but these changes have delayed the development of generic substitutes.

There are other reasons the FDA has regulated insulin as a drug rather than as a biologic, placing insulin under a framework with a much higher bar than generics to prove they are substitutes. Thanks to the Affordable Care Act—ObamaCare—the Food and Drug Administration is supposed to be shifting its regulatory process for insulin to enable copycat versions, known as biosimilars, to be approved quickly. Unfortunately, FDA's plan to implement this law will not bring relief to patients any time soon.

I do believe that the Food and Drug Administration Commissioner, Dr. Gottlieb, truly wants to lower costs and spur competition. I wasn't convinced when his nomination came up for a vote, but I have had subsequent conversations with him, and I think he is genuine. I think he wants to see the prices come down.

However, the Food and Drug Administration's current plan will effectively freeze the approval process for lower cost insulin and force generic insulin makers who are under review to resubmit their new applications each year.

This creates a 2-year lockup where it is unlikely that any new insulin competitors will come to market. America's diabetic patients cannot wait.

That is why Senator CRAMER, a Republican from North Dakota, and I are sending a letter urging the Food and Drug Administration to revise and bring flexibility to this process so we can get the lower cost insulin on the market approved sooner.

Two weeks ago, I received a little note from a constituent in Mount Vernon, IL. That is downstate, near

where my father was born. He wrote that both he and his daughter had been diagnosed with type 1 diabetes in 1997. At that time, their Humalog insulin cost \$10. Today, he writes that the cost is \$300 a bottle, and he needs six bottles a month.

His monthly costs have risen from \$600 to \$1,800. Here is what he said in this letter:

At some point, drug companies must be held to account for the actions they are taking. These cost increases are costing American citizens to choose between insulin and eating in many cases. I'm tired of listening to all the excuses. . . . what is it going to take for Congress to do its job?

I agree with my constituent. Congress needs to step up and demand real change. The sky-high cost of life-or-death insulin is literally killing Americans.

My work with Senator CRAMER to speed FDA approval of lower cost insulin and my bill to shorten monopolies for abusive pharma companies are a start. This pharma fleecing of insulin patients across America must end.

I yield the floor.

The PRESIDING OFFICER (Mr. SASSE). The Senator from Iowa.

PROPOSED RULES CHANGE

Ms. ERNST. Mr. President, I am pleased to be joined today on the floor by my colleagues to discuss the unprecedented levels of obstruction aimed at President Trump's nominees. This issue plagued the 115th Congress, and it is one I am hopeful we can remedy moving forward in this new session.

The Senate is tasked with the critical role of providing advice and consent on many of the President's nominations, including executive branch officials and Federal judges. Vetting these officials is a task that I take extremely seriously, and I have often welcomed discussion regarding these critical appointments with my colleagues on both sides of the aisle, as well as my constituents.

We can all agree that these positions must be filled by our Nation's most qualified candidates, individuals who are committed to public service and upholding the values and principles that make our Nation so great. We should also be able to agree that these positions should be filled using an expedient and timely process.

As any Iowa small business owner can tell you, if you don't have employees, you can't function. Iowans and many others across this Nation expect the Federal Government to run on the same commonsense principle.

The recent levels of obstruction for the President's nominees have not only kept the executive branch and our Federal courts from staffing critical positions but have also prevented the Senate from moving forward on other critical legislative priorities and initiatives.

In the past, the Senate has been able to disagree on certain nominations and still move forward in a respectful and expedient manner to ensure that the

Federal Government operates efficiently. However, during President Trump's first Congress, my colleagues on the other side of the aisle have utilized a series of procedural tactics to eat up time on the Senate floor and to stall the President's nominees.

To put this in perspective, during President George W. Bush's first Congress, the Senate forced a cloture vote on nominations only 4 times. That was during President Bush's first Congress. So it was 4 times.

During President Clinton's first Congress, this increased to a mere 8 cloture votes—8 cloture votes for Clinton.

During President Obama's first Congress, the use of this tactic still remained minimal, with only 12 cloture votes on nominations. So it was Bush, 4; Clinton, 8; and President Obama, 12.

Compare that to the use of cloture votes during the 115th Congress. My Democratic colleagues forced cloture votes 128 times—128 times. That is 10 times more often than during President Obama's first Congress.

Despite that President Trump submitted nearly the same number of nominees as President Obama, 29 percent more Obama nominees than Trump nominees were confirmed during each President's respective first Congress. Yet these delays have often not been used to raise objections to controversial or unqualified nominees. That is just not the case.

In fact, nearly half of all recorded cloture votes—48 percent, to be exact—received 60 or more votes to end debate. Furthermore, nearly a third received 70 or more votes to end debate. These nominees were confirmed with widespread bipartisan support.

Cloture was not invoked in order to extensively debate the merits or the qualifications of those candidates. Instead, this procedural tactic has been used to run down the clock and prevent the Senate from moving forward with other important business.

Many nominees from my home State of Iowa have been fortunate enough to escape some of these political games. I was proud to see the Senate reach an agreement in September to move forward and confirm Judge C.J. Williams to the U.S. District Court for the Northern District of Iowa by a 79-to-12 vote. I am also glad that multiple U.S. marshals and U.S. attorneys have been able to fill critical Federal law enforcement positions in Iowa after being confirmed by a voice vote in the Senate.

However, while many of these positions have been filled back in my home State, Iowans are still greatly harmed when the Senate fails to efficiently fill executive branch positions whose duties do impact the entire Nation.

Furthermore, many States across our Nation have faced unnecessary challenges to filling critical positions after cloture was invoked for noncontroversial nominees.

Take a State like Alabama, for example. Judge Annemarie Carney Axon received bipartisan support from both

of her home State Senators for her nomination to serve on the U.S. District Court for the Northern District of Alabama. However, Democrats forced a cloture vote on her nomination before confirming her by a vote of 83 to 11.

Similarly, Judge Terry Doughty was confirmed to be a judge on the U.S. District Court for the Western District of Louisiana by a 98-to-0 vote after a forced cloture vote.

These are not isolated examples. Just last year, multiple district judge nominees in Kentucky and Texas received the support of more than 90 Senators, but only after their nomination was first stalled, again, by an unnecessary cloture vote.

We cannot continue to allow the Senate to be bogged down by unprecedented obstruction tactics. The American people expect and deserve a fully functioning government with the right personnel in place.

That is why I want to thank Leader MCCONNELL for continuing to make nominations such a priority and managing to confirm so many Federal judges, despite these tactics. I also thank my colleagues, Senators BLUNT and LANKFORD, for introducing a proposal that accelerates the nomination process for lower level nominees.

This commonsense proposal builds on the previous Reid-Schumer rule affecting Senate considerations of Obama nominees during the 113th Congress—a rule that garnered widespread bipartisan support, including the agreement of 35 of my Democratic colleagues who still serve in the Senate today.

I urge my colleagues to support this reasonable proposal that enables us to move forward in a timely manner while still encouraging input and debate on those candidates. It is time for the Senate to put a halt to these delay tactics and get back to fulfilling our commitments to the American people. Again, I urge support of the proposal.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, maybe the fastest way to put people to sleep is to give a speech on cloture here in the Senate, but I hope that is not the case, because, as my colleague from Iowa just pointed out, this is an abuse of the Senate rules to do nothing but to obstruct and to slow down President Trump's well-qualified nominees for important positions.

This is not about their qualifications. This is not about exercising the constitutional responsibility of advice and consent. In virtually every instance in which the clock has been burned to get to an eventual vote, these largely non-controversial nominees have been confirmed overwhelmingly.

Call it part of the "Trump derangement" syndrome or the "never Trump" effort. It is very clear to me that rather than take these nominees one at a time, treat them fairly, assess their qualifications, and vote on their nomination, these people are being delayed

and denied an opportunity to serve, and many of them have just simply given up because of the backlog of nominations. It is unfair to them, it is unfair to this administration, and it is completely an abuse of the Senate rules.

We know that our Democratic colleagues have unnecessarily blocked nominees, put them through the ringer in hearings, and, in one particular case—the Kavanaugh nomination—engaged in an all-out smear campaign.

This treatment has grabbed headlines, but the story that doesn't get much attention is what I want to talk about now—this practice of eating up time on the floor, using every second of the rules to essentially eliminate the possibility that we can take up other bipartisan legislation or consider these nominees on any sort of efficient and effective basis.

As a result of the work, these nominees are being denied an opportunity to serve, the floor is being occupied by nominations that are uncontroversial, and we are unable to get to other important work that the American people want us to do.

Now, it is true that the Senate is not known for speed, and, more often than not, there is a good reason. When we are appropriating taxpayer dollars or debating sanctions on hostile governments or negotiating changes to our healthcare system, speed is not always an asset.

But when it comes to confirming nominees—those who already have had a hearing, who aren't controversial, who have already received a vote in committee—the process should be able to move rather quickly and efficiently.

But, as I said, this is part of a concerted effort to undermine the Trump administration, to deny them the appointees necessary for them to conduct the Nation's business, and, in many instances, these are Ambassadors who should be representing the United States of America in foreign countries where it is important we maintain good communication with those other countries.

Over the last 2 years, our colleagues on the other side of the aisle have forced votes on nominees who in previous years would have sailed through the Senate.

Let's look at some of these numbers. You can see how much red there is on this chart—cloture votes in the first Congress. President Trump had 128 cloture votes, President Obama had 12, President Bush had 4, and President Clinton had 8. What that means is that, for example, in the Clinton administration, there were 120 nominees who were confirmed without the necessity of even going through the procedure of cloture. Frequently, these nominees are either passed by voice vote or unanimous consent or at some agreed upon time. Even fewer required a cloture vote under President George W. Bush. There were 12 under President Obama and 128 under President Trump.

If we were to continue down this same path, we would not be able to do anything else except consider nominations by this President, and we still wouldn't get to the end of the list.

Our Democratic colleagues don't want to hold votes on these nominees to support or oppose a nomination; they simply want to waste the Senate's time and to test the patience of the American people. The majority of these nominees, as I said, aren't controversial. Nearly half received the support of 60 or more Senators during the cloture vote, and more than one-third got 70-plus votes.

As I said, the delay and obstruction have led to a long list of vacancies across every Department and Agency. Critical leadership positions have gone unfulfilled while the nominees await confirmation votes from the Senate. As I said, many have simply given up, unwilling to accept any more disruption in their personal lives in the vain hope that perhaps someday, somehow, they will get a vote in the Senate. This list includes Ambassadors, Federal judges, Under Secretaries, Assistant Secretaries, and inspectors general. The list continues to grow while our Democratic colleagues insist on votes that will not change the outcome.

It is one thing to have a nominee whose qualifications are controversial or where a debate would enlighten the Members of the Senate on how best to cast their vote, but that is not what is happening here.

Despite our repeated pleas for Democrats to cooperate, things aren't going to change. That is why the rules change we are contemplating is so important. It would expedite the process for many nominees to receive a vote on the floor. It won't change the number of votes they need to get confirmed—they will still need to get a majority of votes—or tilt the scale in their favor in any way; it will simply make sure we are not wasting time that is not being used in order to delay or defeat nominations.

Ironically, we have been told by our Senate colleagues on the other side that if we were to pass a rule limiting the postcloture time to 2 hours and we would start it in 2021, at the end of President Trump's current term of office, they would vote for it. So this is really an unprincipled and nakedly partisan approach, because while they are willing to do it for the next President—and that could well be a second Trump term, or it could well be another President—they won't do it now, which demonstrates the hypocrisy they are exhibiting.

What would happen is, a nominee would get a hearing in front of the appropriate committee. That would be debated, and there would be a vote up or down. If the nominee was passed out of the committee and made available to come to the floor, the Senate majority leader could still file a paper asking for a cloture vote. If that was obtained, then the postcloture time would be reduced from 30 hours to 2 hours. In the

meantime, there would be an intervening day during which debate would occur. Every Senator would still enjoy the right to vote against any nominee they don't support, but to just burn time for time's sake is an abuse of the Senate rules and needs to stop. It is not just hurting these nominees; it is not just hurting the Senate; it is hurting the country. These Ambassadors, judges, and appointed officials who serve in the State Department, the Department of Defense, and the inspectors general who make sure that taxpayer dollars are spent legally and efficiently and that people are doing their jobs—none of those positions are able to be filled.

I would point out that this rule change does not apply to all nominees. High-level Cabinet positions and Supreme Court Justices would still receive the 30 hours of debate time after 51 Senators have voted to proceed to that vote.

It is important to note that this type of rules change isn't new. Actually, in 2013, there was a negotiated, bipartisan standing rule when Majority Leader Harry Reid and the current Democratic leader, CHUCK SCHUMER, introduced a similar change to speed up the process, and this simply builds on the foundation they laid down. So if we asked them to do now what was done then on a bipartisan basis, their answer will be no—for no good reason other than it is President Trump who would presumably benefit from this restoration of that same process.

As I said, the real hypocrisy of their position is indicated by the fact that they said they would vote for this rule, but they don't want it to take effect now. They want it to take effect in 2021. In short, they appear to believe that what we are trying to do is an important rules change to make, but they don't want to do it if it benefits a President they clearly despise.

This political theater is being orchestrated by Senate Democrats and is impacting our ability to carry out our constitutional duty of advice and consent. I believe this is a necessary step to get the Senate back on track, and I will support this rules change when it comes to the floor for a vote and would encourage all of my colleagues to do the same.

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

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

Mr. PERDUE. Mr. President, I rise today as one of a number of our colleagues to talk about something that really bothers me. We are seeing historic obstructionism in the Senate today. It has been going on for the last 2 years.

One of the fundamental responsibilities in the Senate is to provide advice

and consent on Presidential nominations. When President Trump took office, he acted with urgency to fill positions in his administration with highly qualified and highly skilled, experienced individuals from the real world—not just people from the bubble but people from America. Unfortunately, Democrats have slow-walked this confirmation process every step of the way. In my view, this is historic obstructionism, and it needs to stop.

This is the first time in U.S. history that the minority party has not waived the 30-hour debate rule to this degree. As a result, of the 1,200 nominees to be confirmed by any new President, only 714 have been confirmed to date. At the end of last year, because of this historic Democratic obstructionism, we had 386 nominations in line waiting to be confirmed. At the end of Obama's first 2 years, only 5 nominees were outstanding, compared to the 386 for President Trump at the end of last year.

Let me say that again. At the end of President Obama's first 2 years, only five nominees had not been confirmed. That means that out of everybody he sent to the Senate, only five at that point had not been confirmed. However, at the end of December this past year, President Trump still had 386 nominees in the pipeline right here in the U.S. Senate, waiting for us to get to them.

Of the last three Presidents, we have collectively only had 24 cloture votes required by the minority party—only 24. However, during President Trump's first 2 years, Democrats forced 128 cloture votes on nominees on the Senate floor. Each one of these cloture votes requires 30 hours of debate. We can't do anything else on the floor while we are doing that. That means the normal business of the Senate cannot be transacted because we are waiting, due to the 30-hour debate rule, to get to the vote. Basically, under those realities, the Senate is able to do only one confirmation per week. Do the math—386 weeks is a long time.

What is going on here has nothing to do with the nominees' qualifications, either. Every single one of Donald Trump's nominees who received a recorded vote was passed. Not one has failed to pass in this body—not one. The vast majority of these nominees are noncontroversial and get more than 70 or 80 votes and in some cases more than that.

This chart shows that of the cloture votes we have had to take, 48 percent got more than 60 votes, and 37 percent got more than 70. That means 70 percent of the nominees got more than 60 votes. These are not controversial nominees. That is not the issue.

My own cousin, who is now Secretary of Agriculture, waited 4 months. I know this personally because he bunked in my place for 4 months while we were waiting to get his confirmation. When he finally got to the floor of the Senate, he got 87 votes.

It is clear that the Democrats will stop at nothing to obstruct the Senate

from working on real issues. Every hour we have to spend in the 30-hour waiting period is time we can't utilize to take up the country's business and the priorities Americans want us to be working on. If this obstruction continues, President Trump will not have his full team in place until the end of his second term.

These delays are petty, and the American people have had enough. I hear about it every time I go home.

For the last 2 years, several of my colleagues and I have pushed to keep the Senate in session during the traditional August State work break in order to confirm nominees and make progress on funding the Federal Government. In August of 2017, the leader of the majority party, Senator McCONNELL, agreed to keep us here for the month of August in order to work on several things we were working on, including confirming these nominees. The minority party agreed, after 4 days, to basically confirm 77 nominees on that one day. What makes that important is that prior to that time in August, in all of that year, we had only been able to get 44 nominees confirmed. While staying here last August, in 2018, we confirmed 43 nominees and completed 75 percent of the government funding bills.

As I speak today, there are 249 nominees before the U.S. Senate waiting to be confirmed. Basically, that would require 249 weeks to do if we follow the rule we have been following over the last 2 years. These nominees include the Assistant Secretary of Readiness for the Department of Defense, who has been waiting to be confirmed for 8 months. This is in the Department of Defense, the Assistant Secretary for Readiness—one of the crisis areas we have in our military. For 8 months this nominee has been waiting to be confirmed. The Under Secretary for Food Safety in the Department of Agriculture—one I hear a lot about—has been waiting 9 months in line to be confirmed.

The people on the other side are saying: The President is just not sending up nominees fast enough.

Well, what happens with these folks who have been sitting here for 9 months waiting to be confirmed?

The Assistant Secretary for Economic Development at the Department of Commerce has been waiting to be confirmed for 8 months.

These are not low-level nominees; these are Assistant Secretaries who are waiting to be confirmed.

This has to stop. This President is not even able to form his own Cabinet in complete terms because these Assistant Secretaries are not in place. We should be working around-the-clock to get these people confirmed.

If this obstructionism continues, we should try to change the existing rules for confirming nominees by reducing the 30-hour debate rule at minimum. There is a plan in the Senate right now that would reduce the 30 hours of debate to 8 hours for most and 2 hours for

some. Reducing the debate time required would speed up the confirmation process and allow us to focus on other business in the Senate that people want us to address. Every single Democrat in the Senate today who was also here in 2013 supported reducing debate time on nominees, and they should do so again right now.

I will close by saying that despite this historic obstructionism, the Senate has, indeed, over the last 2 years—because we focused on this as a priority, even with this 30-hour debate rule being enacted—we confirmed 63 district court judges, 31 circuit court of appeals justices, and two Supreme Court Justices. These judges will have an impact on the judiciary for years to come.

By the way, these are not activists with political agendas or motives. They are accomplished, experienced jurists, dedicated to upholding the Constitution and adhering to the rule of law. It is criminal that we waited that long to get these people confirmed.

I applaud the President for nominating such outstanding individuals to these positions. If this historic obstructionism continues in the Senate, I believe President Trump will not have his full team in place until the end of his second term, if then. This obstruction needs to end. The resistance movement threatens the security of our country and our ability to deal with the problems facing America today. It is time to rise above this partisan gridlock, change the rules, confirm these nominees, and finally begin to get results for the American people.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I come to the floor to talk about the IRS and tax issues and the tax bill last year, but following on what Senator PERDUE said, I want to, first of all, compliment him for not only this speech but several times he has talked about how the Senate has stalled time after time on nominees.

I want to bring to my colleagues' attention that at one time, there was a lot of concern by President Obama that his nominees were not being confirmed fast enough. We started hearing that in January 2013. All of a sudden, there was a feeling that we ought to have a bipartisan solution to this issue to speed along President Obama's nominees. At one time, the Democratic leader then was talking about using a nuclear option to accomplish a change in rules. Both Republicans and Democrats thought that wasn't a very good idea, so Republicans and Democrats got together and agreed to reduce postcloture debate time for the rest of the 113th Congress, although, before that Congress ended, Senator Reid decided to use the nuclear option anyway, and he did that at a later time.

If Republicans and Democrats could get together in the 113th Congress to speed up the time and have less

postcloture debate time, why can't we do it now? The problem, of course, is for the Trump nominees being held up in the Senate, the time is far worse than it was under President Obama or, for that matter, any other President before that.

It seems to me, as we are talking about changing the post-debate time again—because there is a resolution out of our Rules Committee—I think it is about time that we think that what is good for the goose is good for the gander, and we ought to reinstate that bipartisan agreement. I hope we can get the support of Democrats to do that like they had the support of Republicans to do that when we had a Democratic President.

I thank Senator PERDUE for what he spoke about on a longer basis than I just did, but I want to back him up fully.

TAX REFORM

Mr. President, we are in the fifth week of the tax filing season. Based on all reports from the IRS, the filing season is running smoothly. All systems are operating as expected. Returns are being processed and refunds are being sent out without any major complications.

According to IRS Commissioner Rettig, his Agency has even set a couple of internal records for the speed at which returns are being processed. At one point, the IRS processed 1.9 million returns in an hour. That is 536 every single second.

Of course, you don't hear much about how the filing season is running smoothly from our mainstream press. There is a lot of positive news, but positive news doesn't seem to make good headlines. Instead, an obsession has developed around the size of the tax returns, not the exact tax that might actually be paid.

Let's set aside that the available Treasury data is merely in the first few weeks of a very unusual tax season due to the partial government shutdown. Never mind that the size of the average tax refund can vary greatly from week to week, making year-over-year comparisons early in the filing season essentially meaningless. Let's ignore the important fact that less than half as many child tax credits and earned-income tax credits have been issued as compared to the last year based almost entirely on calendar factors, and, most importantly, we ought to somehow forget about the fact that the size of one's tax refund tells you absolutely nothing about a taxpayers' overall tax return.

I have been amazed by how many of my colleagues on the other side of the aisle, who should know better, have sought to equate incomplete information about lower average refunds—telling us all that means people have not received a decrease in their taxes.

I want to quote Howard Gleckman, who should be well respected by people on the other side of the aisle because he is a senior fellow at the liberal Tax Policy Center. He characterized the

current obsession with tax refunds as “wrong-headed,” noting that it is “not how big a refund check filers get this year but how much total tax they paid for 2018.” That is common sense. I thank Howard Gleckman for his common sense.

Yet my colleagues—again, on the other side—continue to try and push the false narrative that a smaller refund is synonymous with tax increase. That doesn't meet the commonsense test.

Just such a claim by a Senate Democrat running for President was observed by the Washington Post's Fact Checker as being “nonsensical and misleading.” The claim was awarded four Pinocchios. Four Pinocchios is a rating the Post reserves for the biggest whoppers.

Here are the straight facts. Anyone telling the American public that a smaller refund is the same as a tax increase is being intentionally misleading and doing a disservice to the public. I classify that as a big lie. The size of one's tax refund merely reflects what that taxpayer overpaid the IRS in your paychecks last year. For the vast majority of Americans, the Tax Cuts and Jobs Act of December 2017 delivered larger paychecks starting last February. The liberal Tax Policy Center confirms that 90 percent of middle-income taxpayers will receive a tax cut. That is right. Taxes went down, not up, for the vast majority of American families.

This tax relief stems from the combination of pro-middle-class and pro-family provisions, including a nearly doubled standard deduction, an increase in the child tax credit from \$1,000 to \$2,000, and overall lower tax rates. That is how you give the middle class a tax cut.

Some may believe that we would have been better off depriving taxpayers of their tax cuts until the IRS sent them a refund after the end of the year, but this thinking gets things exactly backward. The excess tax withheld from paychecks throughout the course of a year doesn't belong to the government; it belongs to the taxpayers who earned that money. It is the taxpayers who should be able to decide whether they want to put their weekly or monthly tax savings in a retirement account, pay down a credit card bill, enroll their children in some club, sport, music, or dance lessons, or maybe even make an extra car payment.

I encourage all taxpayers interested in how tax reform affects their bottom line to compare this year's tax return with last year's tax return. That is the commonsense way of figuring out whether your taxes went up or down as a result of the tax bill of 2017. When they do that, the vast majority will see less of their hard-earned money being sent to Washington, DC. Really, that is what ought to matter.

I encourage those in the media who are actually interested in how tax reform has affected taxpayers to take

into account the positive signs we see all around. It is a positive sign when we write about how blue-collar employment has surged; positive signs about how low-income workers experienced the highest wage growth in a decade; positive signs when we report how new business startups are climbing and how U.S. manufacturers had their best year since 1997; and positive signs as you discuss how the economy grew almost 50 percent faster in 2018 than as President Obama's economists predicted when they predicted slow growth would be the new normal.

All of these subjects are far more important than what has thus far, in most all respects, been an uneventful filing season. Compare this year's tax bottom line with last year's tax bottom line to decide whether you got a tax decrease or a tax increase, not the size of your refund.

I yield the floor.

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

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

PROPOSED RULES CHANGE

Mr. LANKFORD. Mr. President, 2 years ago, I came to this floor of the Senate to talk about the rules process and nominations in particular because, even 2 years ago, we were experiencing the beginning of what I saw to be a trend.

When elected to office, every President has about 1,200 nominations that have to come through the Senate for what is called advice and consent. Those individuals go through background checks at the White House, they go through interviews through the White House, and they go through the extensive review of references. Then they are recommended to the respective committees here, where they again go through background checks, have conversations, interviews, public hearings, questions for the record after the hearings are over, and go through any followup from any individual American who wants to give input whether that input be from outside groups here or from anywhere else in the country. Then they come to the floor of the Senate.

In the past, those individuals moved through quickly because there were 1,200 of them, but the minority has always had the right to have one last, little slowdown when they have gotten to the floor. They can make what is called a cloture vote request. The minority—any individual—could always make a request for a cloture vote to say: I know they have gone through all of these extensive checks, that they have already passed the committee, that they have gone through all of the process, but at the end, I want an additional 30 hours of debate on these peo-

ple. Yet it is not just 30 hours of debate; it is actually what is called a full intervening day. After that, there is an additional 30 hours of debate for that person.

That has been done in the past but very rarely in the first 2 years of a Presidency because there are so many nominations that have to go through the process. If we go back to President Clinton, there were eight of those requests. For President Bush, there were four of those. For President Obama, there were 12 of those. For President Trump, there have been 128 of those.

Two years ago, I saw the trend of where this was heading. This was a new structure for the beginning of a Presidency. I was concerned at that time, but I have an even greater concern now. It is the trend of where we are headed as a Senate. Is this going to be the new normal? This used to be what was normal: Occasional nominees would come through if they were very controversial. Yet most of these nominees were not really all that controversial. In fact, 48 percent of those nominees who had the additional cloture time then got more than 60 votes. In fact, 37 percent of them got more than 70 votes. These were not controversial individuals coming through; it was just an intentional slowing down of the process.

I have heard folks say: There are so many of these judges who are coming through at the district court level that they become very controversial.

Quite frankly, every single judge who comes through has to be approved by the two Senators from that State through what is called the blue-slip process. This is for all of those district court judges. It is a process that has been honored by previous administrations and by this administration. This Senate has honored those same blue slips for all of the district court judges. If the judges are from a Democratic State, both of those Democratic Senators have to approve of them before they come. If the judges are from a State that has one Democrat and one Republican, it has to be split. If there are two Republicans, they both have to agree to it. This is for all of the district court judges. Yet they are still being slowed down. They have gone through the background checks, and they have been approved by their home State Senators regardless of party; yet they are slowed down.

So whether they are executive nominees or whether they are judicial nominees, these 128 individuals being slowed down has created a new slowdown in the Senate.

Two years ago, I made a proposal to go back to something that Harry Reid proposed and was passed by this Senate in 2013, which was long before I was here. It was a 2-year agreement to just say: Here is how we are going to deal with what is called postcloture debate time. If there is a controversial nominee, here is how we will handle it.

I went to my colleagues and said: Let's revive that rule. Instead of mak-

ing it for 2 years, which was the Harry Reid rule, let's just make it from here on out. I made that proposal in the last Senate. We took that to the Rules Committee. It passed the Rules Committee, but it could not pass on this floor.

I thought it was eminently kind and bipartisan to say that I would go back and grab Harry Reid's rule and that if it was good for the Democrats when they were in the leadership, it should be good for everybody regardless of whether it is the Republicans or the Democrats. It did not pass.

I have once again come back and made a proposal to say let's fix this and to not just fix this for now but to fix this from here on out. Whether there will be a Democratic President or a Republican President in the future, let's have a simple rule: If we get to a nominee who has gone through the background checks of the White House, has gone through the committee and passed the committee, and has gone through additional questions for the record—all of that—if people still want additional time, they can still request the intervening day, but then instead of 30 hours after that full day, it would be just 2 hours of additional time.

Quite frankly, during most of the time that we have had the 30 hours of debate, there hasn't really been debate on the floor for 30 hours; there has been debate on the floor for, say, 15 or 20 minutes. For the rest of the time, the floor has sat empty or we have debated other things other than the nominee.

So we would set aside 2 additional hours. We would do this for district court judges, and we would do this for most of the nominees for the executive branch, but we would still hold that 30 hours for things like nominees for the circuit court, the Supreme Court, and those at the Cabinet level. For those types of positions, sure, keep the 30 hours, but for the other 1,000-plus nominees who are to be the Deputy Secretaries or assistants of whatever it may be, allow them to go through the normal process and not slow it down.

The Chief Counsel for the IRS has not been confirmed. He went through the last Congress, but he didn't get there. He passed 25 to 2 out of committee. He passed 26 to 2 out of committee this time; yet there is a requirement of 30 additional hours of debate on the floor. He will probably pass overwhelmingly, but it is just a tactic to slow down this floor.

We have a lot of business to do. Let's make a rule that is fair, and let's make it work for everyone. My concern is, long-term for the Senate, this will be the new trend, and the next time there is a Democratic President, this is what Republicans will do to Democratic Presidents, and this will be the new way that we operate.

This isn't helpful for any President; this isn't helpful for the Senate; and this is something we need to fix.

We have 2 years of muscle memory on this now—of doing it over and over

and over. I don't think this gets better because I think the political pressure will be there just to keep doing this and slowing things down for everybody.

So we put a rule out there. It has gone through the Rules Committee. I have encouraged my Democratic colleagues to join in with this because there will be a Democratic President someday in the future, and they will not want this coming back at them and will say this is unfair, and I will agree. But it will happen, so let's fix it now. Let's resolve this in this Senate in this time from here on out—not a short-term rule but long-term, permanent—to take us back to this being the norm, when we could work better together.

I love hearing everyone say that we should be more bipartisan as a body. I would love to get this body working again. That is this proposal. This proposal is not a partisan proposal. It is not trying to get leverage on anybody. It is trying to get this body back to working again, and I hope in the weeks ahead, when this rule actually comes to the floor of the Senate, we can get overwhelming bipartisan support for it so that we can get back to working together.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

NOMINATION OF ANDREW R. WHEELER

Ms. STABENOW. Mr. President, I rise today to speak about a vote that we will be having in just a few minutes on the process of moving Andrew Wheeler forward as the EPA Administrator.

This is not a time for talk; it is not time for theoretical debates. This is certainly not the time for an EPA Administrator who, during his time at the EPA, has ignored climate scientists, rolled back climate regulations, and taken action that will lead to more carbon pollution.

Instead, this is a time for bold, decisive action. We need to act today because life on our planet depends on it. The fate of our Nation depends on it. Our children's and grandchildren's futures depend on it.

For those reasons, I cannot support Andrew Wheeler for the critical position of EPA Administrator.

Climate change is real. In fact, it is more than real. It is an existential crisis, and it is already having real impact on Michigan families and Michigan's economy.

Some call it global warming. Katharine Hayhoe, a climate scientist from Texas Tech, has a better term. She call calls it "global weirding." Ask anybody in Michigan. Things have been weird.

Our lakes are heating up. In fact, Lake Superior is getting about 2 degrees warmer each decade. That could make the lake a happy home for invasive species, like sea lamprey.

As the waters warm, these parasites grow and kill off more trout and salmon and other fish that are key to the Great Lakes' \$8 billion recreational

fishing industry. It is believed that warmer temperatures contributed to algal blooms on the lake last summer.

Other changes we are seeing are life-threatening.

Thanks to the polar vortex in January, Michigan experienced temperatures colder than Antarctica. Scientists believe that climate change has caused the jet stream to become wobbly—that is a technical term, "wobbly"—pushing dangerously frigid air south.

Folks say: Well, how can it be global warming when we see the polar vortex? It is about what is happening to destabilize the atmosphere and the planet and the changes that are occurring.

Last weekend, a bomb cyclone hit my State, leaving tens of thousands of Michigan residents without power.

We are having to come up with new terms. I had never heard of a bomb cyclone—60-mile-an-hour winds, ripping up homes and farms and roadways.

The intensity of what is happening is incredible. The travel was so treacherous in Otsego County that all roads were closed—all of the roads were closed. Even drivers on Interstate 75 were getting stuck in drifts. That is our major highway.

We can't link any specific storm to climate change. However, we do know that overall climate change is making storms more intense. They are longer. They are more intense. They are happening more frequently with more intensity.

Last summer in Houghton County, more than 5½ inches of rain fell in 6 hours. It caused at least \$100 million in damage to infrastructure, and a 12-year-old-boy died when the basement of his home collapsed.

Our climate is changing, but you don't have to take my word for it. Just ask insurance company executives. Their companies paid out a record \$135 billion—billion dollars—from natural disasters in 2017 alone. That is almost three times as much as the historic annual average, and their projections show it getting worse.

We need to take action on climate change. While it is not widely recognized, I want to speak about something positive that we have done, and that was last year's farm bill.

As you know, the farm bill passed the Senate with a vote of 87 to 13—the most votes in history. While the bill was historic for a number of reasons, one of those is that it includes the most ambitious Federal climate-smart agricultural and forestry policies to date, working with farmers and ranchers as partners.

It helps farmers implement climate-smart policies by revamping USDA conservation programs to prioritize investments in soil carbon sequestration, incentivizing the planting of cover crops, and expanding USDA support for farmer participation in carbon markets.

It also invests in the Rural Energy for America Program, which helps

farmers and rural small businesses install renewable energy systems and creates a joint USDA-Department of Energy education grant program to drive carbon capture projects across rural America.

We must also protect forests and farmland, which serve as vital carbon sinks that hold carbon rather than releasing it and making the destabilization even worse.

The farm bill amends the popular Healthy Forests Reserve Program to prioritize carbon sequestration practices programs and discourage the development of forestland. It authorizes new programs to restore national forest landscapes, protect carbon-rich, old-growth trees, and prevent uncharacteristic wildfires and their emissions. It establishes a landmark soil health demonstration trial to keep carbon in the ground and promote healthy and productive farmland.

I am proud of what we did. It was done with the partnership of farmers and ranchers, and I have to say that our farmers understand the importance of protecting our land—their land—air, and water, I think, as much as, if not more than anyone else. No one's business is more impacted by severe and erratic weather than our farmers. They are caught right in the middle of it, and I appreciate their working with us to be part of the solution.

I am also working with my colleagues on policies to ensure that the United States, not China, is the global leader on advanced transportation technologies like electric and hydrogen vehicles.

Meanwhile, Andrew Wheeler and the Trump administration are upending fuel economy and carbon regulations in a way that hurts the auto industry, consumers, and our environment. We need to invest more in renewable energy and the research that is making it more affordable all the time.

Electric utilities in Michigan have committed to dramatically increase renewable electricity, reduce carbon emissions by 80 percent, and stop burning coal.

Meanwhile, Andrew Wheeler and the Trump administration have rolled back the historic Clean Power Plan.

I am proud of the fact that Michigan utilities are moving forward anyway because they know it is the right thing and they know what is at stake. But this administration—Andrew Wheeler—has rolled back the historic Clean Power Plan, the Nation's first regulation of greenhouse gases from the power sector.

We need to be laser-focused on climate change and the existential threat it represents. Meanwhile, Andrew Wheeler and the Trump administration are doing their best to pretend that climate change is no big deal. That is even as the Pentagon recently concluded that two-thirds of critical military installations are threatened—two-thirds of critical military installations are threatened—by climate change.

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.

Months later, the IRS again changed the rules on us by attacking New Jersey's new charitable deduction tax credit program. The IRS never had a problem when 32 other States offered tax credits for charitable donations. Only when New Jersey and other similarly situated States created a similar program did the IRS decide to change the rules.

Mr. Desmond would be the Chief Counsel of the IRS, the position directly overseeing the IRS's interpretation of these rule changes. Throughout his nomination, I was given no indication that Mr. Desmond would give fair treatment on these important issues affecting New Jersey and other States.

The full deductibility of State and local taxes has been a bedrock principle of our Tax Code since the income tax's creation in 1913, and that concept stretches all the way back to Alexander Hamilton's writings about the autonomy of States under the U.S. Constitution.

This commonsense policy allows States to invest in things like public safety, education, and infrastructure—the very things that make New Jersey a great place to live, work, and raise a family.

Make no mistake, the property tax deduction isn't just important for homeowners. It matters to all New Jersey families. It is why our public schools rank among the best in the Nation. It is why Save the Children named us the No. 1 State in America to raise a child. I want it to stay that way.

We must protect the investments that make New Jersey a place where families thrive. That is why last month I introduced bipartisan legislation to fully restore the State and local tax deduction. It is called the SALT Act, which stands for "Stop the Attack on Local Taxpayers." It is no secret that in New Jersey and in many of the Nation's most economically productive States, families face high property tax bills and a higher cost of living. Our bill is designed to provide some relief. Simply put, the more you pay in property and State taxes, the more relief you get from our bill, and we help pay for it by repealing some of Trump's most unnecessary tax breaks for the superwealthy. It is the exact opposite of what the Trump tax bill says, which is, basically that the higher the cost of living is in your State, the more you pay in State and local taxes and the more you will owe to the Federal Government. That makes no sense.

Make no mistake, President Trump and his administration and the IRS have it out for States like New Jersey. Mr. Desmond would be the arbiter of how the IRS would interpret important tax issues affecting these States. That is why I oppose his nomination.

I yield back my time.

The PRESIDING OFFICER. Under the previous order, all postcloture time has expired.

The question is, Will the Senate advise and consent to the Desmond nomination?

Mr. COTTON. Mr. President, 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 bill clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Florida (Mr. SCOTT).

Further, if present and voting, the Senator from Florida (Mr. SCOTT) would have voted "yea."

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 result was announced—yeas 83, nays 15, as follows:

[Rollcall Vote No. 31 Ex.]

YEAS—83

| | | |
|--------------|------------|------------|
| 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 (SC) |
| Capito | Isakson | Shaheen |
| Cardin | Johnson | Shelby |
| Carper | Jones | Smith |
| Casey | Kaine | Stabenow |
| Cassidy | Kennedy | Sullivan |
| Collins | King | Tester |
| Coons | Lankford | Thune |
| Cornyn | Leahy | Tillis |
| Cortez Masto | Lee | Toomey |
| Cotton | Manchin | Udall |
| Cramer | McConnell | Van Hollen |
| Crapo | McSally | Warner |
| Cruz | Moran | Wicker |
| Daines | Murkowski | Wyden |
| Durbin | Murphy | Young |
| Enzi | Murray | |

NAYS—15

| | | |
|------------|-----------|------------|
| Booker | Klobuchar | Sanders |
| Duckworth | Markey | Schatz |
| Gillibrand | Menendez | Schumer |
| Harris | Merkeley | Warren |
| Hirono | Reed | Whitehouse |

NOT VOTING—2

| | |
|------------|--------|
| Scott (FL) | Sinema |
|------------|--------|

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is made and laid upon the table.

The President will be immediately notified of the Senate's action.

CLOTURE MOTION

The PRESIDING OFFICER. There will now be 2 minutes of debate, equally divided, prior to the cloture vote.

The Senator from Wyoming.

Mr. BARRASSO. Mr. President, it is time to vote on the nomination of Andrew Wheeler to be the Administrator of the Environmental Protection Agency.

For the past year, Andrew Wheeler has served as the Senate-confirmed

Deputy Administrator of the EPA, and for the past 7 months, he has served as the Acting Administrator. He has done an admirable job in charge of the EPA.

Under his leadership, the EPA has put forward commonsense proposals to roll back punishing regulations and still protect America's air and water. He is committed to protecting both human health and the environment.

Andrew Wheeler's qualifications are without question. He has spent decades working in environmental policy at the EPA itself, here on Capitol Hill, and as a consultant to environmental and energy clients.

President Trump picked the right person to lead the Environmental Protection Agency when he nominated Andrew Wheeler. It is time for the Senate to confirm him to this important post. I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, I rise in opposition to the nomination of Andrew Wheeler as the Administrator of the EPA. Under the provisions of the Federal Vacancies Act, Mr. Wheeler can continue to lead the EPA until August 7 of this year.

Rushing to judgment on his nomination will close the window of opportunity the Senate has now to ensure that he reverses course on a handful of important policies that protect our planet while creating American jobs.

I am not calling for delay for delay's sake. We have 161 days to ensure that Mr. Wheeler withdraws his proposal to put the mercury and air toxics standards rule in legal jeopardy. We have 161 days to hear him say that he supports Senate ratification of a treaty that phases out harmful HFCs while creating jobs. We have 161 days to ensure that he negotiates with a coalition, including California and 12 other States, on vehicle fuel efficiency standards and greenhouse gas emissions while giving the auto industry the certainty they need.

While progress is being made on these important issues, I am asking my colleagues to vote no today on cloture on the motion to proceed to this nomination.

Ms. COLLINS. Mr. President, after careful consideration, I have decided to oppose the confirmation of Andrew Wheeler, the nominee for Administrator of the Environmental Protection Agency, EPA.

While Mr. Wheeler is certainly qualified for this position, I have too many concerns with the actions he has taken during his tenure as Acting Administrator to be able to support his promotion. I believe that Mr. Wheeler, unlike Scott Pruitt, understands the mission of the EPA and acts in accordance with ethical standards; however, the policies he has supported as Acting Administrator are not in the best interest of our environment and public health, particularly given the threat of climate change to our Nation.

I met at length with Mr. Wheeler, and we discussed many important environmental issues about which I care

deeply, from EPA's enforcement of landmark environmental laws to greenhouse gas emissions and mercury pollution. Since last August, the EPA has proposed to roll back environmental protections, including determining it is no longer "appropriate and necessary" to regulate mercury emissions from power plants, halting efforts to reduce greenhouse gas emissions from cars and trucks, and replacing the Clean Power Plan.

These efforts are of great importance to the State of Maine, which is located at the end of our Nation's "air pollution tailpipe" and is on the receiving end of pollution generated by coal-fired power plants in other States. Moreover, there is no doubt that the greenhouse gas emissions driving climate change pose a significant threat to our State's economy and our natural resources, from our working forests, fishing, and agricultural industries, to tourism, and recreation.

Reducing harmful air pollutants is critical for public health, particularly for Maine, which has among the highest rates of asthma in the country. In Maine, cars, trucks, and other vehicles produce more than 50 percent of our State's greenhouse gas emissions. Controls for mercury, one of the most persistent and dangerous pollutants, are especially important for children and pregnant women. The Agency's recent efforts to halt progress in these critical areas takes us in the wrong direction.

In keeping with my past practice, I will vote to allow the full Senate to consider Mr. Wheeler's nomination so that every Senator can have a clear up or down vote on this important nomination of a member of the President's Cabinet.

However, due to the actions Mr. Wheeler has taken during his tenure at the EPA, I will vote against his confirmation.

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 legislative 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 Andrew Wheeler, of Virginia, to be Administrator of the Environmental Protection Agency.

Mitch McConnell, Thom Tillis, John Boozman, Johnny Isakson, Mike Crapo, Pat Roberts, John Hoeven, Shelley Moore Capito, Roger F. Wicker, John Barrasso, Joni Ernst, Mike Rounds, John Thune, John Cornyn, Jerry Moran, Chuck Grassley, Richard Burr.

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

The question is, Is it the sense of the Senate that the debate on the nomination of Andrew Wheeler, of Virginia, to be Administrator of the Environmental Protection Agency, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Florida (Mr. SCOTT).

Further, if present and voting, the Senator from Florida (Mr. SCOTT) would have voted "yea."

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

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

The yeas and nays resulted—yeas 52, nays 46, as follows:

[Rollcall Vote No. 32 Ex.]

YEAS—52

| | | |
|-----------|------------|------------|
| 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 (SC) |
| Collins | Johnson | Shelby |
| Cornyn | Kennedy | Sullivan |
| Cotton | Lankford | Thune |
| Cramer | Lee | Tillis |
| Crapo | McConnell | Toomey |
| Cruz | McSally | Wicker |
| Daines | Moran | Young |
| Enzi | Murkowski | |
| 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—2

Scott (FL) Sinema

The PRESIDING OFFICER. On this vote, the yeas are 52, the nays are 46.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Andrew Wheeler, of Virginia, to be Administrator of the Environmental Protection Agency.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, I rise to speak this afternoon about the nomination of Andrew Wheeler to become Administrator of the Environmental Protection Agency.

The day after Mr. Wheeler was named EPA Acting Administrator, I wrote him a letter. I reminded Mr. Wheeler of the opportunity he had to try a new course for that Agency after Scott Pruitt's scandal-plagued administration.

Yet in the 7 months as Acting Administrator, unfortunately, Mr. Wheeler has so far chosen not to reverse course at EPA in too many important instances. In some cases, he has even accelerated the environmental damage and regulatory zeal that his predecessor began.

I knew that Mr. Wheeler and I would not always agree on every issue, but like so many others, I did hope that he would moderate some of Scott Pruitt's most egregious and environmentally destructive policies, specifically on policies where industry and the environmental community are in broad agreement. Sadly, my hopes have not been realized.

To be clear, Mr. Wheeler is not the ethically bereft embarrassment that Scott Pruitt was. Mr. Wheeler has also engaged more frequently and substantively than Scott Pruitt did with both Congress and EPA career staff, but time and again, Mr. Wheeler has proven that his environmental policies are almost as destructive and extreme as his predecessor's, despite the explicit promises Mr. Wheeler has made to Members of Congress, both in private and in public meetings.

One of those promises was Mr. Wheeler's recent insistence that, when it comes to getting a deal on vehicle fuel economy and greenhouse gas standards with California and a coalition of 12 other States, including my State and the Presiding Officer's State, "no one wants a 50-State deal more than I do." That was Mr. Wheeler's promise during his nomination hearing in front of the Environment and Public Works Committee in January.

Just weeks later, the headlines told a different story. For months, Mr. Wheeler said repeatedly that he shared my goal of striking a deal—not just my goal, but the goal of many of us here—with the State of California and a dozen of other States on fuel economy and greenhouse gas emissions standards. Not long after he became Acting Administrator, however, Mr. Wheeler signed off on the Trump administration's proposal that freezes the standards for the better part of a decade, eliminates most of the air conditioning, electric vehicle, and other compliance credits that are supported by chemical companies, automobile and parts manufacturers, and utilities and preempts California's authority to set its own stronger standards.

What is more, the Trump administration reportedly plans to penalize rules that call for a 0.5-percent increase. That is a one-half of 1-percent increase in the stringency of those standards—one-tenth the pace called for in the rules that are already on the books.

Since that proposal was put forth, the entire automobile industry, many Members of Congress, and many other stakeholders have repeatedly asked the EPA to forge a compromise that avoids years of costly litigation and uncertainty for our automobile industry. So far, that is all for naught.

Just last week, unfortunately and inexplicably, EPA announced, with the

White House and the Department of Transportation, that they decided to end their so-called negotiations with the State of California and, effectively, with 12 other States. These negotiations were superficial, at best, or duplicitous and designed to fail, at worst. Between you and me, I don't see how these discussions could have ended or failed because they never seriously began in the first place. It is outrageous.

That brings me back to Mr. Wheeler's promise. After his emphatic insistence that he wanted to find a 50-State solution for these standards, the decision to end them without ever making a serious effort to ever reach a compromise sends a clear message that, sadly, Mr. Wheeler—at least, in this instance—is unable to keep his word. I say that with no joy, but I say it nonetheless.

A second example of Mr. Wheeler's failure to lead in an appropriate way lies in his unreasonable opposition to submitting to the Senate for ratification something called the "Kigali Amendment" to the Montreal Protocol.

I mentioned this to one of our colleagues. He said: Talk to me in English.

I reminded him that we used to use something called CFCs. It was a refrigerator coolant that was broadly used in this country until we found out it had very serious consequences for our ozone layer. Science, chemical companies, and chemists came up with a replacement to CFCs. We call them HFCs, or hydrofluorocarbons, which are better for the ozone. They are still destructive to the greenhouse gas and destructive to our planet. Well, guess what. Scientists and chemists have, again, come up with a follow-on product to HFCs. It is not scientists and chemists in companies in other countries. They are right here in America. They have invested in a lot of money to come up with this discovery, this invention. They want to sell it. That requires the phaseout over time of HFCs.

We need the Kigali Amendment to be submitted to the Senate for ratification in order to open the door for our American companies to compete with a new technology that is good for jobs in America and good for our planet. Our country could gain 150,000 direct and indirect new jobs, and almost \$40 billion in annual economic benefits by 2027 because the safer substitutes to HFCs are made in Texas and Louisiana. These are good-paying jobs. These are green manufacturing jobs that could help our efforts to address climate change while bolstering our country's economy.

Ratification of this treaty is supported by an extraordinary list of stakeholders, including more than a dozen of our Republican colleagues here in this Chamber. From the American Chemistry Council to the Chamber of Commerce, to FreedomWorks, to the Sierra Club, it seems that just about everyone supports ratification of this

amendment, as best I can tell—everyone, that is, except EPA.

Under Mr. Wheeler's leadership, EPA also decided it is no longer "appropriate and necessary" to protect babies' brains from mercury and air toxic pollution emitted by electric utilities.

In the eleventh hour before the government shutdown, Mr. Wheeler signed a proposal that guts the legal foundation of the mercury and air toxics standards, also known as the MATS rule. Using outdated data and deciding that some benefits—like reduction in cancer, birth defects, and asthma attacks—are no longer important for the Agency to count, EPA is now setting a dangerous precedent and putting the mercury and air toxics standards rule in legal jeopardy. In fact, EPA has gone so far as to request public comment on whether the standards should be eliminated altogether.

Mr. Wheeler says that this action was necessary and that the proposal strikes a balance. That is just not true. In fact, the utility industry is in full compliance with these standards already, and they have done so at a third of the expected costs. That is why every stakeholder—from coal-fired utilities that comply with the rules to religious leaders, to environmental organizations, to the Chamber of Commerce—urged this administration not to take this step. In fact, utility groups and organized labor organizations wrote to EPA saying:

The industry already has invested significant capital—estimated at more than \$18 billion—in addition to these operating costs, and states are relying on the operation of these controls for their air quality plans. Therefore, we—

This being the group that wrote to EPA, including utility groups and organized labor groups—urge EPA to . . . leave the underlying MATS rule in place and effective.

Yet Mr. Wheeler has chosen to ignore the chorus of stakeholders who all hoped he would chart a more responsible path—on this front, too—even though utilities are not asking for this action that he is taking and the EPA is taking, and the courts are not requiring it.

Yet, from the stakeholders, from the U.S. Chamber of Commerce and the utility industry over here to all of the NGOs and environmental groups and health groups over here, everybody says to leave this rule alone. It was adopted 7 years ago, and it works. It has worked at half the cost or at one-third of the cost. Leave it alone. I just don't get this. This is just another example of when Mr. Wheeler has taken a recklessly and unnecessary extreme course of action at the EPA.

Here is another one.

In May of 2018, after meeting with a victim's mother, Scott Pruitt, the former EPA Administrator, announced plans to finalize the Obama administration's ban to prohibit consumer and commercial paint stripping uses for something called methylene chloride—

a hazardous chemical that has killed dozens of unsuspecting users in this country alone.

Despite explicit assurances provided to my office and others that the EPA would follow through with Mr. Pruitt's promise to protect both consumer and commercial users from methylene chloride, under Mr. Wheeler's leadership, the EPA sent a final rule restricting only the consumer uses of methylene chloride to the White House's Office of Management and Budget. There have been 56 accidental exposure deaths related to methylene chloride since 1980—56—including properly trained workers who have worn protective gear on the job. Yet the EPA, under Mr. Wheeler's leadership, has decided to exempt workers from the methylene chloride ban.

A number of people have said to me they think it is unconscionable. I think they are right. With Mr. Wheeler at the helm, the EPA cannot even manage to ban a chemical that is so harmful to human health that stores—and this includes Walmart, Sherwin-Williams, Ace Hardware, Home Depot, and others—have already voluntarily taken it off their shelves.

That is not all. Even the EPA's recently announced PFAS Action Plan, which was released with much fanfare 2 weeks ago, did not do much more than renounce the same measures announced by Scott Pruitt almost a year ago. PFAS is sometimes referred to as forever chemicals. The reason, my colleagues, is that they last forever in our environment. It took a public outcry to make Mr. Wheeler reverse the Agency's inexplicable decision not to set an enforceable drinking water standard for PFAS. At his hearing last month, I asked him if he would agree to set a clean drinking water standard in 2 years—not in 2 weeks, not in 2 months but in 2 years—and he could not do that.

In short, over the past 7 months as the Acting Administrator, Mr. Wheeler has perpetuated and in at least one instance I have cited here today has worsened the preexisting inadequacies and failures Scott Pruitt left behind. When faced with opportunities to protect human health and the environment in ways that also have the support of the industries that would be regulated, time and again, Mr. Wheeler has failed to act in a way that I believe is responsible and has, instead, listened to some of the most extreme voices around him.

As I have said before and will say again, I am not making some futile attempt at changing the hearts and minds about this nominee at the eleventh hour. I am not that kind of Senator and never have been, and I was not that kind of Governor. I am not grandstanding, trying to get any press attention, or the perfect sound bite. I am, however, trying to convince some of my colleagues to seize this window of opportunity we have now to ensure that Acting Administrator Wheeler reverses course and governs responsibly

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

Burdick, Democrat from North Dakota; Max Baucus, Democrat from Montana; George Mitchell, Democrat from Maine; Robert Stafford, Republican from Vermont, the chairman then of the committee; Dave Durenberger, Republican of Minnesota; and Rhode Island's Republican Senator, John Chafee.

You cannot help but be struck that the prediction back then by these six Senators is now our reality. Everything they predicted is happening. The scientists they listened to had it right. Global temperatures have already risen by around 1 degree Celsius, and we are headed to over 2 degrees Celsius of global warming by the end of the century.

Their grim predictions, which we now live with as fact, motivated these six Senators to ask the Office of Technology Assessment for policy options that “could lead to the stabilization and minimization of greenhouse gases in the atmosphere.”

Why did they want these policy options? They wanted to learn about policy options because, as they continued in their letter:

Congress must soon begin to weigh the alternatives facing the United States and other nations. . . . Due to the likelihood that legislation will be considered by the Committee early in the next Congress, it would be most helpful if this analysis could be undertaken without delay.

“Without delay.” Since then, Republicans have demolished the Office of Technology Assessment; that office no longer exists. Republicans have relentlessly blocked legislation to address carbon emissions and have trafficked in phony climate denial, all while accepting hundreds of millions of dollars of political contributions from the fossil fuel industry.

Today, five of those six States are represented again, having a reunion on the Senate floor. I see Senator TESTER from Montana here. I will yield to him now. We will also be joined by PATRICK LEAHY of Vermont, AMY KLOBUCHAR of Minnesota, and ANGUS KING of Maine.

I yield to JON TESTER of Montana, taking the position of his predecessor, Max Baucus—whom, by one of the weird coincidences of the Senate, I just passed coming out of the trolley.

Senator TESTER, the floor is yours.

The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. I thank Senator WHITEHOUSE.

I could not in my wildest dreams be able to replace Senator Baucus in what he did. But what he did back in 1986, along with a number of other Senators Senator WHITEHOUSE just talked about, was visionary.

He signed a letter asking Federal researchers to study solutions for limiting the causes of climate change. This was in 1986, some 33 years ago. That same year, as I am today, my wife and I were farming in North Central Montana, a farm that then had been in the family for about 70 years.

During the time before 1986, and since 1986, we have seen a lot of changes on the farm. That is why it is interesting—because those changes have increased more than ever, I believe, in the last 20 years.

When this letter was sent off to study solutions in 1986, it was incredibly visionary because it was before climate change was even talked about much. Yet this group of Senators was able to see the negative impacts of this coming down the pike.

By the way, when we talk about negative impacts of climate change—you probably have this, Senator WHITEHOUSE, but somebody ought to put together how many hundreds of billions of dollars we have spent on natural disasters in the last 10 or 12 years compared to how much we spent in years previous. I can tell you, it was a few years ago that every State in the Union except one or maybe two had a natural disaster. That is because our climate is changing. It is because our climate is getting more erratic. I have seen it on our farm. I have seen August turn from the driest month to one of the wettest months. Over the last 20 years, I have seen a reservoir—a reservoir is a manmade area to hold water for livestock. I have seen a reservoir that never went dry from the time my father built it in the early 1950s to going dry for consecutive years. I have seen dangerous floods. I have seen water where we have never had it before. I have seen drought like we have never had it before.

I would just say, in regard to that, we just had a vote on a guy by the name of Wheeler, whom the President nominated to lead the EPA, who actually is one of these guys who doesn't believe in climate change at all. I don't know where the President finds these people, and I don't know how this body can support somebody who is this big of a denier, who wants to slow enforcement on polluters.

There is one thing we need to keep in mind in this country when we try to put people like Wheeler up for head of EPA. If you take a look at the third-world nations in this world, those are the nations that have destroyed their resource base. If you want to pollute our water and if you want to pollute our air, that is destroying our resource base. I guarantee you, that is not a way to make America great. It is not even a way to keep America great.

This nominee is rolling back the clean water rule. He has allowed more uses for asbestos in commerce when, in our State of Montana, Libby can tell you all about asbestos. People are still dying from its effects.

That aside—the Wheeler nomination, which is a catastrophe in itself—I could tell you that the Senators who stood on this very floor 33 years ago understood—understood—that we have a challenge in front of us greater than any other challenge we have faced before, and that is climate. As we talk about what they did in 1986—we are in

2019 now—now is the time to come up with some workable solutions—workable for our climate and workable for our economy—to get our arms around this very serious problem.

I am going to tell you what is at risk here. I love Nevada, but I don't want Montana turning into an ecosystem like Nevada has. We raise some of the best wheat and the best cattle and the best post-crops in the world, but it takes a predictable environment to do that. In some places in our State, we are on the edge of desertification, turning into desert.

The issue that revolves around climate change impacts each and every one of us in this body. Whether we are in denial or not, that is a fact, and it is incumbent upon us, as Senators who represent great States all around this Nation, to come up with solutions that our kids and our grandkids will be proud of.

I yield the floor back to Senator WHITEHOUSE.

Mr. WHITEHOUSE. I thank Senator TESTER.

I will turn to the Rhode Islander who was in that early bipartisan effort to understand and address climate change. Senator John Chafee's history of service to his State and country was remarkable. He saw bloody combat in World War II on Guadalcanal and Okinawa with the 1st Marine Division. He went back as a Marine rifle company commander during the Korean war with Dog Company, 2nd Battalion, 7th Marines. He served in Rhode Island's legislature and as our Governor. In 1969, he was appointed Secretary of the Navy. He was elected to the U.S. Senate in 1976 and chaired the Environment and Public Works Committee from 1995 until his death in 1999. In the small Rhode Island world, he was also my father's college roommate and lifelong friend.

The environment was an abiding passion for this man, and his devotion showed in his work in the Senate. His legacy includes the Superfund Program, the Oil Pollution Act, and the 1990 amendments to the Clean Air Act, and his legacy is his early recognition that climate change, driven by carbon pollution, caused by fossil fuels, poses an existential threat to humanity and the planet we call home.

At the 1986 hearing that led to this bipartisan letter, Chafee declared:

This is not a matter of Chicken Little telling us the sky is falling. The scientific evidence . . . is telling us we have a problem; a serious problem.

This is 1986, and the Republican chairman of the Environment and Public Works Committee is saying that the scientific evidence is telling us we have a serious problem.

He went on to say:

Scientists have characterized our treatment of the greenhouse effect as a global experiment. It strikes me as a form of planetary Russian roulette. . . . By not making policy choices today, by sticking to a “wait and see” approach . . . [b]y allowing these

gases to continue to build in the atmosphere, this generation may be committing all of us to severe economic and environmental disruption without ever having decided that the value of “business as usual” is worth the risks.

Those who believe that these are problems to be dealt with by future generations are misleading themselves.

Senator John Chafee, 1986.

I yield now to the distinguished ranking member of the Appropriations Committee and honorary Senator pro tempore, PATRICK LEAHY, here on behalf of the State of Vermont.

Mr. LEAHY. Mr. President, I thank my distinguished colleague from Rhode Island.

I could not help but think—as I saw the picture of John Chafee, with whom I had the honor of serving here in the Senate—of John Chafee’s close friendship with Robert Stafford, who was my senior Senator when I came here, both having served in World War II, both with a naval background, both people who cared first and foremost about the country and the environment. I am going to speak a little bit further about Bob Stafford as we go.

When we laid John Chafee to rest in Rhode Island, I remember sitting there and listening to the eulogies. Both Republicans and Democrats were speaking about this man.

Also, referring to what the Senator from Rhode Island has said, more than 30 years ago we had cooperation and bipartisanship. It was a hallmark of the U.S. Senate. It was a bipartisan group of Senators who sounded the alarm about climate change. They made a very modest request to the Office of Technology Assessment. They said: Study the issue of climate change and make recommendations to avert global disaster.

Those Senators, Republicans and Democrats alike, were concerned that human activity might directly cause permanent, destructive, and widespread changes to our planet’s climate system—changes that would put our entire economy, ecosystem, and, our very own existence at risk.

As I said, one of these Senators was my senior Senator, my mentor, when I came here and one of the finest Senators who ever served—Republican Robert Stafford, from Vermont.

Today, led by Senator WHITEHOUSE, I think that what many of us are trying to do is what Senator Chafee and Senator Stafford did. We want to recall that moment in 1986 and renew the warning those Senators issued 33 years ago.

Let me speak about Senator Stafford. When I came here at the ripe old age of 34, I was the only Democrat ever elected in my State. Robert Stafford was “Mr. Republican.” He took me under his wing. He had been a Congressman. He had been a Governor. He had been an attorney general. He served in World War II and in Korea. He was a mentor, but he was also an example. His legacy is one of sensible, pragmatic Vermont values that he brought to

Washington for decades. They weren’t Republican or Democratic.

Senator Stafford was—like most Vermonters—a champion for the natural environment. With his work on landmark environmental legislation, like the Clean Water Act, the Clean Air Act, and the Superfund program, Senator Stafford represented the best of Vermont’s commitment to sustainability.

His appeals to reason and for common ground, and his belief in sound science resonate even more today than when he left this body three decades ago. If he were here today, I believe he would be calling on both sides of the aisle to act now to ensure that we can pass on a secure and livable planet for generations to come and to act before it is too late.

Today, so many people still refuse to accept what is now an overwhelming scientific consensus—that climate change is real and that humans are the dominant cause of it. What is worse, for the last 2 years many in Congress have willfully accelerated the devastation caused by global warming by enabling the Trump administration’s erosion of our Nation’s bedrock environmental protections—protections that I have fought for throughout my nearly 45 years in the Senate.

As climate scientists warn of the urgent need to reduce emissions and reverse the global rise in temperatures, many Senators have refused to preserve even the status quo. Instead, in the last 2 years, we have seen the roll-back of commonsense regulations, often at the behest of private interests that have spent decades misinforming the public and suppressing their own science on the long-term hazards of the fossil fuel industry.

Alarming, this week the Senate is poised to confirm someone to lead the Environmental Protection Agency—the Agency that is charged with safeguarding the air and water on which we depend—who, despite the scientific consensus, denies that climate change is the great threat we face today.

To growing numbers of Americans it is saddening—actually, it is maddening—and most of all, deeply alarming that the Trump administration and many others in leadership positions have made Trumpism’s anti-science, know-nothing agenda their default position. This poses existential threats not only to our children and grandchildren but to our generation.

More than three decades ago, long before protecting our planet became a partisan issue, the Environment and Public Works Committee held 3 days of hearings on climate change. Those 1986 hearings compelled a bipartisan group of Senators to acknowledge and warn the public about a “fundamentally altered planet” as a result of the “substantial greenhouse warming” that was projected.

They asked what could be done to prevent consequences “ranging from disruption of forest, crop, and ocean

productivity to shifts in population,” and “extreme weather events, such as droughts, monsoons, and lowland floods.” These words of warning were neither radical nor partisan. They were sensible.

So what has changed since then? The ice caps are melting—only faster. Certainly, the glaciers I saw when I visited Antarctica 25 or so years ago had been there for eons, and they are now fast disappearing. Our coastline is still disappearing but faster. Farmers and ranchers are still concerned about prolonged droughts and extreme weather, only, today, the fires and storms are more frequent and more devastating.

Just last month, the intelligence community’s “Worldwide Threat Assessment” offered a sobering conclusion. This is the intelligence community’s assessment: “Global environmental and ecological degradation, as well as climate change, are likely to fuel competition for resources, economic distress, and social discontent through 2019 and beyond.”

We know that bipartisan action on big environmental threats is possible. In fact, soon after the climate change hearings in 1986, Marcelle and I climbed Vermont’s Camel’s Hump with President Reagan’s EPA Administrator. We wanted to show him the terrible damage caused by acid rain. We could see that mountain from our home. We could see the changes up close. They were very obvious. With President Reagan’s EPA Administrator’s support, we moved ahead with the Clean Air Act Amendments of 1990, and they were signed into law by President George H. W. Bush. It was not a partisan issue. The result was a great reduction in the scourge of acid rain. We see these results every day.

Today we are in danger of taking such results for granted. It is up to us to protect this planet. If we don’t, who will? There is no more urgent responsibility.

There are bold ideas for how to address this challenge. The Green New Deal offers a valuable roadmap for debate and a pathway for action. The time for dallying around the edges of the issue is over. We all share responsibility for where we are today. So, likewise, we have an obligation to attack this issue, but not with cynical show votes, not with feel-good votes intended to demonstrate a political divide rather than what should be universal acknowledgment of what we know to be true—that climate change is real, and human activity is the primary cause of these threats to our way of life, our communities, and our planet.

We have to channel the American innovative spirit that has improved our lives for centuries. We have to find creative solutions for reducing carbon emissions, and then we have to invest in those solutions. We have to reorient our workforce toward the great opportunities that are opening for green economy jobs. We should invest in

leading the whole world in developing clean energy solutions. We have to address this real emergency head-on. Not only can we curb climate change, but, in doing so, we can transform the American economy.

Over 30 years ago, a handful of forward-looking Republicans and Democrats stood together in this Senate. I was proud to be here when they issued their challenge, but the time for delay is over. In fact, our time is running out.

Let this renewed vigor in addressing climate change, brought about by the bold proposed Green New Deal, be the catalyst for real change. Let's stand together.

Senator WHITEHOUSE has enlightened us on so many of these issues, but we have also learned, as he did, from our mentors—like Senator Chafee, Senator Stafford, and the others who got together in 1986. It is not partisan and it is not political. It is survival.

I yield the floor.

Mr. WHITEHOUSE. I thank the distinguished Senator from Vermont, who is not only a towering physical presence on the floor of the Senate but a towering historic presence on this floor, as well, and brings a rare and valuable perspective. I appreciate his words so much.

The sad thing that we face is that despite words like those uttered by Senator John Chafee—"allowing these gases to continue to build in the atmosphere . . . may be committing all of us to severe economic and environmental disruption"—or the words in the letter that John Chafee signed right here and that Senator LEAHY's mentor, Bob Stafford, signed right here back on December 23, 1986, no Republican Senator can utter those words today. Today's Republican Party will not even acknowledge that climate change is a serious problem—let alone put forward a serious proposal to tackle it. Republican Leader MITCH MCCONNELL's latest trick is to call, for the first time, a climate-related measure on the Senate floor for his side to vote against it. The leader has not brought a single piece of climate legislation to the floor for a vote, ever, until this vote, which he is bringing up for his side to vote against.

It actually gets worse. Since the infamous Citizens United Supreme Court decision almost 10 years ago, no Republican in the Senate has offered or sponsored comprehensive climate legislation to limit carbon pollution—none.

So we look back with some real sorrow to 1986, when this bipartisan letter was written. Of course, Minnesota was represented in that letter by Dave Durenberger, and Minnesota is represented here on the floor today by Senator KLOBUCHAR.

I yield to her.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I thank the Senator from Rhode Island for his leadership day in and day out on this issue.

I rise to join him and my other colleagues to talk about this letter and to look back at that moment in time but really to do it to look forward because we know it is long past time for bipartisan action on climate change.

As the Senator from Rhode Island has explained with a copy of that letter, back in 1986, a bipartisan group of Senators came together to voice their concerns about the future of our world.

This forward-thinking group of our predecessors, who were from the same States as my colleagues who are here today, held 3 days of hearings on climate change. That sounds like a pretty good idea for something we should be doing right now. It was chaired by, of course, the Republican Senator from Rhode Island, Mr. John Chafee.

Minnesota Senator David Durenberger was among that group of Senators. He was born in St. Cloud. He earned his law degree from the University of Minnesota, was the top-rated cadet in his ROTC class, and served as a lieutenant in the Army Counter Intelligence Corps and as a captain in the U.S. Army Reserve.

Senator Durenberger took over the seat left by Senator Humphrey, and during his 17 years of service in the Senate, Senator Durenberger proved time and again that he is a true believer in bipartisanship. He worked across the aisle to tackle big issues, and that included talking about climate change way back in 1986.

I called Senator Durenberger this week to talk to him, and our staff did, to get some sense of where he was on climate change years later. He reported to us that, in his words, he wanted to remind Americans there was a time in our very recent history when the U.S. Senate made it its responsibility to define and address some of the critical national and international policy issues that threaten the security of our communities, our Nation, and the world.

This is Senator Durenberger speaking in the year 2019. He said he could say "without reservation that it was bipartisan Senate leadership that encouraged the four Presidents with whom [he] served—Carter, Reagan, [George H.W.] Bush, and Clinton—to prioritize environmental problem definition and solution."

He also recalled working with his colleagues on the Environment and Public Works Committee to "challenge"—and these are his words—"challenge the scientific community and the business community to work harder at reducing the impact [of greenhouse gases] and suggesting what policies best incentivize alternative fuels."

It was in this bipartisan spirit that this group of Senators sent a letter to Dr. John Gibbons, who was then the executive director of the Office of Technology Assessment. In that letter, they talked about the need to meet "the massive and, to some degree irrevocable, alterations in the stratosphere commonly referred to as the greenhouse effect."

The letter goes on to discuss concerns about "altered precipitation and storm patterns," something certainly the Senator from Rhode Island knows we are seeing right now. These Senators were ahead of their time—altered precipitation and storm patterns.

"[M]ore frequent and extreme weather events," they talked about that. Look at what we are seeing with the hurricanes, with the rising sea levels, and with the wildfires in Colorado and in California.

"[D]isruption of forest, crop, and ocean productivity." That letter may have been sent in 1986, but certainly those Democratic and Republican Senators were ahead of their time. Americans are now increasingly feeling the effects of changing climate patterns and extreme weather events. Farmers are already living through these disruptions to crop productivity.

So what else did the letter say? Well, it said this: "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 also stated that "it may be necessary to act soon to at least slow these trends or, perhaps, halt them altogether."

Think of those words way back in 1986 asking us to act soon. They were right back then, and they are still right today. The true tragedy is that the final paragraph of the letter notes that any analysis should be undertaken without delay "due to the likelihood that legislation will be seriously considered by the Committee early in the next Congress."

Well, the truth is, we are still waiting for that legislation to be seriously considered. The bipartisan call in that 1986 letter came in the 99th Congress, and we are now beginning the 116th. Just as troubling, we have lost some of the bipartisan spirit that guided David Durenberger and those 1986 lawmakers. Our inaction has outlasted even the Office of Technology Assessment itself.

I ask my colleagues, in the spirit of bipartisanship—from back in 1986, my colleague Senator Durenberger, who I hope is listening today—let us continue that spirit, and let's get some serious climate legislation to the floor of the U.S. Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, let me thank Senator KLOBUCHAR for her wonderful remarks, and of course Minnesota is a Northern State which sees this up close all the time.

The Senator spoke of bipartisanship. Do you know who voted with Senator Chafee for the Clean Air Act amendments of 1990? The Republican Senate majority leader did, as did a majority of the Republican caucus in the Senate.

In fact, those powerful 1990 Clean Air Act amendments passed 89 to 10. Where do I go to get a majority leader like that back? Where do I go to get a Senate Republican Party like that back?

As late as 2009, Donald Trump published an advertisement in the *New York Times* that said that the climate science was “scientifically irrefutable”—scientifically irrefutable—and that if we didn’t do anything about it, there would be “catastrophic and irreversible consequences for humanity and our planet.” That is Donald Trump in 2009.

Where do I go to get that Donald Trump back? What happened? In 2007, when I first joined this body, there were Republicans working on climate legislation all over the place. Senator KLOBUCHAR and I came together that year. We had, by my count, five pieces of bipartisan climate legislation that were working through this body in various stages in 2007, 2008, and 2009, when Donald Trump put this advertisement in the *New York Times* saying that the science was scientifically irrefutable and the consequences would be catastrophic and irreversible.

Then came January of 2010. Then came the Citizens United decision. Then came unlimited and often anonymous fossil fuel money sloshing around in America’s politics and all the threats and promises that unlimited money allows special interest to engage in. Now, those days, the Donald Trump of 2009, Republican cooperation of 2007, 2008, and 2009, and of course this letter from as long ago as 1986 seems impossible, but I hope we can get together. We have to do better than Republican political mischief on climate change.

Calling up bills that you intend to vote against—give me a break. Where is the plan, the Republican, conservative, serious plan for addressing the climate crisis? I will tell you where it is. It is nowhere. Zero. Nada. Nothing. That has to stop.

Here, on this letter, is one of the most distinguished, wonderful men ever to serve in the U.S. Senate, Mr. George Mitchell of the State of Maine, and here, representing him today, is Senator ANGUS KING from the great State of Maine.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Mr. KING. Mr. President, I rise in sadness and somewhat perplexed because what we are doing in this colloquy is recreating a statement, a letter, as the Senator from Minnesota outlined, that was sent by six of our predecessors in December of 1986, warning about the dangers of climate change, warning about what this can do to our country and to our world, about costs, and about how we had to take action.

One of those Senators was George Mitchell of Maine, one of the great legislators of the 20th century. I am honored to be in the seat that once was occupied by George Mitchell and also by his predecessor, Edmund Muskie. I think the story of the major environmental legislation of the 20th century, sponsored principally at the beginning

by Edmund Muskie, the Clean Air Act and Clean Water Act, is worth mentioning, if only briefly.

The most important point is that the Clean Air Act, one of the most important and comprehensive environmental pieces of legislation in our Nation’s history, passed this body unanimously. It passed this body unanimously.

It disturbs me that we couldn’t agree on the time of day around here unanimously these days. I don’t know when this issue became a partisan issue, but I deeply regret it because it is causing harm to our country.

What I would like to do is step into George Mitchell’s shoes for a moment and read a statement that he himself wrote and made back in 1986, and you are not going to believe how prescient this statement is. It could have been written yesterday. Here are George Mitchell’s words:

The problem of global warming is one of immense significance. It is the most serious and more pressing than anticipated. Previously, most of the models forecasting the rate of global warming focused on the air pollutants produced by the combustion of fossil fuels. More recent data suggest that trace gases may also increase the rate of warming by a factor of two. This means that warming may be increasing twice as fast as previously thought.

The data produced to date suggests there may be an average increase in temperature of 1°C since the beginning of the industrial revolution.

This was in 1986. We are now at about 1.5 degrees centigrade.

Considering how much warmer this June has been than average, a 1 degree difference may appear to be insignificant, but an average of 1 degree increase could be devastating, so the experts tell us. A 1 degree increase in the average global temperature would melt glaciers—

That is happening—

and such melting would increase the sea level.

That is happening.

There are uncertainties in predicting how much the sea level would increase in a particular area. In some cases, it could be an average increase of a few feet; in others, much more. For a coastal State like Maine and to other States along the coastline, such an increase would be devastating.

To deviate from George’s words for a moment, this is what we see happening. We are now seeing what are called rainy day floods, flooding in areas of our country along the coast that were rare. Six-month events are now every high tide.

George Mitchell says:

An average of 1 degree increase in temperature could have major impacts on agriculture. This country’s Midwestern bread basket could again become a dust bowl. More heat would mean less water for crops and variations in growing seasons. It is important to keep in mind that this average increase is global in nature. It is not a national or regional problem. If American farmers suffer for lack of water, so will farmers all over the planet. If shorelines along our coasts are flooded, so will shorelines everywhere in the world.

The enormity of this phenomenon is staggering, and we have a responsibility to limit

emissions of pollutants that trap the heat in our atmosphere. As difficult, as immense, and as seemingly remote as the problem is to our daily lives, we cannot delay.

This was George Mitchell in 1986—we cannot delay.

There will be those who argue that more research is necessary to completely understand the phenomenon and to answer every scientific question.

We are still hearing that argument today—we need more science; we need more studies; we are not sure.

George goes on:

As in the case of acid rain, such complete understanding will come only after we flounder in the weight of our shortsighted policies. This is one more indication that the benefits of industrialization carry with them the burden of controlling pollutants. These pollutants threaten our lakes, fish, health, and forests today in the form of acid deposition.

We will hear today that these pollutants also threaten the future of our planet, which cannot tolerate such a sudden and dramatic increase in temperature and survive in a form familiar to us.

In 1986 George Mitchell said:

Solutions are possible and available. The statement released at the conclusion of the Villach Conference in Austria last October—

This was in 1985—

addresses the common nature of some of our environmental problems. That statement said in part that “climate change and sea level rises due to greenhouse gases are closely linked with other major environmental issues, such as acid deposition and threats to the Earth’s ozone shield, mostly due to changes in the composition of the atmosphere by human activity.”

Reduction in coal and oil use and energy conservation undertaken to reduce acid deposition will also lower concentration of greenhouse gases. Reductions in emissions of chlorofluorocarbons—

Which we achieved—

will help protect the ozone layer and will also slow the rate of climate change. The rate and degree of future warming could be profoundly affected by governmental policies on energy conservation, use of fossil fuels, and the emission of greenhouse gases.

Those words were written 32 years ago.

The rate and degree of future warming could be profoundly affected by governmental policies on energy conservation, use of fossil fuels, and the emission of greenhouse gases.

The testimony that they were intending to hear at the hearing that George is describing demonstrated “that such governmental policies are needed . . . nationally and on a global basis.”

I pause on “a global basis”—the tragedy of leaving the Paris climate accord, because the only solution to this problem has to be local, national, and global.

The testimony from Federal Agencies will be that the current government policy is to conduct more research, a familiar refrain on issues of this type. George Mitchell said:

What is missing in the Federal effort is action. The problem of global warming brings another round of scientists before us decrying the folly of waiting until it is too late to

prevent irreversible damage. In the case of acid rain, research has been offered as a substitute for much-needed action. This policy has produced more bodies of water that cannot sustain life, more trees that are dying, and more people who find it hard to breathe.

The policy has produced more studies, not any meaningful change in policy. I hope these two days of hearings will help persuade the administration—

And the people of the country—

that inaction has its own costs, almost invariably higher than the cost of action.

George Mitchell was right. The cost of inaction is invariably higher than the cost of action.

George concluded by saying:

I represent a State that already has been affected by acid deposition. I want to do all I can to keep Maine, the rest of our country, and our planet from facing potentially more dramatic environmental damage from global warming. The best way to avoid these undesirable outcomes is to begin taking action now to prevent further damage rather than spending twice as much time and later money repairing damage.

George Mitchell was right in 1986. Tragically, he is even more right today because we did not heed his call. We did not take action. We have avoided action.

I don't want to be the generation that our children and grandchildren look back on and say: Where were you and what did you do when the climate was deteriorating, when the glaciers were melting, when the ice sheets were melting, when the sea level was rising, when the storms were increasing in intensity, when the wildfires were burning our States? What did you do, Senator?

I, for one, want the answer to be "I took action." The answer should be "we took action."

Today, this is a challenge even greater—significantly greater—than it was in 1986, but the very fact that people like Quentin Burdick, George Mitchell, John Chafee, Bob Stafford, and David Durenberger saw the future and predicted it so succinctly and profoundly should spur us to the type of action that is necessary to meet, confront, and overcome this most serious of challenges before us.

Thank you.

I yield to my colleague from Rhode Island.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. I will close out this colloquy by pointing out that the Republicans of 2007, 2008, and 2009 who were working on climate legislation before the Citizens United decision have left or died or gone to ground. It is sad to see. These Republicans of 1986, a third of a century ago, would be shocked at what has become of their party. So, today, we, their successors in five of these six States, gathered on the floor to honor their memory, to mourn what has become in the intervening years of the Republican Party, and to grieve for what this body has lost.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

S. RES. 70

Mr. BLUNT. Mr. President, on February 13 the Rules Committee approved S. Res. 70, which authorizes funding for the Senate's committees from March 1, 2019, through February 28, 2021. For this 24-month period, the 18 committees covered by this resolution are authorized to spend up to \$214,055,860. This is a small increase over the funding authorized by the current committee funding resolution, S. Res. 62. For the information of my colleagues, committee funding authorized by S. Res. 70 remains 13 percent below levels from a decade ago.

Committees are the lifeblood of the legislative process. It is in our committees that policy is created and programs and agencies are overseen. Our committees are where the Senate first exercises its advice and consent function over the executive branch's nominees. Well-functioning committees are crucial to the Senate's role as a separate but equal branch of the government.

The resolution before the Senate is the result of a bipartisan process Senator KLOBUCHAR, the Rules Committee's ranking member, and I undertook this year to solicit more input from committee chairmen and ranking members. The resolution reflects the needs identified by our colleagues and will help ensure our committees are able to carry out their responsibilities and duties.

I would like to thank Fitz Elder and Rachelle Schroeder from my committee staff; Lizzy Peluso and Lindsey Kerr from Senator KLOBUCHAR's committee staff; and Cindy Qualley, the Rules Committee's chief clerk. Additionally, I would like to thank Ileana Garcia and Ted Ruckner from the Disbursing Office and John Henderson from the Office of Legislative Counsel. I greatly appreciate their hard work in developing this resolution.

AUTHORIZING EXPENDITURES BY COMMITTEES OF THE SENATE FOR PERIODS MARCH 1, 2019 THROUGH SEPTEMBER 30, 2019, OCTOBER 1, 2019 THROUGH SEPTEMBER 30, 2020, AND OCTOBER 1, 2020 THROUGH FEBRUARY 28, 2021

Mr. BLUNT. Mr. President, as if in legislative session, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 25, S. Res. 70.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant bill clerk read as follows:

A resolution (S. Res. 70) authorizing expenditures by committees of the Senate for the periods March 1, 2019 through September 30, 2019, October 1, 2019 through September 30, 2020, and October 1, 2020 through February 28, 2021.

There being no objection, the Senate proceeded to consider the resolution.

Mr. BLUNT. I ask unanimous consent that the resolution be agreed to and that the motion to reconsider be considered made and laid upon the table.

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

The resolution (S. Res. 70) was agreed to.

(The resolution is printed in the RECORD of February 13, 2019, under "Submitted Resolutions.")

DIRECTING THE SECRETARY OF THE SENATE TO MAKE CORRECTION IN THE ENROLLMENT OF THE BILL S. 47

Mr. BLUNT. Continuing as if in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 21.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant bill clerk read as follows:

A concurrent resolution (H. Con. Res. 21) directing the Secretary of the Senate to make a correction in the enrollment of the bill S. 47.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. BLUNT. I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The concurrent resolution (H. Con. Res. 21) was agreed to.

(The concurrent resolution is printed in today's RECORD under "Submitted Resolutions.")

Mr. BLUNT. Thank you, Mr. President.

One of those items was an enrolling correction and the other was funding for committees. Our committees are beginning to do their work, and this makes it, obviously, appropriate and possible for them to do that.

EXECUTIVE CALENDAR—Continued

THE GREEN NEW DEAL

Mr. BLUNT. Mr. President, I just listened to the other debate on the floor, and it reminded me of the fact that our friends on the other side of the aisle introduced a resolution calling on the Federal Government to adopt what they call the Green New Deal.

From my point of view, the legislation is pretty far outside the mainstream in what it is proposing and how it is proposing the problems we should be debating. I don't have any problem with that. Those problems should be solved, and even though it seems pretty far outside the mainstream of thought, at least 12 of our colleagues in the Senate have cosponsored it. The majority leader thought it would be fair if we had that idea out there—it is

getting a lot of public attention—to have a chance to debate this legislation and vote on it in the Senate.

The Democrats have called it a sham. They said: Why should we have debate on this piece of legislation? Why would we want to vote on this piece of legislation?

Now, it is not cosponsored by a majority of the Members of the Senate, but it is cosponsored by over 25 percent of the Democrats in the Senate, and one would think that if 25 percent of their conference is sponsoring a bill, they would be glad to come to the floor and talk about that bill and talk about what it does.

So let's talk for just a couple of minutes about what that bill actually says. One of the things that it does is that it calls for the United States to use 100 percent renewable energy by 2030. That is just a little more than 10 years from now. It says, basically, that we want to have a zero-carbon-dioxide emissions by then.

I know there was some discussion in the rolling out of this bill that that would mean that ground transportation and air transportation would either be eliminated or minimized—at least the way we travel right now would be. At some point in the future that may happen, but it is highly unlikely it is going to happen in the next 10 years, which is what the bill calls for. Maybe that is why they don't want to debate it. Even President Obama's former science adviser says that this is not feasible. Harvard University professor John Holdren was quoted in the New York Times saying: "As a technologist studying this problem for 50 years, I don't think we can do it."

So that is a pretty good source who indicates that what we are talking about here can't happen. So that big headline goal appears to be impossible, but we probably could debate it anyway. Let's hear from the other side, particularly the 12 cosponsors, to say why it is possible, why we should be able to do that, and why that is in the legislation that they filed.

The rest of the legislation goes really beyond things that don't relate to the environment. There is a laundry list of policies that appear to be popular right now in the so-called progressive discussion. One is a single-payer health system and the other is a Federal job guarantee. The talking points suggested that that would be a Federal job guarantee for people who can't work or aren't willing to work. Of course, that was so controversial that immediately people began to say: Well, maybe that is something that the Republicans snuck into our talking points. But it turned out that wasn't true.

There is a provision calling for "repairing the historic oppression of . . . youth." That is sort of what this whole Green New Deal seems to focus on—accepting responsibility in a debate for things that really don't make the kind of sense one would want them to make as you move toward legislation. They

don't really say what the "historic oppression of youth" was. Probably that is not related to the economy or the environment or the greenness of the Green New Deal.

But even if we agree that these ideas are good ideas, the other question is this: How much is it going to cost?

The American Action Forum looked at the biggest parts of the legislation, and they estimated that the total would run anywhere from \$51 trillion to \$94 trillion over 10 years. To put this in perspective, the Congress right now appropriates about \$1.5 trillion a year. We spend more than that through programs that are in place like Social Security, Medicare, and Medicaid, but we appropriate \$1.5 trillion a year. If the estimates of the Green New Deal are right, that would suddenly become \$5 trillion to \$9 trillion a year. That is a pretty good multiplier of \$1.5 trillion a year—six times, in fact, of what we are spending now—at the \$9 trillion level. That works out to be about \$65,000 per family per year. That would probably be more government than we could afford, but that is how it works out.

There is nothing that talks about how families are supposed to come up with their share of the bill.

While some of the ideas in the Green New Deal—Medicare for all or a job for everybody, guaranteed by the government—sound like good ideas, I don't think they are going to stand the test of the debate. I think that is one of the reasons that maybe the other side doesn't want to have the debate.

Some talk about: Well, maybe we will all vote present or we will not vote at all.

I think it is pretty hard to defend what you are out there talking about when you are not willing to come to the floor and talk about it. That is a debate we are going to have. I suspect we are going to have it sometime this month, and I look forward to engaging in that debate.

This week, we are having another debate on nominees. Right now, the debate is on the nominee for the Administrator of the EPA. There has been some discussion of the environment in the debate on the Administrator of the EPA. Next, we are going to go to someone to serve on the TVA commission. This is somebody who has been voted out of committee two times in bipartisan voice votes and never allowed to have a vote in the Senate.

I will remind my colleagues again that under President Reagan, the average time in days from when a person was voted out of committee—and remember, as all of us on the floor would know, the committee is where questions are asked, and the background check has been completed. That may take a substantial amount of time, depending on the nominee and how complicated their information is—sometimes less time, sometimes more. That has all happened in the committee.

Under President Reagan, the average number of days from the time a person

was voted out of committee until they were voted on, on the floor was 5. The total number of times the majority had to file cloture to get that vote was less than a handful in the entire first 2 years.

For President Trump, the average number of days for a nominee to be voted on is 55, and the majority leader had to file cloture 128 times even to get a vote. We are going through some of those votes this week. The 30 hours of debate almost never includes debate about the nominee who is using up floor time that could be used for debating how we spend our money, how we defend our country, or what our foreign policy oversight responsibilities are going to be.

We are going to continue to look at the options and continue to talk to our friends on the other side about how 60 Senators can work together to change the rules in a way that they would be changed going forward to get the rules back more to the days of Ronald Reagan, George Herbert Walker Bush, Bill Clinton, and all of their predecessors, where nominees were never used as a way to use up time. Nominees were never held hostage so that other legislation or debate couldn't occur.

We are working hard to find 60 of us who want to return to a time when legislative priorities in the Senate still had the protections of the minority that have always been there, but those protections couldn't be used to the disadvantage of people who have stepped up and are willing to serve and are often voted out of committee on a bipartisan basis, only to be held up on the floor.

I look forward to the debate on the Green New Deal. I look forward to the other debates we are going to have on the floor of the Senate this year.

For the people who are willing to serve, who have been reported out of committee, who have been thoroughly questioned and investigated but can't get that vote and get to work, that is not what we want to do. That is not who we should want to be. I hope we can work together to find a way to change that rule as well.

I see my good friend, the Senator from Hawaii, is here. We are working on some things together right now that we would like to get to the floor and have those bills voted on later.

I yield the floor.

The PRESIDING OFFICER (Mr. COTTON). The Senator from Hawaii.

CLIMATE CHANGE

Mr. SCHATZ. Mr. President, I thank the Senator from Missouri. I thank him for his leadership and levelheadedness.

As he is on his way out, I will say that I think the current way we deal with nominees is not tenable. I imagine a scenario where we have a Democratic President, and it will take even longer than it is currently taking to confirm nominees. I think there are a number of us on both sides of the aisle who are open to modifying the way we operate.

For me, the blue-slip question is a redline. I think what they are doing with the blue slips undermines the individual ability for any Senator to have their say, especially as it relates to the circuit courts, but I think there is an opportunity to have a conversation.

On climate generally, I am looking forward to a debate, but it is very difficult to debate in the Senate when only one party proffers a proposal. I don't mean this as rhetorical flourish. I don't mean this as a personal accusation or a partisan attack. It is just a fact that there are no climate proposals coming from the Senators who are Republican. There are zero. So they are trying to have a debate about a resolution which was nonbinding and which was signed by 12 Senators. I get it, but I think, given that this is the world's greatest deliberative body, we ought to have a proper debate about climate change.

We are actually in a climate emergency. This is the most important moment in the world's history as it relates to this particular crisis. We are sitting here trying to score points about an FAQ that was posted on a new Congresswoman's website and trying to make fun of each other and say: They are going to ban cows and ice cream. It is very silly, and it is not worthy of the seriousness of the moment.

I would ask my Republican colleagues—I see a number of them who take the debt, foreign policy, cyber security, personal privacy, and the rules of the Senate very seriously. They are very levelheaded human beings with a seriousness of purpose. Yet when it comes to climate change, it gets into this goofy thing where they are doing everything except debating climate change and what ought to be done about it.

We spent 5, maybe 10 years trying to get most Republicans to concede that this problem exists at all. Now a lot of them are feeling comfortable saying: Yes, this problem exists, but all of the solutions proposed by Democrats are wrong.

That is fine, but I ask this question in all sincerity: What do Republican Senators propose to do about the climate crisis? What is your plan? If you don't like cap and trade; if you don't like a fee on carbon; if you don't like massive investment in green technology and clean technology; if you don't like the extension of the investment tax credit and the production tax credit; if you don't like our solution; if you don't like being part of the Paris climate accord—which, by the way, is nonbinding, which means we get to decide what our pathway is to clean energy. It is not as though the U.N. gets to tell us what to do. It gives us leverage to make sure that as we move forward toward clean energy, the other countries don't cheat. It actually gives us leverage in this situation.

If you don't like our solutions, that is fine. This is the world's greatest de-

liberative body. This is where the greatest debates in U.S. history have happened. Yet, maybe 19 times out of 20, I have come down to the floor to talk about climate change, and there were Members on this side of the aisle and zero Members on the other side of the aisle. Again, I don't mean this as an attack; I just want a real debate.

I am looking at the Senator from Georgia. We have had robust discussions about debt and deficits and the way we try to avoid shutdowns and sequester and all the rest of it. When it comes to climate change, everybody gets really goofy. Everybody puts on their partisan uniform and refuses to engage. If this debate about the Green New Deal offers us an opportunity to talk about the planetary crisis, then I am happy for it.

We are in debate time on the nomination of Andrew Wheeler to lead the EPA, so it might be helpful to know the origins of the Agency.

In the 1960s, the state of the environment was catastrophic. Millions of freshwater fish and rivers around the country were being poisoned by insecticides, hurting consumer trust and the countless fishermen and families who made a living that way. Pollution was so bad that debris floating in the Cuyahoga River actually caught on fire, causing thousands of dollars in property damage. The water in Lake Superior became so toxic from companies' dumping asbestos-laden waste that local communities had to start filtering their own water. Think about that. People could drink the water from their local reservoirs unfiltered until industrial pollution came along.

This was the path our country was on. Pollution was destroying many of the most beautiful places in the country and, maybe more importantly, putting the health of the public at risk.

A scientist named Rachel Carson came along and changed everything when she wrote a book that helped the United States see that we couldn't go on like this. Her book was a call for change, and millions of Americans, on a bipartisan basis, demanded change.

There was a predictable backlash. Here is what one industry spokesman said as public opinion began to coalesce around addressing pollution:

The major claims of Miss Rachel Carson's book "Silent Spring" are gross distortions of the actual facts, completely unsupported by scientific, experimental evidence, and general practical experience in the field. Her suggestion that pesticides are in fact biocides destroying all life is obviously absurd in the light of the fact that without selective biologicals, these compounds would be completely useless.

This controversy went on for the next few years. The public, the science, and the reality pointed toward the truth, but a few loud voices tried to stop the country from making progress. They said that Rachel Carson distorted the facts, that the science wasn't there, and that there was no need to rush judgment.

The U.S. Government moved forward anyway and began to lay the founda-

tion for a new America—one that would preserve and protect our country and its resources for the next generation.

In 1970, President Nixon united several offices and bureaus already in the Federal Government into one single agency, the EPA. The EPA was charged with protecting the Nation's health and being the steward of the environment. It has a legacy of fulfilling that mission. The Agency ended the use of a dangerous pesticide called DDT. It found a solution to acid rain, which was once a major issue for fish, forests, and farming. It took on secondhand smoke, banning smoking in indoor public places.

Thanks to the EPA, Rachel Carson's "fable for tomorrow" did not become a reality, but here we are decades later facing another environmental crisis, one that affects the United States and every other Nation on this planet, and I am worried that we are not going to do the right thing this time.

Instead of facing head-on and in a bipartisan way the biggest crisis in the planet's history, the party in power is not just ignoring the problem; they are making it worse. And they are doing it by nominating and confirming people like Andrew Wheeler. This is someone who said: "Manmade global warming is the greatest hoax ever perpetrated on the American people." This is the guy to head the EPA. He says manmade global warming is a hoax. This is someone who was formally the vice president of the Washington Coal Club, who lobbied for coal companies.

We are in a planetary emergency, and Republicans want someone who is advancing the interests of top polluters to be the Nation's chief environmental steward so that he can continue to advance the interest of the top polluters. Again, it is not just that they are ignoring climate change, which would be bad enough; it is that they are aggressively, proudly, gleefully sometimes, making it worse.

Researchers at Harvard found that the EPA's recent plans to gut the Clean Power Plan will lead to more greenhouse gas emissions. Their plan will be worse for climate than if they did nothing at all. Think about that. If the EPA did nothing at all, it would be better than what they are doing now. This is the result of Mr. Wheeler's leadership, which has until now been in an Acting Director capacity.

During the Presidency of Ronald Reagan, the EPA was led by Anne Gorsuch Burford, who ended up resigning in scandal. President Reagan nominated as her replacement William Ruckelshaus, whom people trusted to do the job and stabilize the EPA. He was a moderate. He was a steady hand. The EPA could use a steady hand after Scott Pruitt, who promoted the interests of polluters over the health of the American people and who crossed many ethical lines. Yet Andrew Wheeler is no Ruckelshaus. That much is clear from his time at the EPA. Under his leadership, EPA inspections are at a 10-year

low. EPA fines are at a 25-year low. Restrictions on new coal plants have been eliminated. Limits on methane pollution are in the process of being rolled back. In other words, polluters are getting their way. That is great news for people who own oil and gas companies, but it is horrible news for people with asthma, for farmers who are trying to get through the worst drought season seen in a century, and for small businesses that are losing customers because of fires.

Listen, climate change is here. It is hurting everything from local economies, to public health, to national security, and the Republicans have decided that the best person to lead the Agency to do something about it is a coal lobbyist. It would be funny if it were not so outrageous.

The Democrats have a plan for climate change. We have ideas to invest in clean air, clean water, and smarter infrastructure. We have bills on investment and production tax credits, solar energy, wind energy, conservation and efficiency, carbon pricing, and planting trees, and we have stood together against nominations like this one. It is time for the Republicans, if not to stand with us, to at least then stand on the other side against us and engage in this great debate. What are we going to do with climate change? We have proposals, and they have none.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

DISASTER RELIEF

Mr. PERDUE. Mr. President, I rise to talk about a crisis in my home State and indeed five other States across the Southeast. I rise to talk about disasters in California and to talk about our friends in Puerto Rico.

On October 10, 2018, Hurricane Michael made landfall on the Florida Panhandle as a category 4 hurricane. It was one of the strongest storms to ever hit the United States. Over the next few hours, Hurricane Michael barreled through Florida and tore through southwest Georgia. In a matter of minutes, homes were flattened, tracks of timber were destroyed, and farmers' crops lay down in the field. People's lives were radically affected forever.

This hurricane hit at exactly the time of year when most crops were ready for harvest. It doesn't matter if they were peanuts, cotton, or pecans—they were all just beautiful this year. As a matter of fact, in the State of Georgia, I grew up working on our family's farm there, and I have to say the cotton crop last year was probably the best I had ever seen. It was almost cruel. Today, agriculture is Georgia's top industry and our No. 1 economic driver. Before the hurricane, farmers in my State were expecting a record harvest. Instead, their crops were completely destroyed.

Shortly after the hurricane hit, President Trump, Vice President PENCE, and Secretary of Agriculture Perdue all came down to Georgia. To-

gether, we toured the devastation and heard from farmers and local officials about the tough road of recovery ahead. Some farmers said they could clean up, replant, and have a crop next year as long as they had adequate resources. Other farmers were not so lucky.

Georgia is the top pecan-producing State in the country. One of our largest pecan farms is owned by two brothers in Bainbridge, which the Vice President and I personally visited. We personally saw the damage in their fields. Some 800 acres of pecan trees were gone. I cannot describe to you what that looks like. On the ground was a solid carpet—if you can imagine this—of mature, beautiful, inch-long pecans that were ready to be harvested but were on the ground, ruined.

One brother said:

The farmer in me wants to farm this land, but there's no way I can make it. Next year is the year I'll lose it, because we're not like the cotton guy. Nothing against them, but they get to replant a seed next year and have a crop. I don't.

The problem is that the pecan crop can be annually insured, but there is no insurance product for insuring pecan trees. If these two brothers replant, it could take 7 to 10 years for the trees to mature enough to even generate a minimum revenue. Most likely, full production would take over 12 years. For them, this is truly a generational loss.

The other brother said:

My brother and I built this business from nothing. We will make it. We may not be in the pecan business anymore, but we will be doing something else. We are fighters. [Our families are committed to this land.] You just have to go on.

When they saw the devastation, President Trump and Vice President PENCE stepped up to the plate and made a commitment to our agriculture community.

President Trump said: "Farmers really got hurt here, especially in Georgia, but we're going to get it taken care of."

Vice President PENCE said:

We will rebuild these crops and these communities. We will restore southwest Georgia. We will restore the Sunbelt region bigger and better than ever before.

This afternoon, I am here to say that the Vice President and the President are living up to their word. After this disaster relief was caught up in the political nightmare of funding the last 25 percent of this year's budget, we now have the opportunity to put this stand-alone supplemental appropriations bill on the floor of the Senate. The President and Vice President have been absolutely resolute in their support of getting aid to the victims of these disasters. They are now asking Congress to pass this all-inclusive disaster relief bill right now.

The State of Georgia has already stepped up and offered tax credits, short-term financing, and other forms of direct assistance to those who have

been impacted, but they have only scratched the surface. The people of Georgia have come together and helped their neighbors, served meals to each other, and assisted first responders in their recovery efforts.

In Florida alone, then-Governor RICK SCOTT, who is now our colleague here on the Senate floor, was in the race for this Senate seat, and he actually suspended his campaign to devote all of his time, in his responsibility as the Governor, to lead the effort of analyzing the damage in Florida and determining what needed to be done. He can speak directly to the need. He is a co-sponsor of this bill, I might add.

However, despite efforts by Senator ISAKSON and others and me in our State, this Senate body has yet to take action on disaster relief for the agriculture community in the Southeast. Our farmers simply cannot wait any longer. The situation in my State is dire. I would say it is the same across the South. Because revenue from the 2018 harvest was destroyed, bankers can't lend money to farmers who right now are asking to borrow money to put seed in the ground, to fertilize the ground, and to prepare the ground for next year's crop. It is as simple as that. Growers cannot replant because they can't get their financial houses in order because we haven't adopted a resolution for last year's harvest that they were not able to achieve. Rural communities are suffering, and in many places, economic activity is at an absolute standstill as it waits for the Federal Government—this body and the House of Representatives—to do its job.

For some in my State, the timing of assistance is not just a matter of putting a crop in the ground this year; it is a matter of potentially never putting a crop in the ground again. If we do not help these people right now, they may lose their businesses and livelihoods through no fault of their own. That is the reality we are facing here. The people in my State have asked me to utilize every sphere of influence, turn over every stone, and exhaust all options to get disaster relief right now.

We are past the time when this should have gotten done. I have spoken with the President many times about this. His commitment to our farmers is unwavering. Just last Monday night, he said: DAVID, get it done. He called me again on Saturday night before he left for Vietnam. He said: DAVID, what do we have to do to get this bill across the Senate floor? Talk to our friends in the House, and make sure that everything that is needed is in.

Senator ISAKSON, I, and several other Senators have introduced a supplemental disaster relief bill on the floor of the Senate, and President Trump has agreed to sign it. Our bill includes disaster relief for agriculture. It also provides additional funds for Georgia and other States like Florida, Alabama, the Carolinas, Alaska, Hawaii, and California that have battled natural disasters over the last year on

their own. It also builds on the Trump administration's past efforts and includes the remaining funding for Puerto Rico.

Both the House and Senate have previously supported similar proposals. They should be even more inclined to do so now that it is not tied up with the overall 2019 budget drama. This is a standalone supplemental bill that includes those things that people on both sides of this body agreed to and voted for just last year. This bipartisan package is a win for our farmers. It is a win for families and businesses that were devastated by historic hurricanes in the Southeast and wildfires in the West. It is a win for the people of Puerto Rico whom the President has previously helped. He was committed to including that in this bill.

I sincerely hope this body will move quickly and pass this disaster relief bill without further delay. I humbly ask each of my colleagues in this body for their individual support and for their vote in this disaster relief package that will save hundreds, if not thousands, of farming families in my home State from having to give up what they love, and that is farming the land that in many cases they inherited from their families. In other cases, people who graduated from HBCUs—some of our brightest young people—borrowed money to buy the land or are leasing the land, and they are in danger of losing this dream of making a living on the ground in Georgia.

Our country and our people are counting on us to get this done, and time is of the essence.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

NOMINATION OF ANDREW WHEELER

Ms. DUCKWORTH. Mr. President, I come to the floor in opposition to Andrew Wheeler's nomination to lead the Environmental Protection Agency.

Americans across this country depend on EPA to protect their public health, yet under this administration, EPA has failed again and again to reassure my constituents that their basic rights to breathe in clean air and sip clean water are being prioritized.

Listen, I am proud that EPA's Region 5 office is headquartered in Chicago. Region 5 has led the country in enforcing the Clean Air Act, the Clean Water Act, and other bedrock environmental policies that Congress has passed. But under Mr. Wheeler and this administration, EPA has made it harder for the scientists, engineers, and public health experts in Region 5 to do their jobs.

EPA is severely understaffed and underfunded, and in 2018, major enforcement actions dropped to their lowest

levels in more than 10 years. Last year, EPA competed fewer than 11,000 inspections and evaluations of polluters across the country—the lowest number in almost two decades.

In 2018, EPA sent just 123 civil pollution violation cases to the Justice Department for prosecution. That is about 40 percent less than the annual average during the Obama administration. So, sadly, it should come as no surprise that a report from the Environmental Integrity Project this month found that communities across the country are now being put at risk of exposure to dangerous contaminants.

To make matters worse, the EPA's enforcement workforce has been shrinking for years, and the Trump administration wants to cut it back even further.

These cutbacks are leaving communities, especially low-income communities and those of color, exposed to public health risks. Meanwhile, polluters are being let off the hook for serious violations of the law.

I have seen firsthand what happens when EPA fails to enforce our laws and protect public health. It causes fear and confusion. For months, residents in Willowbrook, IL, have lived in fear that the air they breathe in has been making their family sick.

Here is a little background. A facility in their community has been releasing cancer-causing emissions for decades. Unfortunately, even since EPA discovered just how toxic this chemical was years ago—years ago—they have refused to issue new regulations updating safety standards based on the latest science.

Making matters even worse, EPA officials refused to notify local public health or elected officials about their discovery, leaving communities in the dark even while their health is at risk, leaving more families more likely to get sick, leaving more children more likely to die.

As a mother, this is heartbreaking. As a Senator, this is outrageous.

When Willowbrook residents first started to raise concerns, EPA wasn't the least bit transparent. The Agency had to be pushed by Senator DURBIN, other Members of the Illinois congressional delegation, and me just to hold community forums.

My office also received alarming information alleging that senior political appointees instructed EPA personnel not to inspect any facility in Region 5 that emits the same carcinogen found at this facility. If true, this type of political interference is beyond unacceptable. If true, it is happening on Mr. Wheeler's watch.

I have asked EPA to take several steps to fix this crisis, and I am still waiting for their response.

In the absence of leadership from EPA, Senator DURBIN and I have authored two pieces of legislation to ensure that this kind of crisis never happens again.

Here is what Gabriela, a resident of Willowbrook, said when she saw the list of health problems associated with this facility: "It was like reading our medical history."

Since she moved to her home in 2009, Gabriela has suffered from intense headaches, dizziness, nausea, inability to concentrate, and memory loss. She has found it difficult to read through briefs and almost instantly forgets movie plots and even some conversations.

Both of her children, who have lived in the house for most of their lives, have had respiratory problems since they were little. Her 12-year-old daughter has often coughed to the point of vomiting and has developed a bone cyst.

One of her 9-year-old daughter's classmates was recently diagnosed with leukemia, as was Gabriella's next-door neighbor, an otherwise healthy man in his early fifties.

Another woman I have gotten to know from Willowbrook is named Neringa. She told me that when she and her husband were moving to Chicago 5 years ago, they picked their home because it seemed like a place where their children would be safe.

She went on:

You look for sexual predators, good schools, taxes. You don't think you would have to look at air and water. You feel like it is the one thing in our country we wouldn't have to think about.

Exposure from toxic pollution is a matter of life and death for these residents. It was uncovered only when career civil servants did their job and flagged a risk they observed in a routine model that EPA publishes.

I am extremely concerned that other areas in Illinois could face similar issues and that other kids in other communities could be breathing in air full of cancer-causing chemicals when they are playing on the swings at recess or walking home from school later that afternoon.

I need EPA to respond to the requests I have made on behalf of Lake County and actually conduct the kind of monitoring that exposed the problem in Willowbrook there and in every community that may be at risk.

Not far from Willowbrook, residents in Chicago have also been facing several public health threats for decades.

Chicago, IL, is the birthplace of Hazel Johnson, the "Mother of the Environmental Justice Movement," a pioneer of environmental justice activism on the South Side of Chicago.

She founded People for Community Recovery in 1979 in an effort to get asbestos out of the buildings in her community. Soon she managed to trace air and water pollution in her community to nearby industry, which was using the predominantly lower income African-American community as a dumping ground.

Hazel Johnson knew what I know: Every American has a right to breathe in safe air, drink clean water, and live

on uncontaminated land, no matter where they live, no matter the color of their skin, no matter their tax bracket.

Yet I still hear about manganese pollution, petcoke, particulate matter, and lead exposure from these residents on a daily basis.

Chicago residents deserve—no, they need—environmental justice. But for some reason, this administration has dismantled the office that is supposed to lead this work, even trying to eliminate EPA's environmental justice funding and drive out the office's top talent.

Lead exposure is an issue that impacts low-income families and communities of color disproportionately. I had high hopes that I would be able to work with Mr. Wheeler on the administration's response to this crisis. Yet after months and months of delays, I am very disappointed by their so-called plan.

Mr. Wheeler's lead action plan falls short of what was promised and the "war on lead" his predecessor declared. This is not a plan with goals, strategies, and deadlines. Instead, it is a repackaged version of a report published under the Obama administration. Little has changed, other than the window dressing.

What disappointed me most was that the administration appears to be walking back our goal of eliminating lead exposure, settling simply for reducing it. That is unacceptable.

Even to this day, in a post-Flint crisis world, too many in power are sitting idly by as countless Americans are exposed to lead. More than 6 million homes get water from lead service lines, and 24 million homes have lead hazards in paint, dust, or soil. Nearly half a million children have elevated levels of lead in their blood.

Let's be clear. For children, there is no safe level of lead allowable in drinking water. Even low levels can cause permanent brain damage in kids, lowering IQ, and inflicting other cognitive damage. Imagine if your child were one of those who had gotten sick because the EPA refused to take action on such an obvious crisis. Imagine how infuriating, how devastating that would be.

We must make meaningful progress in tackling sources of exposure, and EPA must take up an aggressive, comprehensive, and practical strategy.

I know we can make real progress in reducing lead in our society, but the new lead action plan is a missed opportunity to advance those efforts.

I also believe that Mr. Wheeler has far too many conflicts of interest to be running the EPA. As a former lobbyist for Murray Energy, Mr. Wheeler has worked closely with the industries he would regulate as the leader of the EPA. It is well reported that Mr. Wheeler's former firm lobbied the EPA on efforts Wheeler now oversees.

Even after he took temporary reins of the EPA, he made no secret of meeting with former clients and fossil fuel industry representatives. CNN and

Reuters have both reported that Wheeler is heavily prioritizing meetings with industry over anyone else and has attended more than 50 meetings with companies or industry groups that EPA regulates.

If this news doesn't alarm you, it may be because corruption is becoming routine under this administration. After all, just earlier this week, the Washington Post reported that the Assistant Administrator for Air and Radiation, Bill Wehrum, has been routinely meeting with former clients in the fossil fuel industry from his not-so-long-ago lobbying days.

I placed a hold on Mr. Wehrum's nomination because I did not think he could be trusted with our Nation's air. I feel the same way about Mr. Wheeler's leading the EPA.

According to the Sierra Club, every third day during his first 100 days as Acting Administrator, Mr. Wheeler either, one, rolled back a new climate policy; two, ignored or contradicted science; three, met with big polluters; four, limited the EPA's ability to protect us from pollution; or, five, gave in to corporate polluter demands—all of that in just his first 3 months and change. Imagine what would happen if we gave him the reins for good.

Mr. Wheeler's position on climate change policy alone is disqualifying. Consider, for example, his attack on the Clean Power Plan. Climate change is a major threat to our environment, our economy, and our national security—something that even Donald Trump's own intelligence officials admit.

My home State of Illinois is already experiencing the consequences of inaction. Growing seasons are changing, heat waves are increasing, and extreme floods are becoming more frequent and more severe. Just this December we had a hurricane. Mitigating these effects will require sensible policies that reduce greenhouse gas emissions and invest in clean energy.

Under the Clean Water Act, EPA is legally required to limit carbon pollution from powerplants, pollution that we know is the primary driver of climate change.

That is why the Obama administration established a Clean Power Plan—to provide States the flexibility they need to meet a national goal of 32 percent reductions in carbon pollution by 2030. This plan was the culmination of robust and rigorous public participation, and EPA received millions of comments supporting the program from States, through its utilities, communities of color, Tribes, environmental groups, labor unions, and the public at large.

The Clean Power Plan was not only good for the environment; it was good for the economy, too. In Illinois, residents are expected to save an average of up to 4 percent on electricity bills by 2030. Illinois energy efficiency investments alone are estimated to grow our economy by \$2 billion in that same

year, and we lead the Midwest in clean energy jobs.

But no matter the obvious global, national, and economic benefits, Mr. Wheeler has led the administration's efforts to roll back the Clean Power Plan. His replacement proposal would adversely impact public health and lead to as many as 1,400 premature deaths from increased soot, up to 15,000 new cases of upper respiratory problems, and 100,000 missed school and work days annually by 2030.

Internationally, this proposal would leave the United States further behind our allies that have taken aggressive action on climate change. The proposal also fails low-income communities and communities of color, which bear the brunt of our environmental and public health burdens. Unlike the Clean Power Plan, this platform doesn't even require States to engage environmental justice and community groups in their plan development processes. It also fails to encourage States to conduct environmental justice analysis of their own as they develop implementation plans.

EPA should be working to strengthen policies like the Clean Power Plan. It is more than troubling that Mr. Wheeler and the Trump administration are instead seeking to repeal them entirely. Now is not the time to move backward.

Here is what Evan, who grew up in Libertyville, IL, shared with me:

I write because I am concerned about the future. The future of the world, the future for the United States and my own future. At this time, I feel that perhaps the greatest threat to that future is climate change. The current Administration's stance towards the issue has discouraged me to no end, and I can't help but despair as the President makes light of this existential threat to the wellbeing of the planet.

I know, of course, that not all lawmakers share the President's stance towards this issue. Please, make some noise.

Evan, I hear you. I hear your fear, and I want you to know that I believe the Nation should be focused on building a clean energy economy and a climate-safe future for your generation. I hear you, and I am going to make that noise for you.

I am also angry at EPA's abuse of the small refinery waiver program under the renewable fuel standard. The RFS includes a policy to help small refineries that cannot afford to comply with the RFS. Before Donald Trump took power, this policy was rarely used. Under the Trump administration, however, nearly every exemption application has been secretly granted. This includes applications from large, multi-billion dollar companies like Exxon and Chevron that are earning record profits. These companies' CEOs have even pointed to hardship waivers on earnings clauses as contributing to their profitability.

The administration's stance reduces incentives for blending—slashing demands for biofuels and feedstocks—actively hurting farmers and biofuels

companies. These waivers could hurt the markets for years to come, holding back homegrown biofuels while creating windfall profits for large oil refiners—the exact opposite of this administration's promise to voters.

Let's be blunt. EPA is taking money out of farmers' hands and giving it to billionaire oil companies. These actions come at a time when biofuel producers and farmers across our country are already hurting. Farm income is at its lowest since 2006, and retaliatory trade measures from China threaten to deepen the crisis.

Yet early reports indicate that the small refinery waivers EPA has granted under President Trump and Mr. Wheeler will reduce demand for biofuels by billions. Over the past 6 months, we have seen more ethanol plants sold, idled, or closed than ever before. When I asked Mr. Wheeler during the confirmation hearing about EPA's apparent change in policy to now seemingly granting every exemption application, he made excuses justifying them. We need a leader at the EPA who is going to stand up for our farmers, not capitulate to the demands of Big Oil.

We also need a leader at the EPA who is going to protect the Great Lakes. The 1,000 employees in Region 5 work tirelessly to protect the environment, health, and safety of Americans living in Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin. They live, work, and raise their families in the communities they protect, and they are leaders in the fields of water quality, Superfund cleanup, and Great Lakes restoration.

Region 5 is also home to the Great Lakes Program Office, which ensures that we keep the promises we made to Canada under the Great Lakes Water Quality Agreement. It also leads the Nation's Great Lakes Restoration Initiative, which has funded more than 2,000 projects that improve water quality, protect wildlife, and clean up toxic pollutants that threaten our water supply.

To date, the program has invested more than \$2.2 billion in Great Lakes restoration projects. Coordinated in both the United States and Canada, GLRI sets the standards for inter-agency and international cooperation. Every \$1 invested in Great Lakes restoration results in a \$2 return in the form of increased fishing, tourism, and home values. But in addition to enduring a shutdown, the employees in Region 5 who lead these programs have been bought out, undermined, and reorganized into positions they are not suited for, and that is unacceptable.

What is also unacceptable is Mr. Wheeler's attacks on science and science integrity. Science does not have a political affiliation. Science is about learning, and it never stands still. It gives us the building blocks to help us increase our knowledge over time and to find ever-better solutions to the challenges we face. Unfortu-

nately, this EPA has led the administration's attacks on science when it doesn't fit with their pro-polluter agenda.

What is at stake is not just our health and future but also America's standing and influence in the world. Just this month, EPA released the names of eight new members of its science advisory board. I am concerned that several of the new members represent interests who seek to undermine the independence and quality of the scientific advice given to the EPA. University researchers are now in the minority on the board, while the number of industry-affiliated members and members listed as consultants has increased.

Here is how the Union of Concerned Scientists summarized the new appointments made by Wheeler to the Science Advisory Board. Take Dr. John Christy. He has a reputation for controversial climate research and denying the evidence of global warming.

Then, there is Dr. Brant Ulsh, a consultant who argues that radiation at low doses isn't a big deal, contrary to the conclusions of the National Academy of Science.

New member Dr. Richard Williams has received compensation from the American Chemistry Council's formaldehyde panel, which was set up to obfuscate the health impacts of this carcinogen. He is also on the board of trustees of the International Life Sciences Institute, an industry-funded organization that is notorious for pushing out shoddy nutrition science.

Dr. Barbara Beck is a consultant with Gradient, which has itself earned a reputation for helping industry defend their products with favorable scientific studies. Beck herself helped to write a paper arguing that exposure to lead at low doses is not necessarily harmful to children, which is in stark contrast to the CDC's assessment that there is no safe level of exposure to lead.

The common thread among these individuals is that they are practitioners of the widely used disinformation playbook. They frequently work to inject uncertainty into science by criticizing risk assessments and underlying models. They argue that exposure to pollutants at low doses is not worth worrying about. That is not true. Pollution is pollution, and it is bad for communities, and it is bad for public health.

I also want to spend some time discussing the administration's new clean water rule. For more than 45 years, the Clean Water Act has preserved, protected, and restored our Nation's most important natural resource and radically transformed how our Nation uses water. That is why admirers of CWA appropriately labeled this law as one of the most successful public health initiatives ever enacted. Continued success of the CWA requires developing a clear, concise rule for determining which bodies of water are protected by

the Clean Water Act. However, Mr. Wheeler and the Trump administration have proposed a rule that fails to provide the clear-cut certainty requested by my constituents. It would cancel protections for drinking water sources of tens of millions of people. It would also cancel protections for streams and wetlands that provide habitat for wildlife and protect communities from flooding.

Communities across the country, particularly low-income communities and communities of color, already struggle to access clean water. Mr. Wheeler's proposed rule will make it even harder for these communities. Mr. Wheeler's water rule puts the profits of corporate polluters before our health and clean water for our families.

Alan, from Wheeling, IL, wrote to me and said:

This is insanity. There is nothing more important than protecting the sources of water that many people in this country drink from.

No source of drinking water should be open for pollution or destruction, but that is exactly what this proposal does by stripping protections from critical streams and wetlands across the country.

Senator Duckworth, please do anything that is possible to protect our environment and industries that depend upon clean water.

Alan, thank you for writing to me. I agree with you. This rule makes no scientific, legal, public health, or fiscal sense.

Another constituent, Dave from Rockford, shared with me similar concerns. He wrote:

Clean water is not a political issue. Protecting our watersheds and ensuring that clean, fresh water is available for fish, farms and communities is not an option—it's a responsibility.

I cannot think of a more enjoyable satisfaction [than] just standing in a clean river, seeing all the life teaming in it, and knowing that our hard work is paying off.

Dave is right. Streams and wetlands work as natural filters and sponges, keeping our drinking water supplies safe, while reducing the impact of floods.

Like our water, I am concerned by this administration's attacks on clean air. One group that comes to mind that has been fighting for our clean air is Mom's Clean Air Task Force. They are a group of moms who know how painful it is when their child can't play outside because they have asthma or there is smog outside. They are fighting for cleaner air and stronger kids.

They list ten reasons they oppose Mr. Wheeler, and among those reasons are his attacks on rules to control mercury pollution, to make our cars more fuel efficient, and to reduce smog.

Mr. Wheeler's attacks on these priorities hits close to home for me. Currently, the rate of asthma in Illinois is 13 percent higher than the national average. The Asthma and Allergy Foundation of America ranks Chicago in the top 10 percent of the most challenging places to live with asthma. Asthma is hitting the frontline neighborhoods in Chicago harder than in many other

places in the Nation, with asthma rates in some neighborhoods soaring as high as 33 percent. As the climate gets hotter, air pollution, allergies, and temperatures will trigger more asthma attacks in children.

I want to end on a high note. I commend Mr. Wheeler for following through on his promise to make himself accessible and to conduct proactive outreach. Compared to Mr. Pruitt, he is an upgrade in terms of professionalism, but that is an incredibly low bar.

At the end of the day, my constituents are depending on me to protect them from pollution, even if it upsets some in industry. I believe we need an Administrator who is ready to fight for our kids, to fight for the Great Lakes, to fight for the civil servants that work at EPA, and to fight for every American's right to clean air, clean water, and a healthy environment. I believe EPA will achieve its mission when it requires rigorous enforcement when human health is at stake.

Mr. Wheeler believes that public health must be balanced against the health of corporations and industry interests who always want less rules, less oversight, and certainly less enforcement. That is why I must vote no.

I yield the floor.

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

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

The Senator from Oregon is recognized.

Mr. WYDEN. Madam President, this week the Senate is debating the nomination of Andrew Wheeler to serve as Administrator of the U.S. Environmental Protection Agency.

I am going to make this short because this is bad news for anybody who wants the Environmental Protection Agency to live up to its fundamental mission; that is, to protect the public health so our citizens, from sea to shining sea, can breathe clean air and drink clean water.

In my view, Andrew Wheeler is Scott Pruitt without an appetite for luxury travel on the taxpayers' dime—yet another Trump appointee doing the bidding of the dirtiest, most powerful industry in America, no matter what physical harm it might do to the people of our country.

To me, the fundamental obligation of an EPA Administrator should be to make sure we don't compromise our health and the environment. Regrettably, Mr. Wheeler has spent his career doing essentially the opposite.

Given what he has done during his time as acting head of the Agency, he has already proven what sort of backward-thinking Administrator he will be. In fact, I think it would be fair to

say Andrew Wheeler is sure to be "Administrator Rollback."

During his time as Acting Administrator, he's rolled back fuel economy standards that reduce pollution and help drivers save money at the pump. Not even the car companies support him on that. He is rolling back the rules designed to stop dirty powerplants from belching toxic gases into the air. He is rolling back rules designed to protect workers from exposure on the job to dangerous chemicals that can cause heart attacks, for example. He is rolling back EPA enforcement—basic enforcement—of a host of safeguards that are already on the books.

Civil penalties against polluters are now at their lowest since 1994. Inspections of potentially toxic industrial sites amount to half of what they were just in 2010. Civil fines have plummeted on his watch. Judicial enforcement cases that have begun and are concluded have been cut in half. The Wheeler EPA is already letting environmental criminals off the hook. It is my view that these criminals are not creating victimless crimes—what they are doing is poisoning our communities, our workplaces, our air, and our water.

Perhaps what is most alarming about his appointment is that he essentially waves a hand of dismissal to the existential threat of climate change.

I have a lot of open-to-everybody townhall meetings in my State. We have now had more than 920. Just last week, I held five in different parts of our State. In counties where Donald Trump won and in counties where Hillary Clinton won, the issue of climate change comes up everywhere.

At the root of the questions I get in communities that span the philosophical spectrum is that people are terrified—terrified—of what climate change is going to bring. They see the news coming out of Washington. They see that the Trump administration isn't just waving the white flag of surrender on climate change. In effect, it almost feels as if the Trump people want to bring on those climate changes even faster. Anybody who is walking around in our communities and sees temperature shifts of more than 30 or 40 degrees on a dime is completely aware of what I am talking about, even if the Trump administration is not.

In my home State, when you talk about climate change, the first thing Oregonians think about are wildfires. These fires are not your grandfather's fires. They are bigger. They are hotter. They are more powerful.

Not too long ago, we actually had a fire leap the Columbia River—our magnificent Columbia River. This is noteworthy for a variety of reasons but especially because our rivers historically have acted as fire bricks. Now we have these bigger and more powerful fires almost all year round, not just a few months in the summer, the way it used to be. These new megafires are extraordinary.

It is almost as if we are trying to get acclimated to the idea of clean air refugees—people who live near areas where fires break out, with ash built up on their cars like snow in the wintertime.

California has seen its own huge infernos causing horrible fatalities in the last few years. Nevada has seen it, Colorado and Washington as well. People are literally homeless, out and about in their communities, trying to just find a safe place for shelter.

Climate change is also not just about fires. Across the West, there is the threat of crippling drought. The hurricanes that battered the East Coast and the Gulf of Mexico are intensifying and drowning our cities with rain. It seems like every day there is another report about how sea levels are rising faster than previously estimated.

Climate change is affecting wildlife in catastrophic ways. Entire ecosystems could be lost. This week, there were reports that an ice sheet larger than the island of Manhattan broke off from Antarctica. So the effects of climate change aren't some threat way off in the future. It is already a massive problem today. Americans feel it, and they see it in their communities again and again.

My wife and I are older parents. We have 11-year-old twins and a 6-year-old daughter. I—and I am sure there are plenty of other Senators—think about what their generation is going to be dealing with down the road. This is why there is so much grassroots energy out there about the Green New Deal, which I am proud to cosponsor.

I can tell you from the conversations I had in Oregon, people know what a grave threat climate change poses. They want action. My hope is that there are a variety of ways, like we saw with the original New Deal, in which we can find some common ground.

I am the ranking Democrat on the Senate Finance Committee, which writes the tax laws. We have more than 40 separate tax breaks for energy that are on the books today, and most of them are dirty energy tax relics of yesterday.

What I have proposed is that we basically throw those 40 energy tax breaks—relics of dirty energy—in the trash can and substitute three; one for clean energy, one for clean transportation fuel, and one for energy efficiency.

The Presiding Officer is new here. She is getting out and talking to Senators about a variety of issues. I can tell her that what I will be saying to colleagues on the other side of the aisle is something like, my idea responds to what Republicans have been talking about, the need for fewer subsidies. We ought to have fewer subsidies for energy.

Why don't we try to work together, find common ground, and do it particularly on an issue that helps us to promote clean energy at a time of dramatic climate change?

That is why I believe Andrew Wheeler is the wrong person to lead the EPA. Just when we need Democrats and Republicans to come together to find fresh ideas to combat climate change, he basically says that it really isn't a threat at all.

It really isn't a threat to Mr. Wheeler, and he is making the climate change challenge worse by basically suppressing the authority and the ability of the Agency to take this existential challenge head-on.

The mission of the EPA is all about protecting human health, fighting for clean air, fighting for clean water, and fighting on behalf of Americans from sea to shining sea.

Andrew Wheeler fights for those who endanger our health and pollute our air and water. This isn't a tough call. I am a no on a nomination that represents danger and going backward. I urge my colleagues to stay with me.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

RECOGNIZING THE 150TH ANNIVERSARY OF THE UNIVERSITY OF NEBRASKA-LINCOLN

Mrs. FISCHER. Madam President, I rise today because in 1869, 150 years ago, the Nebraska Legislature unanimously passed and our Governor signed legislation that established the University of Nebraska.

The Morrill-Land Grant Colleges Act, signed into law by President Abraham Lincoln in 1862, provided Nebraska with land to establish colleges focused on agriculture and the mechanic arts. The university opened its doors in our State capital, Lincoln, where we honor President Lincoln's namesake.

Since then, the University of Nebraska-Lincoln has grown to an enrollment of over 25,000 students, providing over 5,000 new graduates to the workforce each year and over \$2 billion in annual economic impact for Nebraska across our 93 counties.

The university holds a special place in my heart. I am a graduate of the university. Staying true to its roots, UNL remains a national leader in water, agriculture, and rural development research, helping to transform our State, which was once called the Great American Desert, into one of the greatest agricultural exporting regions in the world.

On top of equipping Nebraskans with the skills to feed the world, the university has emerged as a leading institution for early childhood education and national security and defense research.

The university's sports teams unite our Nebraska communities, and they fuel our pride in our great State. Whether it is to cheer on our five-time national championship winning football team at Memorial Stadium or at the Devaney Center to support one of our State's treasures, the five-time national champion women's volleyball team, Lincoln is filled with a sea of Husker red on game days.

What is more, the University of Nebraska-Lincoln leads the Nation with 333 Academic All-Americans across our Cornhusker sports teams.

The university is also important to the culture of our State, showcasing some of the best of the good life—attractions such as the State Museum, which is the largest natural history museum in Nebraska or the Larsen Tractor Test and Power Museum or the East Campus Dairy Store known across our State for its wonderful cheese and, of course, ice cream.

The university, like our State, has grown and accomplished much over the last century and a half, and that is why my colleague from Nebraska and I have introduced a Senate resolution recognizing UNL's 150th anniversary on February 15 of 2019.

This is a formal way for this body to extend our congratulations to the University of Nebraska-Lincoln on this special milestone in its history. I urge my colleagues to support the passage of the resolution because, as my colleague and I know so well, there is no place like Nebraska.

Here is to the next 150 years and beyond for the University of Nebraska-Lincoln.

Madam President, I yield some time to my colleague from Nebraska so that he may make remarks on this resolution as well.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. SASSE. Madam President, I thank my senior Senator, DEB FISCHER, for her leadership and drawing attention to the 150th anniversary of the University of Nebraska. Senator FISCHER is a tireless champion of our State and of this special university, her alma mater.

I am sad to admit in public that I am not a graduate of the University of Nebraska, but I had lied about my age for many, many years to be able to vend and sell concessions at Huskers sporting events before I was old enough to do it so that I could be deeply affiliated with this institution, even though I didn't graduate from there.

I salute my senior Senator and her leadership in drawing attention to this. I want to tell stories about Coach Osborne, who was my boyhood hero, about crying as a 12-year-old after the January 2, 1984, national championship game in Miami, about Scott Frost and how he is going to soon lead us back to the promised land, but I have already been warned by the Presiding Officer that the Senate has some informal unwritten rules that actually prohibit football evangelism on the floor.

I will move along to celebrate, with my senior Senator, our volleyball national championships, our bowling national championships, and the fact that Nebraska is or was once known as the Great American Desert, and we are now the most trade-dependent, export-dependent State per capita in the Union precisely because we live on the

great Ogallala Aquifer, the most productive land anywhere on Earth and at any point in the history of the Earth.

We grow so much more food than we can ever conceivably consume that we feed the world from Nebraska, and a huge part of that is because of the ag extension programs of the University of Nebraska-Lincoln. There are a lot of great Americans and great patriots who serve at the University of Nebraska on the faculty, in the administration, and donors and alumni and our current students, and the 150th anniversary is a great moment for our State. All 50 States have colleges and universities they are proud of, but there is no State that is more identified with its university than Nebraska. I would like to join my senior Senator and applaud her for her leadership in bringing this resolution today.

The PRESIDING OFFICER. The Senator from Nebraska.

Mrs. FISCHER. Madam President, I thank my colleague from Nebraska for his words and recognizing the importance of the University of Nebraska to our State as an economic engine of the State, as an institution that draws on the strengths of the State of Nebraska, and especially looking at Innovation Campus at the University in Lincoln, where there is a focus on water and on food. We are blessed in Nebraska with that water resource, and we do feed the world.

Madam President, as in legislative session, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 82, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 82) recognizing the 150th anniversary of the University of Nebraska-Lincoln.

There being no objection, the Senate proceeded to consider the resolution.

Mrs. FISCHER. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The resolution (S. Res. 82) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

I yield the floor.

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. I ask unanimous consent to speak as in morning business.

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

NOMINATION OF ANDREW WHEELER

Mr. CASEY. Madam President, I rise today to talk about the debate that we

are having with regard to the nomination or, I should say, confirmation of the EPA Administrator.

All of us in this Chamber and the other body, the U.S. House of Representatives—frankly, anyone in government—has an obligation to act in accordance with a goal of being good stewards of the Earth. Some might call it creation care—care of God's creation.

Unfortunately, the Environmental Protection Agency, under its current leadership, is, in my judgment, failing to meet that obligation. From day one, the administration has prioritized gutting environmental protections and rolling back policies that had us on a path toward a more sustainable future.

From attacking the Clean Power Plan to weakening methane protection standards, this administration has repeatedly prioritized the interests of polluters over the health and wellness of the American people.

Andrew Wheeler, the nominee, if he is confirmed to run the EPA or, I should say, the Environmental Protection Agency, which we call the EPA—this assault on clean air, clean water, and so many other protections will continue if he is, in fact, confirmed.

Some of the most troubling EPA actions have come while Mr. Wheeler has been running the EPA in an acting capacity.

In recent weeks, the EPA has decided to move forward with a rollback of the clean car standard and to gut the mercury and air toxics rule. These moves will harm public health and the health of our children, in particular.

The American Lung Association reports that 5 Pennsylvania counties, 5 of our 67 counties, which are home to approximately 4 million people, rank among the top 25 counties most polluted by particulate matter year round.

Rolling back the clean car standards and clean air standards will cause more exposure to harmful pollutants that lead to increased mortality, respiratory problems, emergency room visits, and work-loss days.

As we know, the transportation sector is the largest source of greenhouse gas emissions in the United States. We also know that the MATS rule, the so-called mercury and air toxics rule, is an environmental and public health success story.

Mercury pollution is particularly harmful for unborn children, who are much more sensitive to exposure and who may suffer neurological and developmental problems.

Powerplant mercury emissions have declined by 90 percent because of the MATS rule. This was achieved ahead of schedule and at one-third of the projected cost. Let me say that again. Powerplant mercury emissions have declined by 90 percent because of the MATS rule. This was achieved ahead of schedule and at one-third of the scheduled cost.

Let me give testimony from two Pennsylvanians—partial testimonies,

though they are from longer letters that they wrote to us.

Mollie Michel of South Philadelphia wrote to me, and I am quoting her:

As parents, my husband and I spend a lot of time making sure our daughters are safe and healthy. We make sure they eat healthy foods, get enough sleep, do their homework, and treat each other and their peers with kindness and respect. But the one thing we cannot control is the air they breathe. For that, we rely upon our elected officials to enact the policies that protect the health and well-being of my children.

The only thing I would correct in Mollie's excerpt of her letter is that it is the obligation not just of elected officials but of appointed officials, as well—those confirmed by the U.S. Senate, in this case, the Administrator of the EPA. Of course, it is our duty, as elected officials, to make sure that we confirm people who will meet the legitimate expectations of a mom like Mollie.

Patrice from Gibsonia, PA, wrote to me to say:

As a mom of two boys, I am deeply concerned by the track record of Acting Administrator Wheeler. He has spent his time at EPA proposing and implementing dangerous rollbacks to and attacks on pollution protections. He is putting our children's health and future at risk.

So said Patrice of Gibsonia.

While we are on the subject of major threats to the environment, major threats to our communities, to our children, and to our families, we cannot forget about climate change itself. Climate change is a threat to the health and well-being of our children and future generations. We must take action to address the global climate crisis with a sense of urgency and determination. The effects of climate change are real and have become worse, and unless we take action, we are going to be in a position where it will be impossible to take any action if we do it too late.

We can address the challenge of climate change and continue to protect jobs. We can and we must do both. One is not exclusive of the other. We have already demonstrated that we can make advancements in clean energy and that it can happen quickly while also benefiting the economy and creating jobs.

According to the Business Council for Sustainable Energy and Bloomberg New Energy Finance, renewables—renewable sources of energy—now account for 18 percent of power generation in the United States, up from just 9 percent in 2008.

According to the 2018 U.S. Energy Employment Report, the wind and solar industries support three times as many jobs as oil and gas—three times as many jobs as oil and gas. According to S&P Global, battery storage cost for a 20-megawatt facility declined by 40 percent in 2018. So I think it is entirely possible, and the data proves it, to deal with this crisis, to meet our obligations, to continue to create and grow jobs, and also to make sure that our economy grows as well.

I live in a State where more than a generation ago we passed a State Constitution provision. Article I, section 27 of the Pennsylvania Constitution says in pertinent part that people have a right to clean air, pure water, and to the preservation of the natural scenic, historic, and aesthetic values of the environment. That constitutional provision goes on to say that we are trustees. We, the citizens of the Commonwealth of Pennsylvania, are the trustees of our natural resources, and they specifically talk about future generations.

That is my obligation, not only as a citizen of the Commonwealth and not only as an elected official but, I believe, as an American as well.

To confront these crises—whether it is attacks on clean power standards, clean air and clean water standards or whether it is the challenge of climate change itself—we need an EPA and an EPA Administrator who is totally committed to that same spirit that is set forth in that State constitutional provision that the people have a right to clean air and clean water, and, I would argue in a larger sense, the right to the kind of creation here that is connected directly to the question of climate change.

We are talking about God's creation and preserving His creation. If we are trying to preserve God's creation, we better make sure we nominate and confirm people committed to preserving creation itself. We are but stewards of that creation.

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

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

REMEMBERING COLONEL JOE JACKSON AND
LIEUTENANT COLONEL CHARLES KETTLES

Mr. COTTON. Madam President, I would like to take this opportunity to commemorate two Medal of Honor recipients who passed away last month. Every Medal of Honor recipient has served his country with extraordinary valor and with little or no regard for his own life and safety.

Air Force Col. Joe Jackson and Army LTC Charles Kettles were no exceptions. They were both pilots and both served honorably in the Vietnam war. Both were responsible for extraordinary rescue missions of American soldiers trapped deep behind enemy lines against incredible odds. These two men were patriots who by chance, skill, and strength of character became true American heroes. They are gone now, but their legacies and examples will always live on. It is up to us to learn from them.

Col. Joe Jackson passed away on January 12 at the age of 95.

Jackson enlisted in the Army Air Corps in 1941, serving as a gunnery instructor for the duration of World War

II. But he may never have been a pilot—may never have been a hero—if not for a chance event in that war.

One of his friends, a flight engineer, fell ill right before a B-25 bomber flight. Jackson agreed to take his place. During the flight, one of the engines caught fire. The pilot didn't know what to do, but Jackson did. His timely instructions helped extinguish the fire, possibly saving the aircraft. Emboldened by this incident, Jackson decided to become a pilot—and he did, flying 107 missions as an F-84 Thunderjet pilot during the Korean war and becoming one of the very first pilots of the U-2 spy plane.

That in itself would be a pretty distinguished career of honorable service, but Joe Jackson returned for more, decades later. At the age of 45 he answered the call of service once again, volunteering with the Air Force's 311th Air Commando Squadron to fly cargo planes in Vietnam. It is not often a cargo pilot gets a chance to distinguish himself in combat, but it was in that very role that Joe Jackson earned the Nation's highest honor.

May 12, 1968, was supposed to be a routine cargo mission for Joe Jackson and the crew of his C-123. That all changed when the American special forces camp at Kham Duc was attacked by the North Vietnamese. As the Viet Cong overran the camp and established firing positions just off the landing strip, an emergency evacuation began of the much smaller American contingent.

The evacuation quickly turned into a turkey shoot. Eight aircraft and helicopters were shot down or destroyed on the runway during the desperate evacuation of Kham Duc. In a horrible tragedy, one cargo plane was shot down by North Vietnamese forces shortly after takeoff. All aboard the aircraft perished—the American air crew, plus some 150 South Vietnamese civilians. Eventually, the airlift succeeded in evacuating nearly all of the camp's survivors. But as the last scheduled plane left the runway and the order was given to bomb the remainder of the camp, a horrible discovery was made: Three American soldiers had accidentally been left on the ground. Joe Jackson's plane was the closest to the area, so he made a split-second decision. "We're going in," he said.

The C-123 cargo plane was not known for its agility, but Joe Jackson tested its limits as an aircraft. He banked the plane into a breathtaking turn and descent, dropping 9,000 feet to the runway in a matter of seconds. The plane instantly drew fire from the enemy, including an anti-armor rocket that crashed just shy of the aircraft but, providentially, did not detonate. The three beleaguered soldiers boarded Joe Jackson's aircraft, and he gunned it, lifting them to safety.

That terrible assault on Kham Duc exacted a high toll in American lives. But thanks to Joe Jackson's quick wits and skillful flying, that toll was much lower.

Joe Jackson remained in the Air Force until 1974, when he retired as a full colonel. He taught at the Air Force Air War College so that future pilots could learn from his example. Then he worked for Boeing, helping that great company build airplanes for use in peacetime, not just wartime. He ultimately settled in Kent, WA, with Rosamund, his wife, to whom he was married for 74 years and with whom he had two children.

Joe Jackson was awarded the Medal of Honor by President Lyndon Johnson in January of 1969. He later described the heavy burden that recipients of that honor must shoulder. He said:

I have to represent the thousands of Americans who have served the country. You have to make them proud of what you have done and what they have done.

As a former soldier and as an American, let me state that there can be no finer representative of courage under fire than Joe Jackson. May he rest in peace.

LTC Charles Kettles passed away on January 21 at the age of 89.

Kettles was a helicopter pilot with the Army's 176th Assault Helicopter Company, 14th Combat Aviation Battalion, Task Force Oregon.

Flying was in Kettles' blood. He was born in Ypsilanti, MI, to a father who had flown for the Canadian Royal Air Force in World War I and later for the U.S. Army Air Corps in World War II.

Kettles was drafted in 1951, which began a whirlwind of Active Duty tours in Korea, Japan, and Thailand. He returned to the armed services in 1963, volunteering as a pilot. That is one thing to note about Charles Kettles. He was always willing to volunteer for dangerous assignments. Vietnam would give him many opportunities to volunteer.

On May 15, 1967, then-Major Kettles volunteered to lead a flight of six Hueys to reinforce the brigade of the 101st Airborne Division that had been ambushed by a battalion of North Vietnamese.

The situation was pretty hairy. It pitted Americans against hundreds of the VC, and the Americans were taking heavy fire. Worse still, they were trapped in little cover in what was called "Chump Valley," so nicknamed because only a chump would go there.

Major Kettles and his team landed under heavy fire from the enemy. One of the aviators later recalled that the tracers were "like rain . . . coming straight out of the wood line." So intense was the enemy fire that several Americans were killed as they approached the evacuation zone. Nevertheless, Major Kettles stayed until reinforcements were offloaded and wounded soldiers were brought on board.

After that insertion, Major Kettles returned to the battlefield a second time when his helicopter was raked front to back by machine-gun fire. Mechanics later counted 40 holes in his Huey. Major Kettles' gunner was seri-

ously wounded in this trip, but Kettles piloted his aircraft, limping back to base streaming fuel.

Those two flights would be a full day's work and then some for any aviator, but Major Kettles wasn't done yet.

Later that day, with the situation in the valley growing yet more desperate, Kettles volunteered for a third time to evacuate the remaining 44 soldiers. So dangerous was the situation that Kettles was ordered to stand down. However, he disobeyed that order.

Kettles led six helicopters on a third landing as fiercely contested by the enemy as the previous two. Soon the last helicopter reported all personnel were evacuated off the ground, and the helicopters evacuated the area. The all clear had been given too soon; a small group of American soldiers who were bravely fighting a rearguard action had been left behind.

One of those soldiers later recalled the feeling when he saw the helicopters disappear over the jungle canopy: "If it's possible for your heart to fall into your boots, that's what mine did."

There were now eight Americans stranded in Chump Valley against hundreds of Viet Cong. Those are long odds even for the Screaming Eagles of the 101st.

So for the fourth time that day—the fourth time—in a split-second decision, Kettles turned around his aircraft to land in a hot LZ. This time he returned alone with no gunshot support.

When he landed, a mortar exploded near the front of his aircraft, blowing out his Huey's chin bubble, windshields, tail boom, and rotor. His helicopter returned with 40 holes and was 600 pounds overweight because all eight American soldiers were onboard. They all attribute their survival to his brave actions.

Kettles was later awarded the Distinguished Service Cross for his extraordinary courage and self-sacrifice, but he wasn't immediately awarded the Medal of Honor. There is one thing Charles Kettles wouldn't volunteer for—the spotlight. He accepted the Distinguished Service Cross and moved on with his life, retiring from the military in 1978 after another tour in Vietnam.

Kettles moved back to Michigan, where he taught aviation management at Eastern Michigan University and worked for Chrysler Pentastar Aviation. He married twice and had nine children, who survive him, along with his wife Ann.

That is how the Kettles' story may have ended if not for a local historian who persuaded Congress and the Army to reopen the file. When they did, it became apparent to all that he deserved the Nation's highest honor. Charles Kettles was awarded the Medal of Honor in 2016 at the young age of 86. Kettles did what he could to downplay his role in saving his comrades in arms. According to him, "The bottom line of the whole thing is simply that those 44 [soldiers] did get out of there and are

not a statistic on that wall in DC. The rest of it is rather immaterial, frankly.”

Pardon me here if I disagree for once with Lieutenant Colonel Kettles. It was due to his bravery that those 44 soldiers returned alive and back to their families. On the battlefield, valor is hardly immaterial; it is essential. Charles Kettles proved that on his four volunteer rescue flights that fateful day.

May he rest in peace. May both of these great warriors rest in peace.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

TRIBUTE TO MAURA KEEFE

Mrs. SHAHEEN. Madam President, I come to the floor this afternoon with mixed emotions—mixed emotions because I feel a tremendous sense of gratitude but also sadness because at the end of this month, tomorrow, after more than a decade of working together, my chief of staff, Maura Keefe, will leave to start a new adventure.

Maura is here on the floor today with my new chief of staff, Chad Kreikemeier, and most of our staff here in DC are in the Gallery watching. Everyone is here because we think so much of Maura, and we are so sad that she is leaving but wish her Godspeed in everything she does. She has been an incredible asset as we worked together to improve the lives of Granite Staters.

I must thank her for her service and share some of the memories from the past 10 years. In New Hampshire, where we are the home of the first primary State, public service and political engagement are part of our culture. It is a culture that is epitomized by Maura and her family.

Maura helped me get elected in 2008. Actually, she helped me before that—in 2002, when I didn’t win the election. Despite our loss, she came back and she worked with me in 2008, and then when we won, she set up the office. She had already accumulated several careers by that time in political campaigns and nonprofits and in the private sector. At each and every step along the way, Maura made new friendships, and she blazed a trail of accomplishments. Her time with us has certainly been no different.

I remember right after that election, she and a small group of people were working to set up the office. She showed me the files of people who were interested in working on the staff. I was down here for orientation, and she and the woman who would become the deputy chief of staff spent the whole weekend—while I was running around doing fun things, they were working into the night to go through those résumés to hire the best possible people to open the office.

Maura’s father, who served as chief of staff to New Hampshire Senator Tom McIntyre, whose seat I now hold, would be very proud of everything she has done and all of her accomplishments.

I will never be able to thank her enough for building our wonderful

team, for hiring a staff of dedicated public servants who work hard for the people of New Hampshire.

Those of us who have had the pleasure to work with Maura know her sense of humor. She does great birthday cards that are very funny. Every month when we do birthdays in the office, she does farewell cards that are sort of testimonials but more roasts—or equally roast and testimonial. Her sense of humanity is also what makes her special. I have certainly benefited from both of these over the last 10 years.

Maura is going to be missed, not just in our offices here in Washington and in New Hampshire but throughout the Senate because for the last several years, she has played an important leadership role among the Democratic chiefs of staff and among the women chiefs of staff. She has made a positive difference for all of our offices, and she has made important and constructive inroads with Senate leadership on both sides of the aisle. Her presence will be missed by so many people in this institution.

Of course she is going to be missed for forging important consensus on the golf course as well. Our office does a golf outing every summer, and Maura is always the one who comes out on top in those golf outings. She has two holes in one, and she displays the plaques for those holes in one on the wall that is between our two offices. They are a reminder that from the Capitol to the tee box and everywhere in between, Maura is a fierce competitor.

Over the last 10 years, there have been real historic moments. I hope those moments will be the cornerstone of Maura’s memories from the Senate—the passage of healthcare reform that was decades in the making, ushering in the first bipartisan energy efficiency legislation in a generation, working to put a woman on the twenty-dollar bill, increasing funding and resources to combat the opioid crisis, expanding critical investments for the Office on Violence Against Women, and so many other critical infrastructure projects, changes in New Hampshire that have meant jobs and that have improved the lives of so many of our citizens.

Perhaps the most succinct description of Maura can be credited to Congresswoman ROSA DELAURO, for whom Maura worked as chief of staff in the 1990s. Congresswoman DELAURO once told a reporter aptly that Maura is “someone who doesn’t mince words.” I can attest to that. When I do things that she thinks are not quite what I ought to be doing, she doesn’t mince words; she lets me have it.

I am going to greatly miss her daily doses of wisdom and wit. Her supporting counsel has always been invaluable to me. I can’t thank her enough for her dedicated service.

Thank you, Maura. We are all going to miss you but me, most of all.

Thank you, Madam President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

NOMINATION OF ANDREW WHEELER

Mr. CARDIN. Mr. President, as we are considering the leadership of the Environmental Protection Agency, I think we should pause a moment to recognize this administration’s record on the environment—or should I say the missed opportunities—and what this administration has done in moving America in the wrong direction on environmental protection. This administration’s record in dealing with the greatest challenge we have—global climate change—is deplorable.

I had the opportunity to lead a delegation of 10 Members of the Senate to the Paris climate talks in which U.S. leadership demonstrated our ability to get universal consensus that climate change is real, is happening, that it is primarily caused by the activities we do here on Earth, and that we can make a difference in the trajectory of climate change and the impact it will have on our lives. If we follow what science tells us, we can change the course for the better for future generations.

I saw in Paris the importance of U.S. leadership. We had been trying for a long time to get a global agreement to deal with this challenge. It wasn’t until America’s leadership in Paris that we were able to get a global consensus. In fact, every country in the world signed on to the Paris Agreement and recognized that every nation has the responsibility to respond because what happens in the environment knows no state boundaries—we are all in this together.

Then there was the election of Donald Trump as President of the United States. One of his first actions was to withdraw America from the Paris climate agreement. America became the only Nation in the world not to be part of the global effort to deal with climate change.

Our leadership was now going to be lost, but the Trump administration didn’t stop there. They have withdrawn the powerplant rules even though it was in 2007 that the Supreme Court, in *Massachusetts v. EPA*, determined that carbon dioxide is a dangerous air pollutant and is required to be regulated by the Environmental Protection Agency under the clean air rules. Yet the administration is moving in the other direction as it relates to clean air.

They did the same thing with water. The Supreme Court issued certain decisions in regard to regulated waters. It required Congress to act. Congress didn’t act. The administration under President Obama issued regulations that were similar to what we had before the Supreme Court decision, and now the Trump administration has withdrawn those regulations as they relate to clean water.

The list goes on. The Trump administration is now backing down on CAFE standards. That is energy efficiencies

in our automobiles. Maryland is one of 12 States under section 177 that follow California's tougher standards. That is now being jeopardized by the Trump administration.

As we are considering the leadership of the Environmental Protection Agency, we have to recognize that the Trump administration has moved us in the wrong direction. We take pride that with every administration, Congress adds to the protections we have for clean air and clean water and dealing with our environment. Yet we find with this President, the opposite is true. That puts special responsibility on us in Congress. We have to fill that vacuum. Yet the Republican leadership in Congress has made no effort to bring forward legislation to deal with climate change. They have not acknowledged that climate change is real. They have not acknowledged that our activities here are the primary cause of climate change. They have not acknowledged that science tells us that if we do the right thing, we can affect for the better the impact of climate change in our communities. All that has been denied by this administration.

What we should do is bring forward comprehensive legislation to reduce greenhouse gases. We should put a true cost on carbon. Let the market forces help solve the problems we have here. We should provide for the continued efficiency of the transportation sector. We should restore America's leadership. That is what this Congress should be considering. Yet under Republican leadership, we have had no opportunity to consider comprehensive legislation in this area.

If we acted, it would be good for our environment. There is no question about that. Why should we all be concerned about that? Let me give some examples from my State of Maryland. Over the last 50 years, Maryland has experienced a 70-percent increase in rainfall. Tell the people of Ellicott City, who have experienced two 1,000-year floods in the last 20-month period. These are floods that they have never seen before in their lifetime. A large amount of rain that fell in a very short period of time caused tremendous damage to the people of Ellicott City. Tell the 13 million people who are in danger of being displaced by the end of this century because of rising sea levels. Tell the people in the Western United States whose homes were taken by wildfires. We need to act. It would be good for our environment.

I am proud to be one of the Senators who represent the Chesapeake Bay Watershed. There are 18 million people who live in the Chesapeake Bay Watershed. We see a rise in the sea level. This is a vulnerable body of water.

The warming of the Chesapeake Bay is causing the loss of seagrasses that are important for the aquatic life. The salinity of the bay is being diminished because of more freshwater, and that is affecting the ecology of the bay. Algae growths are greater and longer because

of the warm waters. All of that affects the Chesapeake Bay. If we respond to climate change, we have a much better chance of improving the quality of the Chesapeake Bay, which is critically important for the way of life for the people who live in the Chesapeake Bay Watershed.

It is also, by the way, an important economic issue. If we do what is right and respond to climate change, we will also be helping our economy. The Chesapeake Bay alone adds \$1 trillion to our economy. A clean bay helps our economy. Green energy creates jobs—many more jobs than do traditional fossil fuels.

It also is good for our national security. If we use more of the renewables and fewer fossil, we as a nation will be stronger from the point of view of not being dependent on other countries that don't agree with our way of life for supplying energy needs not only to us but to our allies around the world—to the democratic countries around the world. It makes sense.

As we are considering the future leadership of the Environmental Protection Agency, let us recommit ourselves to recognizing that we have responsibilities to advance these environmental issues and implore upon the Republican leadership to bring forward comprehensive legislation that, in fact, will make a significant difference on the trajectory of climate change here in the United States and will restore America's global leadership on this critically important issue.

I yield the floor.

The PRESIDING OFFICER (Mr. CRAMER). The Senator from Maryland.

Mr. VAN HOLLEN. Mr. President, I start by associating myself with the remarks of my friend, the senior Senator from the State of Maryland, Mr. CARDIN, both with respect to the vital importance of moving forward on climate change legislation here in the Senate and with respect to my opposition to the nomination of Mr. Wheeler. I think we need somebody at the head of the EPA who is going to make the issue of climate change and other vital environmental issues a priority.

DECLARATION OF NATIONAL EMERGENCY

Mr. President, I come to the floor with respect to another critical issue facing this Senate right now. I would just start by noting the fact that earlier this week, in this very Chamber, the senior Senator from Nebraska, Mrs. DEB FISCHER, gave the annual reading of George Washington's Farewell Address, reminding all of us of the advice that our first President gave our country upon his resignation. He encouraged us to review the words of his farewell address frequently as the "disinterested warnings of a parting friend, who can possibly have no personal motive to bias his counsel." Those were the words of George Washington in his farewell address as he gave us all some warnings and admonitions.

Maryland is particularly proud of the fact that President Washington re-

signed his military commission in Annapolis, in our Old Senate Chamber. Every year, in the Maryland Senate, where I once served, we honor President Washington for Presidents Day. One year, I had the honor of giving the commemorative address on that occasion, and I appreciate the fact that the U.S. Senate recognizes the extraordinary farewell address delivered by our first President. His words of warning have been prescient throughout history, from his caution against internal divisions, including geographic divisions between the North and the South, to the necessity of avoiding foreign entanglements that would imperil our own unity.

At this particular moment in time, as we reflect on President Washington's Farewell Address, we have to do it in the context of the current President's extraordinary, unnecessary, and, I believe, totally unlawful declaration of emergency powers for the sole purpose of diverting taxpayer money, which has been previously appropriated by this Congress, to a different purpose, especially to build a wall along our southern border. In that context, we really need to reflect on the words of our first President and remember that our Constitution entrusts us, through article I, as a coequal branch of government, to do our duty under the Constitution.

We know the history. We know that after winning our independence from England, President Washington, along with many of our other Founders, was concerned with the possibility of authoritarianism and of the critical need to build checks and balances into our political system. Here is the key warning in the farewell address on this score: "The habits of thinking in a free country should inspire caution in those entrusted with its administration to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department to encroach upon another."

President Washington argued that this encroachment of one branch of government on the constitutional powers of another is a natural impulse and one that we must guard against as a self-governing people because of the "love of power and proneness to abuse it," and that is why checks and balances are necessary to prevent it.

He went on to write:

The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositaries and constituting each the guardian of the public weal against invasions by the others, has been evinced by experiments ancient and modern, some of them in our country and under our own eyes. To preserve them must be as necessary as to institute them.

Now let's review what just happened here in our political system in the last couple of weeks. Just a few weeks ago, President Trump, after failing to achieve his desired outcome through the legislative process, through congressional action, decided that he would bypass the Congress by declaring

a national emergency in order to redirect funding to build the wall. This is a textbook example of the kind of power grab by an executive branch that George Washington warned us about in his farewell address.

President Trump is claiming he has this authority pursuant to the National Emergencies Act of 1976, but a review of the legislative history of the National Emergencies Act demonstrates that it was passed not to expand Presidential power but to curb it. Three years earlier, Congress's Special Committee on the Termination of the National Emergency was created to end outdated emergency declarations and, according to the committee's report at the time, "recommend ways in which the United States can meet future emergency situations with speed and effectiveness but without relinquishment of congressional oversight and control." That was what the special committee's report concluded, and that formed the basis of the legislation that followed.

The National Emergencies Act gives the President very, very narrow and conditioned-based authority to declare an emergency and specify the steps necessary to confront it, and it gives Congress the authority, as we saw in the House just yesterday, to pass legislation to disapprove of and to terminate the emergency. Of course, it will also be subject to court review. I would suggest that it is not our job to pass laws which we know to be unconstitutional and simply leave it to the courts to reach the obvious conclusions. We have a responsibility here in this Chamber, not only under the Constitution but under the very statute the President proposes to use now for his declaration, to apply our authority and responsibility as a coequal branch of government.

Now let's review the context of this decision. The President's interest in spending billions of dollars of taxpayer money for a wall along the southern border was not a secret to Congress. Of course, during the campaign—as a matter of his campaign pledges and as he continues to insist—he did say that at the end of the day, Mexico will pay for it. Yet, for the purposes of today, that is not the main point. The point is that the President had told this Congress that it was his intention to try to spend billions of dollars to build a wall.

His original budget request to the Congress for the fiscal year that we are in was \$1.6 billion. That was the budget request we got from the Senate Appropriations Committee. Then, last fall and last winter, in December, the President began demanding much higher amounts for the wall he wants to build. In fact, in his meeting with then-Democratic Leader NANCY PELOSI and Democratic Leader SCHUMER on December 11, here is what the President said: If we don't get what we want, one way or the other, through you or the military or anybody else, yes, I will shut down the government.

That was in December. What the President was saying was that if he doesn't get his appropriations—the budget request—through the Congress, he was going to shut down the government. He did, and he did that for 35 days. That was his constitutional prerogative not to sign a bill. It, obviously, caused great harm and dislocation around the country. It caused a lot of economic pain and a lot of personal financial pain to millions of Americans, but the President clearly had the authority to do that.

As the Congress, we were aware of the President's position. He made it very clear. Then, after the government shutdown was over, of course, we passed that short-term piece of legislation to keep the government open for 3 weeks as we worked on a longer term budget plan.

Around February 14 of this year, we passed a compromise budget bill—a compromise appropriations bill. That bill provided \$1.375 billion for 55 miles of pedestrian and levee fencing along the U.S. border with Mexico. That bill passed the U.S. Senate by a vote of 83 to 16, and it passed the House of Representatives by a vote of 300 to 128. As with most bills that pass the Congress with those kinds of bipartisan majorities that are compromises, it didn't have everything everyone wanted. It had some things in it that one side or the other may not have wanted, but it was a compromise, and it was made necessary to pass a bill to keep the government open. It was to make sure our constituents received the services of their government and to make sure that we met the needs of the country.

On the very morning that we considered that bill here in the Senate Chamber, President Trump was considering his next steps. In fact, Majority Leader MCCONNELL announced on the floor here that President Trump had told him that he was going to sign the bill but that he was also going to sign an emergency declaration to override the appropriations in the bill and divert those moneys to some other purpose that Congress had not authorized. In fact, while Senator MCCONNELL was making that statement at the time we were considering and voting on the bill, it was not a surprise that the President had been considering it. He had been talking for weeks and threatening the Congress that if he didn't get the appropriations levels he wanted for the wall—if he didn't get the budget allocation he wanted—he was just going to declare a national emergency and do it himself. That was his threat.

Clearly, he hoped that threat would force Congress to provide the extra moneys the President requested for the wall, but the Congress didn't do the President's bidding. We passed that compromise bill by those large bipartisan majorities. So what did the President do? Of course, he declared this emergency.

I should note that even as he announced his emergency declaration in

the Rose Garden, the President said: "I could do the wall over a longer period of time. I didn't need to do this . . . but I'd rather do it much faster." That is what the President said at the time. He said he didn't need to do this, not in that way, but he wanted to do this quickly.

Here is the thing. He didn't need to do it. He made it very clear that he decided to do it simply because he didn't get what he wanted from the U.S. Congress; that because we didn't do what the President—what the Executive asked, heck, he was going to declare some emergency to divert money from areas the Congress had approved on a bipartisan basis to some other area the President wanted to spend money on, in this case the wall.

Now, look, the Constitution is pretty clear. The President had the power to veto that bill. He, of course, had refused to go along with an earlier proposal, and that led to a 3-week government shutdown. The President could have done that again. That would have been in his power to do it, and of course the choice for the Congress at that point would have been whether to override the President's veto.

If you look at the size of the votes that appropriations bill passed by—83 to 16 in the U.S. Senate and 300 to 128 in the House—he could have overridden the veto. That would have been the constitutional way for the President of the United States to try to get his way, but that is not what he did. He decided to do something different, declare an emergency in an unconstitutional way.

The question we have to ask ourselves—and I am talking Republicans and Democrats, and I am talking about the Senate as an institution, the House of Representatives as an institution—is should this President or any other President—or any other President—be able to override an appropriations law to the tune of billions of dollars right after Congress has already expressed its position in a bill that we passed by overwhelming majorities or by any majority, a bill that passed.

In declaring this alleged emergency, the President has announced his intention to divert \$2.6 billion from the Department of Defense counterdrug activities. This is an ironic diversion, considering the President's stated concern, which I share, about drug trafficking.

The Defense Department has indicated that those moneys the President is proposing to take from drug trafficking are being spent for that purpose and that only about \$85 million remains in that account. So that means they are going to have to take other moneys from other Defense Department priorities, and the President has indicated they want to take \$3.6 billion from military construction accounts—moneys that this Congress, on a bipartisan basis, has already appropriated for those military construction projects.

Article I is crystal clear. Article I of the Constitution vests this Congress—

this Senate and the House of Representatives—with the power of the purse.

I have my handy, small Constitution right here, and I would just again like to remind our colleagues that it says: “No money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law, and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.”

So article I of the Constitution is very clear. It is the U.S. Congress that has the power of the purse and has the authority to direct taxpayer moneys to the priorities that we decide.

I ask my colleagues whether they are prepared to relinquish that authority. In fact, I would make the point it is really not ours to relinquish because the Constitution is quite clear on this point.

We all know that yesterday the House of Representatives took a vote to say the President is not able to use the particular law he used the other day to declare an emergency. This Senate is going to be voting on that soon, and we have to ask ourselves as Senators what kind of precedent we want to set.

Do we want to adhere to our duties under the Constitution? Should any President be able to say, “Oh, my goodness. I don’t like what the Congress just did. I don’t like the fact that the Congress, through their duly elected Representatives and duly elected Senators, didn’t give me all the money I wanted for the wall, and so I am going to throw the Constitution out, and I am going to take money that the Congress proposed for one purpose, and I am just going to move it somewhere else?”

I want my colleagues to think really carefully about the precedent we would be establishing if we allow that action to go unchecked.

We were just having a conversation here on the floor, my colleague from the State of Maryland and others, about the dangers and risks of climate change. That is a real crisis. I believe we should be investing a lot more funds in building out our clean energy infrastructure.

We may well have a future President, maybe sooner rather than later, who wants to do that. I just ask my colleagues whether they think that President should be able to declare a national emergency and spend money for that purpose even if this Congress has not appropriated the moneys for that purpose.

The idea that the President of the United States—any President of the United States—is going to declare an emergency simply because he or she did not get the appropriations request they asked for is unprecedented. We have looked. There have been times when people have declared emergencies, but we were not able to find any time where we have a situation like this, where a President, who tried

to get a certain appropriation for a certain purpose out of Congress, didn’t get it and immediately turned around and asked for a national emergency to do what the Congress had just denied them the authority to do.

Just this morning President Trump’s adviser, Kellyanne Conway, was on “FOX & Friends” and said the President had to act because Congress didn’t. In other words, the President had to act because Congress, on a bipartisan basis, through its duly elected representatives, did not give the President of the United States, the Executive, what the Executive asked for. That is why the President gets to declare an emergency.

That would create a lawless situation and a gross violation of our Constitution.

She went on to say: “It’s failed to do its job since he has been President on securing the border, and it has failed to do its job for decades, and so he waited for them.” In other words, because the President is dissatisfied with what the Congress did, he gets to tear up the Constitution and go his own way.

Back in 1983, when President Reagan was frustrated with the Congress and its control of the budget, he received a letter urging him to declare a state of emergency over our Nation’s finances. In response, President Reagan acknowledged his frustration but wrote: “I don’t believe the President has the power to declare an emergency short of war.”

I urge my colleagues—I urge my colleagues—to be cautious in allowing any President to use or claim an emergency in order to undercut the clear division of power set forth in the Constitution between the legislative and the executive branch.

Yesterday Leader MCCONNELL was asked about the legality of President Trump’s move, and the majority leader acknowledged he “hadn’t reached a total conclusion” on whether President Trump is acting legally.

Think about that. You have the majority leader acknowledging that the President may be acting unlawfully. I think it is pretty clear on its face for those who closely examine the Constitution and the power of the purse.

I think we are all called upon not as Republicans or Democrats but as Americans and as Senators in this Chamber to do our job and reject what is clearly an unconstitutional power grab. We should not passively submit to these actions. We should think about what we are going to do in light of the precedent that is being set here, and I hope we will do our jobs.

I will just close with another statement from President Washington’s Farewell Address where he cautioned against allowing any one branch of government to claim excessive power, even with the best of motivations. “Let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed.”

In my view, the President’s actions are not for the good, but I know many of my Republican colleagues would agree with the ends the President seeks with respect to using more moneys to build a wall. I understand that is the position of our Republican colleagues, but what George Washington warned us about was—whether we like what the President is doing or don’t like what the President is doing—if the President is diverting money away from the purposes this Senate and the House of Representatives directed to some other purpose this President or any other President may want that we have not authorized, that is a gross usurpation of power, and we should not allow it to happen.

So I ask my colleagues, let’s join together to do the business of the Senate, protect the Constitution, and do our jobs.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

NOMINATION OF ANDREW WHEELER

Mr. UDALL. Mr. President, I would associate myself with the comments of Senator VAN HOLLEN, who I think hit the nail on the head when it comes to this overreach by the President.

I rise in support of the growing calls for action on climate change that are echoing in every corner of this Nation.

The science is overwhelming, the evidence is clear, and unless we take immediate action, we will lose our planet as we know it. There is nowhere that has more at stake than my home State of New Mexico and the Southwest, which are in the bullseye of global warming. Unless we act against greenhouse gas pollution, rising temperatures, drought, wildfires, deforestation, we will permanently harm our communities.

Because I believe in climate science and because I believe we desperately need to act, I must strongly oppose the confirmation of Andrew Wheeler to lead our Nation’s Environmental Protection Agency. Mr. Wheeler has consistently advocated for measures that would damage the environment, hurt public health, and do long-term injury to the economy, and his record on climate change and the record of his administration are simply disqualifying.

Mr. Wheeler’s nomination is among the worst in a long line of backward nominations by this President. For someone who wants to lead the EPA—the key word being “protection”—Mr. Wheeler’s priorities are upside down.

Let’s be blunt with the American people. Mr. Wheeler was not nominated to protect the environment and human health. He was nominated to unravel and undo the environmental protections that are now in place. He was nominated to stop any new environmental and public health protections from being initiated. He was nominated to go easy on those who violate existing environmental laws. He was nominated to stand in the way of climate science and climate action.

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.

I was necessarily absent but, had I been present, would have voted yes on rollcall vote 30, the motion to invoke cloture on the nomination of Michael J. Desmond to be Chief Counsel for the Internal Revenue Service and an Assistant General Counsel in the Department of the Treasury.●

BUDGET SCOREKEEPING REPORT

Mr. ENZI. Mr. President, I wish to submit to the Senate the budget scorekeeping report for February 2019. The report compares current-law levels of spending and revenues with the amounts the Senate agreed to in the Bipartisan Budget Act of 2018, BBA18. This information is necessary for the Senate Budget Committee to determine whether budgetary points of order lie against pending legislation. The Republican staff of the Budget Committee and the Congressional Budget Office, CBO, prepared this report pursuant to section 308(b) of the Congressional Budget Act, CBA.

This is my second scorekeeping report this year. My last filing can be found in the CONGRESSIONAL RECORD for January 10, 2019. The information included in this report is current through February 25, 2019.

Since my last filing, two bills with significant budgetary effects cleared Congress, the Medicaid Extenders Act of 2019, P.L. 116-3, and the Consolidated Appropriations Act, 2019, P.L. 116-6.

Budget Committee Republican staff prepared Tables 1-3.

Table 1 gives the amount by which each Senate authorizing committee exceeds or is below its allocation for budget authority and outlays under the most recently adopted budget resolution and the fiscal year 2019 enforceable levels filing. This information is used for enforcing committee allocations pursuant to section 302 of the CBA. Over the current 10-year enforceable window, authorizing committees have increased outlays by a combined \$3.4 billion. For this reporting period, as in my last report, 8 of the 16 authorizing committees are not in compliance with their allocations. Two of these committees, Finance and Judiciary, further exacerbated their violations during this work period with the passage of Medicaid Extenders and the authorizing division, Division H, of the final 2019 appropriations bill, respectively. For the Finance Committee, P.L. 116-3 was estimated to increase budget authority over each enforceable period for its allocation, with the largest violation, \$120 million, occurring in 2019. For the Judiciary Committee, Division H of P.L. 116-6, which included various immigration extenders, was estimated to increase budget authority and outlays by \$30 million over the next 10 years.

Table 2 provides the amount by which the Senate Committee on Appropriations is below or exceeds the statutory spending limits. This information is used to determine points of order re-

lated to the spending caps found in sections 312 and 314 of the CBA. Appropriations for fiscal year 2019, displayed in this table, show that the Appropriations Committee is compliant with spending limits for fiscal year 2019. Those limits for regular discretionary spending are \$647 billion for accounts in the defense category and \$597 billion for accounts in the nondefense category of spending.

The fiscal year 2018 budget resolution contained points of order limiting the use of changes in mandatory programs in appropriations bills, CHIMPs. Table 3, which tracks the CHIMP limit of \$15 billion for fiscal year 2019, shows the Appropriations Committee has enacted \$15 billion worth of full-year CHIMPs for fiscal year 2019. The fiscal year 2019 CHIMPs were contained in the Labor, Health and Human Services, Education and Related Agencies division of P.L. 115-245 and the Commerce, Justice, Science, and Related Agencies division of P.L. 116-6. This information is used for determining the point of order under section 4102, overall limit, of H. Con. Res. 71, 115th Congress.

In addition to the tables provided by Budget Committee Republican staff, I am submitting CBO tables, which I will use to enforce budget totals approved by Congress.

For fiscal year 2019, CBO estimates that current-law levels are \$2.8 billion above and \$3.3 billion below enforceable levels for budget authority and outlays, respectively. Revenues are \$426 million below the level assumed in the budget resolution. Further, Social Security revenues are at the levels assumed for fiscal year 2019, while Social Security outlays are \$4 million above assumed levels for the budget year.

CBO's report also provides information needed to enforce the Senate pay-as-you-go, PAYGO, rule. The PAYGO scorecard shows deficit increases in fiscal year 2019 of \$1,930 million—\$427 million revenue loss, \$1,503 million outlay increase—over the fiscal year 2018-2023 period of \$3,337 million—\$894 million revenue loss, \$2,443 million outlay increase—and over the fiscal year 2018-2028 period of \$425 million—\$634 million revenue loss, \$209 million outlay decrease. During this work period, one bill, the Consolidated Appropriations Act, 2019, included a statutory exemption for the budgetary effects of its Division H from the Senate's PAYGO scorecard. The Senate's PAYGO rule is enforced by section 4106 of H. Con. Res. 71, 115th Congress.

This submission also includes a table tracking the Senate's budget enforcement activity on the floor since the enforcement filing on May 7, 2018. Since my last report, no new budgetary points of order were raised.

All years in the accompanying tables are fiscal years.

I ask unanimous consent that the accompanying tables be printed in the RECORD.

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

TABLE 1.—SENATE AUTHORIZING COMMITTEES—ENACTED DIRECT SPENDING ABOVE (+) OR BELOW (–) BUDGET RESOLUTIONS

[In millions of dollars]

| | 2019 | 2019–2023 | 2019–2028 |
|---|-------|-----------|-----------|
| Agriculture, Nutrition, and Forestry | | | |
| Budget Authority | 2,414 | 4,249 | 3,123 |
| Outlays | 1,406 | 1,820 | 70 |
| Armed Services | | | |
| Budget Authority | 0 | 0 | 0 |
| Outlays | 0 | 0 | 0 |
| Banking, Housing, and Urban Affairs | | | |
| Budget Authority | 21 | 285 | 382 |
| Outlays | 20 | 285 | 382 |
| Commerce, Science, and Transportation | | | |
| Budget Authority | 41 | 77 | 91 |
| Outlays | 11 | 74 | 90 |
| Energy and Natural Resources | | | |
| Budget Authority | 0 | 0 | –14 |
| Outlays | 0 | 0 | –14 |
| Environment and Public Works | | | |
| Budget Authority | 2 | 4 | –333 |
| Outlays | 2 | 4 | –333 |
| Finance | | | |
| Budget Authority | 326 | 1,058 | –917 |
| Outlays | 127 | 1,051 | –919 |
| Foreign Relations | | | |
| Budget Authority | 0 | –5 | –20 |
| Outlays | 0 | –5 | –20 |
| Homeland Security and Governmental Affairs | | | |
| Budget Authority | 0 | 2 | 4 |
| Outlays | 43 | 48 | 49 |
| Judiciary | | | |
| Budget Authority | 13 | 209 | 497 |
| Outlays | 13 | 205 | 492 |
| Health, Education, Labor, and Pensions | | | |
| Budget Authority | 0 | –36 | –84 |
| Outlays | 0 | –36 | –84 |
| Rules and Administration | | | |
| Budget Authority | 0 | 0 | 0 |
| Outlays | 0 | 0 | 0 |
| Intelligence | | | |
| Budget Authority | 0 | 0 | 0 |
| Outlays | 0 | 0 | 0 |
| Veterans' Affairs | | | |
| Budget Authority | 4 | 3 | –729 |
| Outlays | 4,402 | 4,400 | 3,668 |
| Indian Affairs | | | |
| Budget Authority | 0 | 0 | 0 |
| Outlays | 0 | 0 | 0 |
| Small Business | | | |
| Budget Authority | 0 | 0 | 0 |
| Outlays | 0 | 0 | 0 |
| Total | | | |
| Budget Authority | 2,821 | 5,846 | 2,000 |
| Outlays | 6,024 | 7,846 | 3,381 |

TABLE 2.—SENATE APPROPRIATIONS COMMITTEE—ENACTED REGULAR DISCRETIONARY APPROPRIATIONS¹
[Budget authority, in millions of dollars]

| | 2019 | |
|--|-----------------------|--------------------------|
| | Security ² | Nonsecurity ² |
| Statutory Discretionary Limits | 647,000 | 597,000 |
| Amount Provided by Senate Appropriations Subcommittee | | |
| Agriculture, Rural Development, and Related Agencies | 0 | 23,042 |
| Commerce, Justice, Science, and Related Agencies | 5,499 | 58,619 |
| Defense | 606,340 | 129 |
| Energy and Water Development | 22,440 | 22,200 |
| Financial Services and General Government | 31 | 23,392 |
| Homeland Security | 2,058 | 47,353 |
| Interior, Environment, and Related Agencies | 0 | 35,552 |
| Labor, Health and Human Services, Education and Related Agencies | 0 | 178,076 |
| Legislative Branch | 0 | 4,836 |
| Military Construction and Veterans Affairs, and Related Agencies | 10,332 | 86,804 |
| State Foreign Operations, and Related Programs | 0 | 46,218 |
| Transportation and Housing and Urban Development, and Related Agencies | 300 | 70,779 |
| Current Level Total | 647,000 | 597,000 |
| Total Enacted Above (+) or Below (–) Statutory Limits | 0 | 0 |

¹ This table excludes spending pursuant to adjustments to the discretionary spending limits. These adjustments are allowed for certain purposes in section 251(b)(2) of BBEDCA.

² Security spending is defined as spending in the National Defense budget function (050) and nonsecurity spending is defined as all other spending.

TABLE 3.—SENATE APPROPRIATIONS COMMITTEE—ENACTED CHANGES IN MANDATORY SPENDING PROGRAMS (CHIMPS)

Table with columns for 2019 and categories like CHIMPS Limit for Fiscal Year 2019, Senate Appropriations Subcommittees, and Current Level Total.

U.S. CONGRESS, CONGRESSIONAL BUDGET OFFICE, Washington, DC, February 27, 2019.

Hon. MIKE ENZI, Chairman, Committee on the Budget, U.S. Senate, Washington, DC.

Consolidated Appropriations Act, 2019 (Public Law 116-6). Sincerely, KEITH HALL, Director.

Enclosure.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2019 budget and is current through February 25, 2019. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the allocations, aggregates, and other budgetary levels printed in the Congressional Record on May 7, 2018, pursuant to section 30103 of the Bipartisan Budget Act of 2018 (Public Law 115-123).

Since our last letter dated January 10, 2019, the Congress has cleared and the President has signed the following legislation that has significant effects on budget authority, outlays, and revenues in fiscal year 2019:

- Medicaid Extenders Act of 2019 (Public Law 116-3); and

TABLE 1.—SENATE CURRENT LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2019, AS OF FEBRUARY 25, 2019

Table with columns for Budget Resolution, Current Level, and Current Level Over/Under Resolution. Rows include On-Budget, Off-Budget, and Social Security Outlays.

Source: Congressional Budget Office. Excludes administrative expenses paid from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund of the Social Security Administration, which are off-budget, but are appropriated annually.

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2019, AS OF FEBRUARY 25, 2019

[in millions of dollars]

Large table with columns for Budget Authority, Outlays, and Revenues. Rows include Previously Enacted, Enacted Legislation, and Memorandum Revenues.

Source: Congressional Budget Office. n.a. = not applicable; P.L. = Public Law. a. Sections 1001-1004 of the 21st Century Cures Act (P.L. 114-255) require that certain funding provided for 2017 through 2026 to the Department of Health and Human Services...

Table with columns for Budget Authority, Outlays, and Revenues. Rows include Original Aggregates Printed on May 7, 2018, and Revisions.

| | Budget Authority | Outlays | Revenues |
|---|------------------|-----------|-----------|
| Pursuant to sections 311 and 314(a) of the Congressional Budget Act of 1974 | 1,680 | 25 | 0 |
| Pursuant to sections 311 and 314(a) of the Congressional Budget Act of 1974 | 20,165 | 3,590 | 0 |
| Revised Senate Resolution | 3,639,324 | 3,550,009 | 2,590,496 |

TABLE 3—SUMMARY OF THE SENATE PAY-AS-YOU-GO SCORECARD AS OF FEBRUARY 25, 2019
[in millions of dollars]

| | 2018 | 2019 | 2018–2023 | 2018–2028 |
|---|------|-------|-----------|-----------------|
| Beginning Balance ^a | 0 | 0 | 0 | 0 |
| Enacted Legislation ^{b,c} | | | | |
| A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by Bureau of Consumer Financial Protection relating to "Incident Auto Lending and Compliance with the Equal Credit Opportunity Act" (S.J. Res. 57, P.L. 115–172) | * | * | * | * |
| Economic Growth, Regulatory Relief, and Consumer Protections Act (S. 2155, P.L. 115–174) ^d | * | 22 | 329 | 490 |
| Trickett Wendler, Frank Mongiello, Jordan McLinn, and Matthew Bellina Right to Try Act of 2017 (S. 204, P.L. 115–176) | * | * | * | * |
| An Act to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to furnish assistance for adaptations of residences of veterans in rehabilitation programs under chapter 31 of such title, and for other purposes (H.R. 3562, P.L. 115–177) | * | * | * | * |
| VA MISSION Act of 2018 (S. 2372, P.L. 115–182) ^e | * | * | * | * |
| Whistleblower Protection Coordination Act (S. 1869, P.L. 115–192) | * | * | * | * |
| All Circuit Review Act (H.R. 2229, P.L. 115–195) | * | * | * | * |
| American Innovation \$1 Coin Act (H.R. 770, P.L. 115–197) | 0 | 3 | 3 | 0 |
| Small Business 7(a) Lending Oversight Reform Act of 2018 (H.R. 4743, P.L. 115–189) | * | * | * | * |
| Northern Mariana Islands U.S. Workforce Act of 2018 (H.R. 5956, P.L. 115–218) | 0 | 0 | 0 | –3 |
| KIWI Act (S. 2245, P.L. 115–226) | * | * | * | * |
| To make technical amendments to certain marine fish conservation statutes, and for other purposes (H.R. 4528, P.L. 115–228) | * | * | * | * |
| John S. McCain National Defense Authorization Act for Fiscal Year 2019 (H.R. 5515, P.L. 115–232) | 0 | 304 | 690 | –118 |
| Miscellaneous Tariff Bill Act of 2018 (H.R. 4318, P.L. 115–239) | 0 | * | –1 | –3 |
| Tribal Social Security Fairness Act of 2018 (H.R. 6124, P.L. 115–243) | 0 | * | 18 | 18 |
| Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2019 (H.R. 6157, Division B, P.L. 115–245, Division B) | * | 0 | * | * |
| Nuclear Energy Innovation Capabilities Act of 2017 (S. 97, P.L. 115–248) | * | 2 | * | –3 |
| Department of Veterans Affairs Expiring Authorities Act of 2018 (S. 3479, P.L. 115–251) | * | * | * | * |
| Elkhorn Ranch and White River National Forest Conveyance Act of 2017 (H.R. 698, P.L. 115–252) | * | 2 | * | –3 |
| FAA Reauthorization Act of 2018 (H.R. 302, P.L. 115–254) ^f | * | 44 | 42 | 26 ^g |
| Patient Right to Know Drug Act of 2018 (S. 2554, P.L. 115–263) | * | * | –11 | –52 |
| Orrin G. Hatch-Bob Goodlatte Music Modernization Act (H.R. 1551, P.L. 115–264) | 0 | 0 | 13 | –24 |
| Congressional Award Program Reauthorization Act of 2018 (S. 3509, P.L. 115–268) | 0 | * | 2 | 4 |
| America's Water Infrastructure Act of 2018 (S. 3021, P.L. 115–270) | 0 | 2 | 16 | –230 |
| SUPPORT for Patients and Communities Act (H.R. 6, P.L. 115–271) ^h | 0 | * | * | * |
| Hizballah International Financing Prevention Amendments Act of 2017 (S. 1595, P.L. 115–272) | 0 | * | * | * |
| To authorize the National Emergency Medical Services Memorial Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes (H.R. 1037, P.L. 115–275) | 0 | * | * | * |
| Gulf Islands National Seashore Land Exchange Act (H.R. 2615, P.L. 115–279) | 0 | * | * | * |
| Frank LoBiondo Coast Guard Authorization Act of 2018 (S. 140, P.L. 115–282) | 0 | 10 | 34 | 0 |
| Making further continuing appropriations for fiscal year 2019, and for other purposes (H.J. Res. 143, P.L. 115–298) | 0 | * | * | * |
| Amy, Vicky, and Andy Child Pornography Victim Assistance Act of 2018 (S. 2152, P.L. 115–299) | 0 | * | * | * |
| A bill to establish a procedure for the conveyance of certain Federal property around the Dickinson Reservoir in the State of North Dakota (S. 440, P.L. 115–306) | 0 | 0 | 0 | –4 |
| A bill to establish a procedure for the conveyance of certain Federal property around the Jamestown Reservoir in the State of North Dakota, and for other purposes (S. 2074, P.L. 115–308) | 0 | 0 | 0 | –7 |
| Anwar Sadat Centennial Celebration Act (H.R. 754, P.L. 115–310) | 0 | * | * | * |
| Larry Doby Congressional Gold Medal Act (H.R. 1861, P.L. 115–322) | 0 | * | * | * |
| Reciprocal Access to Tibet Act of 2018 (H.R. 1872, P.L. 115–330) | 0 | * | * | * |
| Protecting Access to the Courts for Taxpayers Act (H.R. 3996, P.L. 115–332) | 0 | * | * | * |
| Agriculture Improvement Act of 2018 (H.R. 2, P.L. 115–334) | 0 | 1,399 | 1,785 | 0 |
| Nicaragua Human Rights and Anticorruption Act of 2018 (H.R. 1918, P.L. 115–335) | 0 | * | * | * |
| 21st Century Integrated Digital Experience Act (H.R. 5759, P.L. 115–336) | 0 | * | * | * |
| Chinese-American World War II Veteran Congressional Gold Medal Act (S. 1050, P.L. 115–337) | 0 | * | * | * |
| USS Indianapolis Congressional Gold Medal Act (S. 2101, P.L. 115–338) | 0 | * | * | * |
| Naismith Memorial Basketball Hall of Fame Commemorative Coin Act (H.R. 1235, P.L. 115–343) | 0 | 0 | 0 | 0 |
| Sanctioning the Use of Civilians as Defenseless Shields Act (H.R. 3342, P.L. 115–348) | 0 | * | * | * |
| Correcting Miscalculations in Veterans' Pensions Act (H.R. 4431, P.L. 115–352) | 0 | * | * | * |
| Strengthening Coastal Communities Act of 2018 (H.R. 5787, P.L. 115–358) | 0 | * | * | * |
| Walnut Grove Land Exchange Act (H.R. 5923, P.L. 115–361) | 0 | * | * | * |
| To amend the Federal Election Campaign Act of 1971 to extend through 2023 the authority of the Federal Election Commission to impose civil money penalties on the basis of a schedule of penalties established and published by the Commission (H.R. 7120, P.L. 115–386) | 0 | * | * | * |
| First Step Act of 2018 (S. 756, P.L. 115–391) | 0 | 11 | 120 | 317 |
| Abolish Human Trafficking Act of 2017 (S. 1311, P.L. 115–392) | 0 | * | * | * |
| CENOTE Act of 2018 (S. 2511, P.L. 115–394) | 0 | * | * | * |
| NASA Enhanced Use Leasing Extension Act of 2018 (S. 7, P.L. 115–403) | 0 | 0 | 5 | 5 |
| Veterans Benefits and Transition Act of 2018 (S. 2248, P.L. 115–407) | 0 | * | * | * |
| Stephen Michael Gleason Congressional Gold Medal Act (S. 2652, P.L. 115–415) | 0 | * | * | * |
| Veterans Small Business Enhancement Act of 2018 (S. 2679, P.L. 115–416) | 0 | * | * | * |
| Forever GI Bill Housing Payment Fulfillment Act of 2018 (S. 3777, P.L. 115–422) | 0 | * | * | * |
| National Integrated Drought Information System Reauthorization Act of 2018 (S. 2200, P.L. 115–423) | 0 | * | * | * |
| To authorize early repayment of obligations to the Bureau of Reclamation within the Northport Irrigation District in the State of Nebraska (H.R. 4689, P.L. 115–429) | 0 | * | * | * |
| 75th Anniversary of World War II Commemoration Act (S. 3661, P.L. 115–433) | 0 | * | * | * |
| Chemical Facility Anti-Terrorism Standards Program Extension Act (H.R. 251, P.L. 116–2) | 0 | * | * | * |
| Medicaid Extenders Act of 2019 (H.R. 259, P.L. 116–3) | 0 | 8 | 63 | * |
| Further Additional Continuing Appropriations Act, 2019 (H.J. Res. 28, P.L. 116–5) | 0 | * | * | * |
| Consolidated Appropriations Act, 2019 (H.J. Res. 31, P.L. 116–6) ^h | 0 | 125 | 229 | 9 |
| Impact on Deficit | * | 1,930 | 3,337 | 425 |
| Total Change in Outlays | * | 1,503 | 2,443 | –209 |
| Total Change in Revenues | * | –427 | –894 | –634 |

Source: Congressional Budget Office.

Notes: P.L. = Public Law, * = between –\$500,000 and \$500,000.

^a On May 7, 2018, the Chairman of the Senate Committee on the Budget reset the Senate's Pay-As-You-Go Scorecard to zero for all fiscal years.

^b The amounts shown represent the estimated effect of the public laws on the deficit.

^c Excludes off-budget amounts.

^d Pursuant to section 232(b) of H.C. Res. 290 (106th Congress), the Concurrent Budget Resolution for Fiscal Year 2001, the budgetary effects related to the Federal Reserve's surplus funds are excluded. As a result, the amounts shown do not include estimated increases in revenues of \$655 million in fiscal year 2019, \$570 million over the 2019–2023 period, and \$454 million over the 2019–2028 period.

^e The budgetary effects of this Act are excluded from the Senate's PAYGO scorecard, pursuant to section 512 of the Act.

^f Division 1 of P.L. 115–254 contains the Supplemental Appropriations for Disaster Relief Act, 2018, which provided \$1,680 million in supplemental appropriations for fiscal year 2019, and designated as an emergency requirement pursuant to section 251 of the Deficit Control Act. At the direction of the Committees on the Budget, and consistent with the language in section 1701, those amounts are shown as discretionary spending.

^g The budgetary effects of this Act are excluded from the Senate's PAYGO scorecard, pursuant to section 8231 of the Act.

^h The budgetary effects of title I of division H are excluded from the Senate's PAYGO scorecard, pursuant to title III of division H of the Act.

ENFORCEMENT REPORT OF POINTS OF ORDER RAISED SINCE THE FY 2019 ENFORCEMENT FILING

| Vote | Date | Measure | Violation | Motion to Waive | Result |
|------|-----------------|---|---|------------------------------------|---------------|
| 127 | June 18, 2018 | H.R. 5515—John S. McCain National Defense Authorization Act for Fiscal Year 2019. | 4106(a)—Senate-Pay-As-You-Go Violation ¹ | Sen. McConnell (R-KY) ² | 81–14, waived |
| 192 | August 23, 2018 | S. Amdt. #3695 to H.R. 6157, the Defense, Labor, HHS, and Education Appropriations Act ³ . | 314(a) CHIMP with Net-Costs | Sen. Leahy (D-VT) | 68–24, waived |

¹ Senator Sanders raised a section 4106(a) of H. Con. Res. 71 (115th Congress) point of order against the bill because the bill would increase the on-budget deficit.

² By unanimous consent the Senate proceeded to a roll call vote to waive the point of order.

³ This surgical point of order would have struck lines 7–8 of page 270 in Division B (Title III) of the substitute amendment, which was related to the Pell Grant program. This provision was a Change in Mandatory Program (CHIMP) estimated to increase spending by \$390 million over 10 years.

ADDITIONAL STATEMENTS

REMEMBERING PARKER GREENE

• Mr. PERDUE. Mr. President, today I wish to recognize a great loss suffered in my home State of Georgia and more specifically in the city of Valdosta. For more than 40 years, Parker Greene spent every day of his life thinking about how he could make a difference in his community by supporting the various missions at Moody Air Force Base, which is located just on the outskirts of Valdosta in South Georgia. Parker passed away on December 18, 2018, at the age of 86. He leaves behind a lasting legacy that will be remembered throughout my home State for decades to come.

Parker moved to Valdosta in 1970 and immediately became involved with the Valdosta-Lowndes County Chamber of Commerce. He was named to the military affairs committee and quickly developed a fondness for the airmen stationed at Moody, as well as the multiple missions housed at the base. Through the years, his level of advocacy for Moody continued to increase. The local community recognized this and created the Moody Support Committee and named Parker as its chairman. As chairman, Parker took countless trips every year to Washington, DC, to impress upon congressional and Department of Defense leaders the importance of maintaining a robust Air Force presence at Moody due to its strategic location in the southeastern U.S. and unmatched community support.

In the 1990s, when the Base Realignment and Closure Commission recommended closing Moody and moving its missions to other bases, Parker and the Moody Support Committee tirelessly walked the halls of Congress and the Pentagon to advocate for the removal of Moody from the BRAC list and to increase its mission presence. Parker's efforts proved successful. His determination allowed Moody to continue its mission, while sparing the Valdosta community from certain economic loss due to the closure of the base.

Following his successful efforts in the 1990s, Parker continued his work on Moody's behalf to relocate new missions to the base in order to diversify Moody's mission presence and further prove its strategic importance. In fact, in 2007, the newly constructed consolidated base support center at Moody was named after Parker because of his efforts on behalf of the base and its airmen. Former Air Force Chief of Staff Michael Moseley was at the renaming and presented Parker with the first-ever Chief of Staff Exceptional Service Award.

Several years later, Parker was awarded the highest honor the Air Force can bestow on a civilian: the Air Force Distinguished Public Service Award. The award stated that Parker "distinguished himself by service as an

Air Force advocate, with both an intimate knowledge of Air Force operations and a deep grasp of social and economic issues vital to Moody Air Force Base. He has expertly advised the Secretary of the Air Force, the Chief of Staff, and senior Air Force leaders on these matters while serving as an Air Force civic leader to the community surrounding the installation."

Of course, Parker could not have accomplished his many feats without the loyal and steadfast support from his lovely wife Dr. Lucy Greene. Together, they made an unstoppable duo, and Lucy proved to be as tireless an advocate for Moody as Parker. I know I speak for the entire State when I offer my heartfelt condolences to Lucy and their two children, Buck and Sharon.

While we mourn Parker and the loss to Moody AFB and south Georgia, I know that everyone can look at Parker's record of achievement and see an unparalleled legacy of selflessness, kindness, and service to others. I have no doubt that Moody will continue to be a leading example of Air Force excellence because of Parker's impact on the base and his advocacy for the region in Atlanta and Washington.●

REMEMBERING NORMAN W. DESCHAMPE

• Ms. SMITH. Mr. President, I would like to acknowledge the contributions and legacy of Norman W. Deschampe, the longtime chairman of the Grand Portage Band of the Lake Superior Chippewa, who recently passed away on February 9, 2019.

Norman Deschampe was born on February 26, 1953, and lived with a commitment to improving the lives of the people of the Grand Portage Band of Lake Superior Chippewa. For more than 40 years, Norman Deschampe served the people of the Grand Portage Band, first as a Tribal council member and later as secretary-treasurer and, for 27 years, as chairman. He also served for 6 years as vice president and 22 years as president of the Minnesota Chippewa Tribe.

Norman Deschampe's legacy includes a longstanding commitment to supporting the health, education, and economic development of the Grand Portage Band. He promoted environmental stewardship and fostered relationships with local, State, and Federal governments to encourage conservation on the reservation and beyond. Norman Deschampe encouraged the appreciation and preservation of the traditions and customs of the Grand Portage Band and is remembered by many for his kindness and generosity.

Norman Deschampe made a lasting contribution to the Grand Portage Band and the State of Minnesota, and I am proud to recognize his legacy as Minnesota celebrated Norman Deschampe Day on Tuesday, February 26, 2019.●

MESSAGES FROM THE HOUSE

At 10:01 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 47. An act to provide for the management of the natural resources of the United States, and for other purposes.

The message further announced that the House has passed the following joint resolution, in which it requests the concurrence of the Senate:

H.J. Res. 46. Joint resolution relating to a national emergency declared by the President on February 15, 2019.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 21. Concurrent resolution directing the Secretary of the Senate to make a correction in the enrollment of the bill S. 47.

At 11:15 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that pursuant to 22 U.S.C. 6913, and the order of the House of January 3, 2019, the Speaker appoints the following Member on the part of the House of Representatives to the Congressional-Executive Commission on the People's Republic of China: Mr. MCGOVERN of Massachusetts, Chair.

The message further announced that pursuant to section 2 of the Migratory Bird Conservation Act (16 U.S.C. 715a), and the order of the House of January 3, 2019, the Speaker appoints the following Member on the part of the House of Representatives to the Migratory Bird Conservation Commission: Mr. THOMPSON of California.

MEASURES REFERRED

The following joint resolution was read the first and the second times by unanimous consent, and referred as indicated:

H.J. Res. 46. Joint resolution relating to a national emergency declared by the President on February 15, 2019; to the Committee on Armed Services.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-395. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Abamectin; Pesticide Tolerances" (FRL No. 9987-32-OCSPP) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2019; to the Committee on Agriculture, Nutrition, and Forestry.

EC-396. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Waxes and Waxy Substances, Rice Bran, Oxidized; Exemption from the Requirement of a Tolerance" (FRL No. 9987-83-

OCSPP) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2019; to the Committee on Agriculture, Nutrition, and Forestry.

EC-397. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Subpart Nomenclature Change" (Docket No. APHIS-2018-0070) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2019; to the Committee on Agriculture, Nutrition, and Forestry.

EC-398. A communication from the Alternate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Exceptional Family Member Program (EFMP)" (RIN0790-AK38) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2019; to the Committee on Armed Services.

EC-399. A communication from the Chairman of the Board of Governors, Federal Reserve System, transmitting, pursuant to law, the Board's semiannual Monetary Policy Report to Congress; to the Committee on Banking, Housing, and Urban Affairs.

EC-400. A communication from the Chairman of the Board of Governors, Federal Reserve System, transmitting, pursuant to law, the Board's semiannual Monetary Policy Report to Congress; to the Committee on Banking, Housing, and Urban Affairs.

EC-401. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Administrative Updates to Personnel References" ((RIN1901-AB49)(10 CFR Part 903)) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2019; to the Committee on Energy and Natural Resources.

EC-402. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; New Mexico; Approval of Revised Statutes; Error Correction" (FRL No. 9989-09-Region 6) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2019; to the Committee on Environment and Public Works.

EC-403. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Texas; Reasonably Available Control Technology" (FRL No. 9989-61-Region 6) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2019; to the Committee on Environment and Public Works.

EC-404. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Nonattainment New Source Review Requirements for 2008 8-Hour Ozone Standard" (FRL No. 9989-99-Region 3) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2019; to the Committee on Environment and Public Works.

EC-405. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule en-

titled "Georgia: Final Authorization of State Hazardous Waste Management Program Revisions" (FRL No. 9989-93-Region 4) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2019; to the Committee on Environment and Public Works.

EC-406. A communication from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Prohibiting Persons with Certain Criminal Convictions from Serving as Representative Payees" (RIN0960-AH78) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2019; to the Committee on Finance.

EC-407. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Annual Report to Congress on the Prevention and Reduction of Underage Drinking"; to the Committee on Health, Education, Labor, and Pensions.

EC-408. A communication from the Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits" (29 CFR Part 4022) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2019; to the Committee on Health, Education, Labor, and Pensions.

EC-409. A communication from the Chairman of the Office of Proceedings, Surface Transportation Board, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Civil Monetary Penalties - 2019 Adjustment" (Docket No. EP 716) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2019; to the Committee on Commerce, Science, and Transportation.

EC-410. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Containment Installation, South of New Orleans, LA, Gulf of Mexico" ((RIN1625-AA00)(Docket No. USCG-2019-0030)) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2019; to the Committee on Commerce, Science, and Transportation.

EC-411. A communication from the Deputy Chief Financial Officer and Director for Financial Management, Office of the Chief Financial Officer and Assistant Secretary for Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Civil Monetary Penalty Adjustments for Inflation" (RIN0605-AA50) received during adjournment of the Senate in the Office of the President of the Senate on February 19, 2019; to the Committee on Commerce, Science, and Transportation.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. ALEXANDER for the Committee on Health, Education, Labor, and Pensions.

*William I. Althen, of Virginia, to be a Member of the Federal Mine Safety and Health Review Commission for a term of six years expiring August 30, 2024.

*William Beach, of Kansas, to be Commissioner of Labor Statistics, Department of Labor, for a term of four years.

*Mary Anne Carter, of Tennessee, to be Chairperson of the National Endowment for the Arts for a term of four years.

*Janet Dhillon, of Pennsylvania, to be a Member of the Equal Employment Opportunity Commission for a term expiring July 1, 2022.

*John Lowry III, of Illinois, to be Assistant Secretary of Labor for Veterans' Employment and Training.

*Scott A. Mugno, of Pennsylvania, to be an Assistant Secretary of Labor.

*John P. Pallasch, of Kentucky, to be an Assistant Secretary of Labor.

*Marco M. Rajkovich, Jr., of Kentucky, to be a Member of the Federal Mine Safety and Health Review Commission for a term of six years expiring August 30, 2024.

*Cheryl Marie Stanton, of South Carolina, to be Administrator of the Wage and Hour Division, Department of Labor.

*Arthur R. Traynor III, of the District of Columbia, to be a Member of the Federal Mine Safety and Health Review Commission for a term expiring August 30, 2022.

*Robert L. King, of Kentucky, to be Assistant Secretary for Postsecondary Education, Department of Education.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. VAN HOLLEN (for himself and Mrs. FISCHER):

S. 573. A bill to require the Securities and Exchange Commission to carry out a study of 10b5-1 trading plans, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. HARRIS (for herself and Ms. MURKOWSKI):

S. 574. A bill to amend the Internal Revenue Code of 1986 to modify the tax treatment of amounts related to employment discrimination and harassment in the workplace, including sexual harassment, sexual assault, and harassment based on protected categories; to the Committee on Finance.

By Ms. HARRIS (for herself and Ms. MURKOWSKI):

S. 575. A bill to deter, prevent, reduce, and respond to harassment in the workplace, including sexual harassment, sexual assault, and harassment based on protected categories; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MORAN (for himself, Mr. TESTER, Mr. BLUNT, Ms. WARREN, Mr. CRAMER, Mr. BLUMENTHAL, Mr. BROWN, Ms. COLLINS, Mr. MENENDEZ, Mr. MERKLEY, Mr. KING, Ms. BALDWIN, and Mr. WYDEN):

S. 576. A bill to amend title 38, United States Code, to provide for a presumption of herbicide exposure for certain veterans who served in Korea, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. LANKFORD (for himself and Mr. COONS):

S. 577. A bill to require the establishment of a process for excluding articles imported from the People's Republic of China from certain duties imposed under section 301 of the Trade Act of 1974, and for other purposes; to the Committee on Finance.

By Mr. WHITEHOUSE (for himself, Mr. COTTON, Mr. BENNET, Mr. TILLIS, Mr. REED, Mr. BLUNT, Mr. KING, Mr. CRAMER, Mr. BROWN, Mrs. CAPITO, Mr. COONS, Mr. RUBIO, Ms. HARRIS, Ms. MCSALLY, Mr. SCHUMER, Mr. WICKER, Mr. SANDERS, Ms. MURKOWSKI, Ms. KLOBUCHAR, Mr. BOOZMAN, Mr. BLUMENTHAL, Mr. ROUNDS, Mr. TESTER, Mr. KENNEDY, Mrs. SHAHEEN, Mr. CASSIDY, Ms. WARREN, Ms. COLLINS, Mr. MENENDEZ, Mr. MARKEY, Mrs. FEINSTEIN, Mr. BOOKER, Mr. MERKLEY, Ms. ROSEN, Ms. STABENOW, Mr. JONES, Mr. LEAHY, Mr. CARDIN, Mr. VAN HOLLEN, and Ms. SINEMA):

S. 578. A bill to amend title II of the Social Security Act to eliminate the five month waiting period for disability insurance benefits under such title for individuals with amyotrophic lateral sclerosis; to the Committee on Finance.

By Mr. MERKLEY (for himself, Mr. BENNET, Mrs. GILLIBRAND, Ms. HARRIS, Mr. BLUMENTHAL, and Ms. WARREN):

S. 579. A bill to provide grants to eligible local educational agencies to help public schools reduce class size in the early elementary grades, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. ERNST (for herself, Ms. HASSAN, Mr. ENZI, and Ms. SINEMA):

S. 580. A bill to amend the Act of August 25, 1958, commonly known as the "Former Presidents Act of 1958", with respect to the monetary allowance payable to a former President, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. PAUL (for himself and Mr. GRASSLEY):

S. 581. A bill to provide regulatory relief to alternative fuel producers and consumers, and for other purposes; to the Committee on Environment and Public Works.

By Ms. CORTEZ MASTO (for herself, Mr. CASSIDY, Ms. SINEMA, and Mr. MORAN):

S. 582. A bill to ensure that the Financial Crimes Enforcement Network works with Tribal law enforcement agencies, protects against all forms of terrorism, and focuses on virtual currencies; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. CORTEZ MASTO:

S. 583. A bill to provide for digital accountability and transparency; to the Committee on Commerce, Science, and Transportation.

By Mr. CORNYN (for himself and Mr. PETERS):

S. 584. A bill to extend the commitment of the United States to the International Space Station, to develop advanced space suits, and to enable human space settlement, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. WARNER (for himself, Mr. JONES, Mr. KAINE, Ms. BALDWIN, Mr. CARPER, Mr. COONS, Mr. KING, Mr. PETERS, and Ms. STABENOW):

S. 585. A bill to amend title XIX of the Social Security Act to provide the same level of Federal matching assistance for every State that chooses to expand Medicaid coverage to newly eligible individuals, regardless of when such expansion takes place; to the Committee on Finance.

By Mr. ROBERTS (for himself, Mr. TESTER, Mr. BARRASSO, Mr. BENNET, Ms. MURKOWSKI, Ms. BALDWIN, Mr. INHOFE, and Mr. ROUNDS):

S. 586. A bill to amend title XVIII of the Social Security Act to remove the 96-hour physician certification requirement for inpatient critical access hospital services; to the Committee on Finance.

By Mr. CORNYN (for himself and Mr. KAINE):

S. 587. A bill to promote economic partnership and cooperation between the United States and Mexico; to the Committee on Foreign Relations.

By Mr. KENNEDY:

S. 588. A bill to require State agencies to use Federal tax return information to verify income eligibility for Medicaid, the Temporary Assistance for Needy Families program, and the Supplemental Nutrition Assistance Program; to the Committee on Finance.

By Mr. LANKFORD (for himself and Ms. HASSAN):

S. 589. A bill to provide for a period of continuing appropriations in the event of a lapse in appropriations under the normal appropriations process, and establish procedures and consequences in the event of a failure to complete regular appropriations; to the Committee on Appropriations.

By Mr. COONS (for himself, Ms. MURKOWSKI, Ms. HARRIS, Mrs. HYDE-SMITH, Mr. GARDNER, Mrs. FISCHER, Mr. KENNEDY, Mr. ISAKSON, Ms. ERNST, Mr. ALEXANDER, Mr. RUBIO, Mr. BURR, Mr. PORTMAN, Mr. BLUNT, Mrs. CAPITO, Ms. COLLINS, Mr. TILLIS, Mr. SCOTT of South Carolina, Mrs. BLACKBURN, Ms. KLOBUCHAR, Mr. KING, Mr. CARDIN, Mr. SANDERS, Mr. CASEY, Ms. CORTEZ MASTO, Mr. VAN HOLLEN, Mr. SCHUMER, Mr. BOOKER, Ms. STABENOW, Mrs. FEINSTEIN, Mr. DURBIN, Mr. JONES, Ms. WARREN, Mr. PETERS, Mr. REED, Mrs. SHAHEEN, Mr. MERKLEY, Mr. MANCHIN, Mr. TESTER, Ms. HASSAN, Ms. CANTWELL, Mr. BENNET, Mr. LEAHY, Mr. BLUMENTHAL, Mr. WYDEN, Mr. WHITEHOUSE, Ms. BALDWIN, Ms. DUCKWORTH, Mr. KAINE, Mr. CARPER, Mr. MORAN, Mr. SULLIVAN, Mr. HOEVEN, Mr. WICKER, Mr. SCHATZ, Mr. MURPHY, Mr. MARKEY, Mrs. GILLIBRAND, Mr. WARNER, Mrs. MURRAY, Ms. SMITH, Mr. UDALL, and Ms. SINEMA):

S. 590. A bill to award Congressional Gold Medals to Katherine Johnson and Dr. Christine Darden, to posthumously award Congressional Gold Medals to Dorothy Vaughan and Mary Jackson, and to award a Congressional Gold Medal to honor all of the women who contributed to the success of the National Aeronautics and Space Administration during the Space Race; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. COLLINS (for herself and Mr. CASEY):

S. 591. A bill to assist States in improving guardianship oversight and data collection; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. COONS (for himself, Mr. TILLIS, Mr. MARKEY, Mr. RUBIO, Mr. MERKLEY, and Ms. SINEMA):

S. Res. 80. A resolution establishing the John S. McCain III Human Rights Commission; to the Committee on Rules and Administration.

By Mr. RUBIO (for himself, Mr. COONS, Mr. WICKER, Mr. DURBIN, Mr. JOHNSON, and Mr. GARDNER):

S. Res. 81. A resolution calling for accountability and justice for the assassination of Boris Nemtsov; to the Committee on Foreign Relations.

By Mrs. FISCHER (for herself and Mr. SASSE):

S. Res. 82. A resolution recognizing the 150th anniversary of the University of Nebraska-Lincoln; considered and agreed to.

By Ms. HIRONO (for herself, Ms. MURKOWSKI, Ms. BALDWIN, Ms. HASSAN, Ms. SINEMA, Ms. KLOBUCHAR, Mrs. FEINSTEIN, Ms. WARREN, Ms. CANTWELL, Ms. DUCKWORTH, Mrs. FISCHER, Mrs. CAPITO, Mrs. HYDE-SMITH, Mrs. HARRIS, Mrs. MURRAY, Mrs. SHAHEEN, Ms. STABENOW, and Ms. COLLINS):

S. Res. 83. A resolution designating February 2019 as "American Heart Month" and February 1, 2019, as "National Wear Red Day"; considered and agreed to.

By Mr. BOOKER (for himself, Ms. HARRIS, Mr. PAUL, Mr. REED, Mr. CARPER, Mr. BLUMENTHAL, Mr. MURPHY, Mr. JONES, Mr. MARKEY, Mr. CASEY, Ms. HASSAN, Mr. ALEXANDER, Mr. COONS, Ms. KLOBUCHAR, Mr. BENNET, Mrs. MURRAY, Mr. KAINE, Mr. SANDERS, Ms. MURKOWSKI, Mrs. GILLIBRAND, Mr. WHITEHOUSE, Mrs. FEINSTEIN, Mr. SCOTT of South Carolina, Mr. ISAKSON, Mr. RUBIO, Ms. CORTEZ MASTO, Mrs. SHAHEEN, Mr. PERDUE, Mr. WARNER, Mr. CARDIN, Mr. TILLIS, Ms. COLLINS, Ms. HIRONO, Ms. STABENOW, Mr. VAN HOLLEN, Ms. DUCKWORTH, Mr. PETERS, Mr. WYDEN, Mr. BLUNT, Mr. DURBIN, Mr. PORTMAN, Mr. CORNYN, Mr. GRASSLEY, Mrs. HYDE-SMITH, Mr. BURR, Mr. CASSIDY, Mr. LANKFORD, Mr. SHELBY, Mr. MORAN, Mr. SCOTT of Florida, Mr. SULLIVAN, and Mr. MENENDEZ):

S. Res. 84. A resolution celebrating Black History Month; considered and agreed to.

ADDITIONAL COSPONSORS

S. 25

At the request of Mr. CRUZ, the name of the Senator from Nebraska (Mr. SASSE) was added as a cosponsor of S. 25, a bill to reserve any amounts forfeited to the United States Government as a result of the criminal prosecution of Joaquin Archivaldo Guzman Loera (commonly known as "El Chapo"), or of other felony convictions involving the transportation of controlled substances into the United States, for security measures along the Southern border, including the completion of a border wall.

S. 94

At the request of Mr. BENNET, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 94, a bill to amend the Pittman-Robertson Wildlife Restoration Act to facilitate the establishment of additional or expanded public target ranges in certain States.

S. 133

At the request of Ms. MURKOWSKI, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 133, a bill to award a Congressional Gold Medal, collectively, to the United States merchant mariners of World War II, in recognition of their dedicated and vital service during World War II.

S. 164

At the request of Mr. DAINES, the names of the Senator from Idaho (Mr. RISCH) and the Senator from Michigan

(Mr. PETERS) were added as cosponsors of S. 164, a bill to amend title 10, United States Code, to remove the prohibition on eligibility for TRICARE Reserve Select of members of the reserve components of the Armed Forces who are eligible to enroll in a health benefits plan under chapter 89 of title 5, United States Code.

S. 169

At the request of Mr. CORNYN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 169, a bill to amend the Internal Revenue Code of 1986 to provide an exemption from gross income for civil damages as recompense for trafficking in persons.

S. 172

At the request of Mr. GARDNER, the names of the Senator from Mississippi (Mrs. HYDE-SMITH) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. 172, a bill to delay the reimposition of the annual fee on health insurance providers until after 2021.

S. 178

At the request of Mr. RUBIO, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 178, a bill to condemn gross human rights violations of ethnic Turkic Muslims in Xinjiang, and calling for an end to arbitrary detention, torture, and harassment of these communities inside and outside China.

S. 203

At the request of Mr. CRAPO, the name of the Senator from Tennessee (Mrs. BLACKBURN) was added as a cosponsor of S. 203, a bill to amend the Internal Revenue Code of 1986 to permanently extend the railroad track maintenance credit, and for other purposes.

S. 266

At the request of Mr. REED, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 266, a bill to provide for the long-term improvement of public school facilities, and for other purposes.

S. 267

At the request of Mr. CORNYN, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 267, a bill to provide for a general capital increase for the North American Development Bank, and for other purposes.

S. 326

At the request of Mr. UDALL, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 326, a bill to prohibit the use of amounts appropriated for military construction or the Army Corps of Engineers for the construction of barriers, land acquisition, or any other associated activities on the southern border without specific statutory authorization from Congress.

S. 383

At the request of Mr. BARRASSO, the names of the Senator from Oklahoma

(Mr. INHOFE) and the Senator from Maryland (Mr. VAN HOLLEN) were added as cosponsors of S. 383, a bill to support carbon dioxide utilization and direct air capture research, to facilitate the permitting and development of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines, and for other purposes.

S. 403

At the request of Mr. WHITEHOUSE, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 403, a bill to encourage the research and use of innovative materials and associated techniques in the construction and preservation of the domestic transportation and water infrastructure system, and for other purposes.

S. 409

At the request of Ms. HARRIS, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 409, a bill to posthumously award a Congressional Gold Medal in commemoration of Aretha Franklin.

S. 500

At the request of Mr. PORTMAN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 500, a bill to amend title 54, United States Code, to establish, fund, and provide for the use of amounts in a National Park Service Legacy Restoration Fund to address the maintenance backlog of the National Park Service, and for other purposes.

S. 503

At the request of Mr. BLUNT, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 503, a bill to amend the Internal Revenue Code of 1986 to provide the opportunity for responsible health savings to all American families.

S. 505

At the request of Ms. DUCKWORTH, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 505, a bill to ensure due process protections of individuals in the United States against unlawful detention based solely on a protected characteristic.

S. 518

At the request of Ms. CANTWELL, the names of the Senator from Washington (Mrs. MURRAY), the Senator from California (Mrs. FEINSTEIN), the Senator from Wisconsin (Ms. BALDWIN), the Senator from Connecticut (Mr. MURPHY), the Senator from Nevada (Ms. ROSEN), the Senator from Michigan (Mr. PETERS) and the Senator from Hawaii (Ms. HIRONO) were added as cosponsors of S. 518, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of certain lymphedema compression treatment items as items of durable medical equipment.

S. 524

At the request of Mr. TESTER, the name of the Senator from Arizona (Ms.

SINEMA) was added as a cosponsor of S. 524, a bill to establish the Department of Veterans Affairs Advisory Committee on Tribal and Indian Affairs, and for other purposes.

S. 546

At the request of Mrs. GILLIBRAND, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 546, a bill to extend authorization for the September 11th Victim Compensation Fund of 2001 through fiscal year 2090, and for other purposes.

S. 567

At the request of Mr. CRUZ, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 567, a bill clarifying that it is United States policy to recognize Israel's sovereignty over the Golan Heights.

S. 572

At the request of Mr. PERDUE, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 572, a bill to provide for additional supplemental appropriations for disaster relief.

S.J. RES. 1

At the request of Mr. CRUZ, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S.J. Res. 1, a joint resolution proposing an amendment to the Constitution of the United States relative to limiting the number of terms that a Member of Congress may serve.

S. RES. 14

At the request of Mr. MENENDEZ, the name of the Senator from Florida (Mr. SCOTT) was added as a cosponsor of S. Res. 14, a resolution affirming that the Government of Cuba's foreign medical missions constitute human trafficking.

S. RES. 74

At the request of Mr. PORTMAN, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. Res. 74, a resolution marking the fifth anniversary of Ukraine's Revolution of Dignity by honoring the bravery, determination, and sacrifice of the people of Ukraine during and since the Revolution, and condemning continued Russian aggression against Ukraine.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. COLLINS (for herself and Mr. CASEY):

S. 591. A bill to assist States in improving guardianship oversight and data collection; to the Committee on the Judiciary.

Ms. COLLINS. Mr. President, as Chairman of the Senate Aging Committee, I rise today to introduce, with the Committee's Ranking Member, Senator BOB CASEY, the "Guardianship Accountability Act of 2019," a bill that would assist States in improving guardianship oversight and data collection.

Protecting older Americans from financial fraud and exploitation has long been one of my top priorities as Chairman of the Aging Committee. According to the National Center for State

Courts, an estimated 1.3 million adults are under the care of guardians—family members or professionals—who control approximately \$50 billion of their assets. Guardianship is a legal relationship created by a court that is designed to protect those with diminished or lost capacity. We found, however, that in some cases, the system lacks basic protections against inappropriate use of guardianship and abuse by those in power, leaving the most vulnerable Americans at risk of exploitation.

In November 2018, the Aging Committee released a bipartisan report following a year-long investigation into State guardianship programs. Titled, “Ensuring Trust: Strengthening State Efforts to Overhaul the Guardianship Process and Protect Older Americans,” the report included a number of recommendations intended to help stem the wave of guardianship abuse, encourage reforms to State systems and restore trust in guardianship arrangements.

Throughout the course of our investigation, we heard harrowing tales from families around the Nation who have struggled with abusive guardians, unscrupulous individuals exploiting vulnerable Americans for their personal profit. Yet we also spoke with families who had heartening stories to share—of dedicated and faithful guardians stepping up to protect the assets of seniors with dementia and other conditions affecting their capacity. A good guardian can provide years of support for a protected individual, ensuring a full life directed, wherever possible, by the person’s own choices and preferences. Once a guardianship is imposed, however, the individual’s rights are removed, and oversight to protect the individual from abuse, neglect and exploitation becomes critical.

Our Committee gathered information, analysis and recommendations from States, courts, and organizations representing older Americans and those with disabilities around the country. We found signs of progress in a number of jurisdictions. For example, in 2017, Maine was the first state to enact the Uniform Law Commission’s Uniform Guardianship, Conservatorship, and Other Protective Arrangements Act. Among the reforms made to Maine’s guardianship system, this legislation highlighted the importance of exploring all options to limit or preclude the need for guardianship when appropriate, including the use of supported decision making. Maine’s law also mandates the regular review of reports filed by guardians to determine, among other things, whether the guardianship should continue and whether the guardian has complied with his or her duties.

Yet stories in the news continue to call our attention to this important issue. Appalling stories, such as that of a guardian from Nevada who allegedly used the guardianship process to financially exploit more than 150 individuals, and that of another guardian

from North Carolina who, along with an attorney, an advocate, and a professor, took advantage of two men under guardianship and allegedly stole hundreds of thousands of dollars, remind us of the vulnerabilities created by these relationships and the need for diligent oversight.

In the course of the Committee’s investigation, we received more than 100 comments identifying gaps in the system and, most important, offering solutions. The Committee found a pattern of barriers to proper oversight and a need for greater use of alternatives to guardianship. We found persistent and widespread challenges that require a nationwide focus in order to ensure the guardianship system works on behalf of the individuals it is intended to protect. The Committee’s report outlines policy recommendations at local, state and federal levels that would improve outcomes for Americans subject to guardianship.

The Guardianship Accountability Act, which we are introducing today, addresses many of the report’s recommendations. The bill would direct the Elder Justice Coordinating Council to establish a National Online Resource Center on Guardianship to collect and publish information relevant to guardianship for use by guardians, individuals subject to guardianship, as well as courts, states, local governments, and community organizations. The resource center would also publish model legislation and best practices developed pursuant to the Elder Abuse Prevention and Prosecution Act, compile and publish training materials for guardians, share research related to guardianship, and maintain a database on state laws regarding guardianship and the use of less restrictive alternatives. In addition, our legislation would also expand the availability of federal demonstration grants established by the Elder Justice Act, so funds can be used for developing state guardianship databases, for training for court visitors, and for sharing information on guardian background checks.

Combating financial abuse and exploitation of seniors requires law enforcement and social service agencies at all levels of government to work together, and the bipartisan Guardianship Accountability Act promotes this kind of collaboration. I urge my colleagues to support this bipartisan legislation.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 80—ESTABLISHING THE JOHN S. MCCAIN III HUMAN RIGHTS COMMISSION

Mr. COONS (for himself, Mr. TILLIS, Mr. MARKEY, Mr. RUBIO, Mr. MERKLEY, and Ms. SINEMA) submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 80

Resolved,

SECTION 1. JOHN S. MCCAIN III HUMAN RIGHTS COMMISSION.

(a) COMMISSION ESTABLISHMENT.—

(1) IN GENERAL.—There is established in the Senate the John S. McCain III Human Rights Commission (in this section referred to as the “Commission”).

(2) DUTIES.—The Commission shall—

(A) serve as a forum for bipartisan discussion of international human rights issues and promotion of internationally recognized human rights as enshrined in the Universal Declaration of Human Rights;

(B) raise awareness of international human rights violations through regular briefings and hearings; and

(C) collaborate with the executive branch, human rights entities, and nongovernmental organizations to promote human rights initiatives within the Senate.

(3) MEMBERSHIP.—Any Senator may become a member of the Commission by submitting a written statement to that effect to the Commission.

(4) CO-CHAIRPERSONS OF THE COMMISSION.—

(A) IN GENERAL.—Two members of the Commission shall be appointed to serve as co-chairpersons of the Commission, as follows:

(i) One co-chairperson shall be appointed, and may be removed, by the majority leader of the Senate.

(ii) One co-chairperson shall be appointed, and may be removed, by the minority leader of the Senate.

(B) TERM.—The term of a member as a co-chairperson of the Commission shall end on the last day of the Congress during which the member is appointed as a co-chairperson, unless the member ceases being a member of the Senate, leaves the Commission, resigns from the position of co-chairperson, or is removed.

(C) PUBLICATION.—Appointments under this paragraph shall be printed in the Congressional Record.

(D) VACANCIES.—Any vacancy in the position of co-chairperson of the Commission shall be filled in the same manner in which the original appointment was made.

(b) COMMISSION STAFF.—

(1) COMPENSATION AND EXPENSES.—

(A) IN GENERAL.—The Commission is authorized, from funds made available under subsection (c), to—

(i) employ such staff in the manner and at a rate not to exceed that allowed for employees of a committee of the Senate under section 105(e)(3) of the Legislative Branch Appropriation Act, 1968 (2 U.S.C. 4575(e)(3)); and

(ii) incur such expenses as may be necessary or appropriate to carry out its duties and functions.

(B) EXPENSES.—

(i) IN GENERAL.—Payments made under this subsection for receptions, meals, and food-related expenses shall be authorized only for actual expenses incurred by the Commission in the course of conducting its official duties and functions.

(ii) TREATMENT OF PAYMENTS.—Amounts received as reimbursement for expenses described in clause (i) shall not be reported as income, and the expenses so reimbursed shall not be allowed as a deduction under the Internal Revenue Code of 1986.

(2) DESIGNATION OF PROFESSIONAL STAFF.—

(A) IN GENERAL.—Each co-chairperson of the Commission may designate 1 professional staff member.

(B) COMPENSATION OF SENATE EMPLOYEES.—In the case of the compensation of any professional staff member designated under subparagraph (A) who is an employee of a Member of the Senate or of a committee of the

Senate and who has been designated to perform services for the Commission, the professional staff member shall continue to be paid by the Member or committee, as the case may be, but the account from which the professional staff member is paid shall be reimbursed for the services of the professional staff member (including agency contributions when appropriate) out of funds made available under subsection (c).

(C) DUTIES.—Each professional staff member designated under subparagraph (A) shall—

(i) serve all members of the Commission; and

(ii) carry out such other functions as the co-chairperson designating the professional staff member may specify.

(C) PAYMENT OF EXPENSES.—

(1) IN GENERAL.—The expenses of the Commission shall be paid from the Contingent Fund of the Senate, out of the account of Miscellaneous Items, upon vouchers approved jointly by the co-chairpersons (except that vouchers shall not be required for the disbursement of salaries of employees who are paid at an annual rate of pay).

(2) AMOUNTS AVAILABLE.—For any fiscal year, not more than \$200,000 shall be expended for employees and expenses.

SENATE RESOLUTION 81—CALLING FOR ACCOUNTABILITY AND JUSTICE FOR THE ASSASSINATION OF BORIS NEMTSOV

Mr. RUBIO (for himself, Mr. COONS, Mr. WICKER, Mr. DURBIN, Mr. JOHNSON, and Mr. GARDNER) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 81

Whereas Boris Nemtsov was a Russian statesman, who over twenty-five years of public service served as Member of Parliament, Governor of the Nizhny Novgorod Region, and First Deputy Prime Minister of Russia;

Whereas Boris Nemtsov throughout his life showed an unwavering commitment to the ideals of democracy, freedom, and the rule of law, and to upholding the rights and dignity of Russian citizens;

Whereas Boris Nemtsov was a powerful voice in opposition to the authoritarianism and corruption of Vladimir Putin's government, publicizing its abuses, leading street protests against election fraud and the war on Ukraine, and successfully advocating for international sanctions on human rights violators;

Whereas Boris Nemtsov was co-chairman of a leading opposition party, won election to the Yaroslavl Regional Duma in 2013, and was planning to run for the Russian Parliament in 2016 and challenge Vladimir Putin for the presidency in 2018;

Whereas, on the evening of February 27, 2015, Boris Nemtsov was shot in the back and killed as he walked across Bolshoi Moskvoretsky Bridge near the Kremlin in Moscow;

Whereas, on March 7 and 8, 2015, Russian authorities arrested five individuals, all of them natives of the Chechen Republic, on suspicion of carrying out the assassination, while a sixth suspect allegedly blew himself up during the attempted arrest;

Whereas the defendants were tried at the Moscow District Military Court, which on June 29, 2017, found them guilty of carrying out the assassination of Boris Nemtsov, and on July 13, 2017, sentenced them to different prison terms;

Whereas, at the time of the assassination, the now-convicted gunman, Zaur Dadayev, was serving as a Lieutenant in the Internal Troops of the Interior Ministry of the Russian Federation and as Deputy Battalion Commander in the “Sever” (“North”) Regiment stationed in the Chechen Republic, under the command of the Internal Troops Commander, General Viktor Zolotov, and the Kremlin-backed head of the Chechen Republic, Ramzan Kadyrov;

Whereas Ramzan Kadyrov has called Lieutenant Zaur Dadayev a “true patriot” and has publicly referred to Boris Nemtsov as an “enemy of Russia”;

Whereas by Decree No. 115 issued on March 8, 2015, President Vladimir Putin awarded Ramzan Kadyrov the Order of Honor;

Whereas, according to reports published in RBC newspaper on January 20, 2016, General Alexander Bastrykin, chairman of the Investigative Committee of the Russian Federation, has on two occasions prevented investigators from indicting Major Ruslan Geremeyev, Battalion Commander in the “Sever” (“North”) Regiment of the Internal Troops of the Ministry of Internal Affairs of the Russian Federation stationed in the Chechen Republic and a close associate of Ramzan Kadyrov, as an organizer in the assassination;

Whereas, according to reports published in Novaya Gazeta newspaper on December 9, 2016, operatives of the Federal Security Service of the Russian Federation in the Chechen Republic have failed to serve Major Ruslan Geremeyev with a summons for questioning as a witness, reporting to their superiors that on the sole occasion they attempted to do so, “nobody opened the door”;

Whereas, despite requests from the legal team representing Boris Nemtsov's family, the Investigative Committee of the Russian Federation and the Moscow District Military Court have refused to question high-ranking persons of interest, including Ramzan Kadyrov and General Viktor Zolotov;

Whereas the Investigative Committee of the Russian Federation has, to this day, not issued any indictments against the organizers or masterminds of the assassination of Boris Nemtsov, with the exception of Major Ruslan Geremeyev's driver, Ruslan Mukhudinov, who is named alongside “other unidentified persons”;

Whereas the Investigative Committee of the Russian Federation and the Moscow District Military Court have refused to classify the assassination of Boris Nemtsov under Article 277 of the Criminal Code as “encroachment on the life of a statesman or a public figure,” choosing instead Article 105 that deals with common domestic murders;

Whereas, throughout the proceedings at the Moscow District Military Court, the judge repeatedly disallowed questions relating to political motives behind the assassination;

Whereas the Federal Protective Service of the Russian Federation has refused to release video footage from the security cameras on Bolshoi Moskvoretsky Bridge from the night of the assassination, claiming in a letter to State Duma Member Dmitry Gudkov on November 6, 2015, that the bridge next to the Kremlin is “not a protected object”;

Whereas, on May 18, 2017, the Parliamentary Assembly of the Council of Europe appointed Lithuanian Member of Parliament Emanuelis Zingeris as its special rapporteur on the need to shed light on the background of the murder of Boris Nemtsov, with a mandate to review and report on the case and on the progress of the official Russian investigation;

Whereas, on May 24, 2018, the Russian Foreign Ministry informed Emanuelis Zingeris

that he is forbidden from entering the Russian Federation;

Whereas, at its twenty-seventh annual session held on July 7–11, 2018, the Parliamentary Assembly of the Organization for Security and Cooperation in Europe (OSCE) adopted a resolution urging Russian authorities to “undertake a new, full and thorough investigation into the February 2015 assassination of Boris Nemtsov”;

Whereas, on July 8, 2018, the Parliamentary Assembly of the Organization for Security and Cooperation in Europe held a public event to discuss the need for OSCE oversight of the official Russian investigation into the assassination of Boris Nemtsov;

Whereas the United States and the Russian Federation are full members of the Organization for Security and Cooperation in Europe;

Whereas the OSCE Moscow Document has established that “issues relating to human rights, fundamental freedoms, democracy and the rule of law . . . are matters of direct and legitimate concern to all participating States and do not belong exclusively to the internal affairs of the State concerned”;

Whereas, on February 27, 2018, Washington, D.C. designated the street in front of the Embassy of the Russian Federation as “Boris Nemtsov Plaza” to honor Mr. Nemtsov; and

Whereas, on February 22, 2019, the President of the Parliamentary Assembly of the Organization for Security and Cooperation in Europe, George Tsereteli, appointed Swedish Member of Parliament and Vice President of the Assembly Margareta Cederfelt as the rapporteur on the investigation of the assassination of Boris Nemtsov, with a mandate to review and report on the case and on the progress of the official Russian investigation: Now, therefore, be it

Resolved, That the Senate—

(1) commemorates the life of Russian opposition leader Boris Nemtsov and his work to advance democracy and human rights in Russia;

(2) condemns Vladimir Putin and his regime for targeting political opponents and working to cover up the assassination of Boris Nemtsov;

(3) urges the United States Government, in all its interactions with the Government of the Russian Federation, to raise the case of the assassination of Boris Nemtsov and underscore the necessity of bringing the organizers and masterminds to justice;

(4) supports the efforts by the Organization for Security and Cooperation in Europe and its Parliamentary Assembly to initiate oversight of the official Russian investigation into the assassination of Boris Nemtsov;

(5) calls on the Government of the Russian Federation to allow an impartial international investigation of the assassination of Boris Nemtsov and to cooperate with the Parliamentary Assembly of the Organization for Security and Cooperation in Europe and the Parliamentary Assembly of the Council of Europe in their ongoing inquiries over this case;

(6) calls on the Secretary of State and the Secretary of the Treasury to use their authority under the Sergei Magnitsky Rule of Law Accountability Act (title IV of Public Law 112-208) and the Global Magnitsky Human Rights Accountability Act (subtitle F of title XII of Public Law 114-328) to designate individuals whom they determine to have been involved in the assassination of Boris Nemtsov as perpetrators, organizers, or masterminds, on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury, freezing their assets and making them ineligible to receive United States visas; and

(7) calls on the Secretary of State, in consultation with the Director of National Intelligence, to prepare and submit to Congress a report detailing the circumstances of the February 27, 2015, assassination of Boris Nemtsov, including the list of individuals whom they determine to have been involved in the assassination as perpetrators, organizers, or masterminds, and identifying what measures, if any, have been taken by the Government of the Russian Federation to investigate this crime and bring its perpetrators, organizers, and masterminds to justice, and evaluating the effectiveness of such measures.

SENATE RESOLUTION 82—RECOGNIZING THE 150TH ANNIVERSARY OF THE UNIVERSITY OF NEBRASKA-LINCOLN

Mrs. FISCHER (for herself and Mr. SASSE) submitted the following resolution; which was considered and agreed to:

S. RES. 82

Whereas Congress passed the Act of July 2, 1862 (commonly known as the “First Morrill Act”) (12 Stat. 503, chapter 130; 7 U.S.C. 301 et seq.), which was signed by President Abraham Lincoln, to allow for the establishment of land-grant colleges offering programs teaching agriculture and the mechanic arts;

Whereas, on February 15, 1869, the Nebraska Legislature unanimously passed, and Nebraska Governor David Butler signed, legislation enabling the founding of the University of Nebraska;

Whereas the charter for the University of Nebraska established the University of Nebraska as a university “to afford to the inhabitants of this State, the means of acquiring a thorough knowledge of the various branches of literature, science and the arts”;

Whereas, in 1871, the University of Nebraska opened its doors to men and women across the State of Nebraska, with an inaugural class of 130 students;

Whereas the University of Nebraska, now known as the University of Nebraska-Lincoln, has grown to an enrollment of 25,820 students;

Whereas the University of Nebraska-Lincoln is a national leader in academic excellence, research, and service;

Whereas the University of Nebraska-Lincoln has a \$2,000,000,000 annual economic impact on the State of Nebraska, including more than \$300,000,000 in research expenditures each year;

Whereas the University of Nebraska-Lincoln provides more than 5,000 new graduates to the workforce each year;

Whereas the University of Nebraska-Lincoln serves the needs of students, families, and communities across the State of Nebraska through activities in all 93 counties of the State;

Whereas the University of Nebraska-Lincoln is a leader in research in areas such as—

- (1) water and agriculture;
- (2) national security and defense;
- (3) early childhood education; and
- (4) rural development;

Whereas the University of Nebraska-Lincoln is instrumental in celebrating the culture of the State of Nebraska and the region in which the State is located through—

- (1) the University of Nebraska State Museum;
- (2) the Center for Great Plains Studies;
- (3) the International Quilt Study Center and Museum; and
- (4) the Larsen Tractor Test and Power Museum;

Whereas the Husker athletic programs at the University of Nebraska-Lincoln create

pride and joy on the fields of play and in the hearts of alumni and fans;

Whereas the University of Nebraska-Lincoln has 333 Academic All-Americans, more than any other institution of higher education in the United States;

Whereas more than 200,000 alumni residing in all 50 States, and in countries around the world, are proud to call the University of Nebraska-Lincoln their alma mater; and

Whereas “There Is No Place Like Nebraska”: Now, therefore, be it

Resolved, That the Senate—

(1) commemorates the 150th anniversary of the University of Nebraska-Lincoln;

(2) commends the University of Nebraska-Lincoln for its status as a leading public university that excels in academics, athletics, and quality of life for students; and

(3) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to—

(A) the Chancellor of the University of Nebraska-Lincoln; and

(B) the President of the University of Nebraska system.

SENATE RESOLUTION 83—DESIGNATING FEBRUARY 2019 AS “AMERICAN HEART MONTH” AND FEBRUARY 1, 2019, AS “NATIONAL WEAR RED DAY”

Ms. HIRONO (for herself, Ms. MURKOWSKI, Ms. BALDWIN, Ms. HASSAN, Ms. SINEMA, Ms. KLOBUCHAR, Mrs. FEINSTEIN, Ms. WARREN, Ms. CANTWELL, Ms. DUCKWORTH, Mrs. FISCHER, Mrs. CAPITO, Mrs. HYDE-SMITH, Ms. HARRIS, Mrs. MURRAY, Mrs. SHAHEEN, Ms. STABENOW, and Ms. COLLINS) submitted the following resolution; which was considered and agreed to:

S. RES. 83

Whereas cardiovascular disease affects men, women, and children of every age and race in the United States;

Whereas, between 2003 and 2013, the death rate from cardiovascular disease fell nearly 30 percent, but cardiovascular disease continues to be the leading cause of death in the United States, taking the lives of approximately 800,000 individuals in the United States each year and accounting for 1 in 3 deaths across the United States;

Whereas congenital heart defects are—

- (1) the most common birth defect in the United States; and
- (2) the leading killer of infants with birth defects;

Whereas, each year, an estimated 790,000 individuals in the United States have a heart attack, of whom an estimated 115,000 die;

Whereas, in 2015, cardiovascular disease accounted for \$555,000,000,000 in health care expenditures and lost productivity;

Whereas, by 2035, cardiovascular disease will account for \$1,093,900,000,000 in health care expenditures and lost productivity annually;

Whereas individuals in the United States have made great progress in reducing the death rate for cardiovascular disease, but this progress has been more modest with respect to the death rate for cardiovascular disease in women and minorities;

Whereas many people do not recognize that cardiovascular disease is the leading killer of women in the United States, taking the lives of over 400,000 women in 2016;

Whereas nearly ⅔ of women who unexpectedly die of cardiovascular disease have no previous symptoms of the disease;

Whereas over ½ of all African-American adults have some form of cardiovascular dis-

ease, including 57.1 percent of African-American women and 60.1 percent of African-American men;

Whereas more Alaska Natives and American Indians die from cardiovascular disease than individuals from other ethnic groups;

Whereas it is estimated that 36 percent of Alaska Natives and American Indians who die of cardiovascular disease die before reaching 65 years of age;

Whereas Native Hawaiians have higher mortality rates and die at a younger average age from cardiovascular disease than other ethnic groups in Hawaii;

Whereas many minority women, including African-American, Hispanic, Asian-American, and Native American women and women from indigenous populations, have a greater prevalence of risk factors or are at a higher risk of death from heart disease, stroke, and other cardiovascular diseases, but are less likely to know of the risk;

Whereas, between 1965 and 2018, treatment of cardiovascular disease for women was largely based on medical research on men;

Whereas, due to the differences in cardiovascular disease between men and women, more research and data on the effects of cardiovascular disease treatments for women is vital;

Whereas extensive clinical and statistical studies have identified major and contributing factors that increase the risk of cardiovascular disease, including—

- (1) high blood pressure;
- (2) high blood cholesterol;
- (3) smoking tobacco products;
- (4) exposure to tobacco smoke;
- (5) physical inactivity;
- (6) obesity; and
- (7) diabetes mellitus;

Whereas an individual can greatly reduce the risk of cardiovascular disease through lifestyle modification coupled with medical treatment when necessary;

Whereas greater awareness and early detection of risk factors for cardiovascular disease can improve and save the lives of thousands of individuals in the United States each year;

Whereas, under section 101(1) of title 36, United States Code, the President is requested to issue an annual proclamation designating February as American Heart Month;

Whereas the National Heart, Lung, and Blood Institute of the National Institutes of Health, the American Heart Association, and many other organizations celebrate National Wear Red Day during February by “going red” to increase awareness about cardiovascular disease as the leading killer of women; and

Whereas, every year since 1964, the President has issued a proclamation designating the month of February as American Heart Month; Now, therefore, be it

Resolved, That the Senate—

(1) designates—

(A) February 2019 as “American Heart Month”; and

(B) February 1, 2019, as “National Wear Red Day”;

(2) supports the goals and ideals of American Heart Month and National Wear Red Day;

(3) recognizes and reaffirms the commitment of the United States to fighting cardiovascular disease—

(A) by promoting awareness about the causes, risks, and prevention of cardiovascular disease;

(B) by supporting research on cardiovascular disease; and

(C) by expanding access to medical treatment;

(4) commends the efforts of States, territories, and possessions of the United States,

localities, nonprofit organizations, businesses and other entities, and the people of the United States who support American Heart Month and National Wear Red Day; and

(5) encourages every individual in the United States to learn about his or her risk for cardiovascular disease.

SENATE RESOLUTION 84—CELEBRATING BLACK HISTORY MONTH

Mr. BOOKER (for himself, Ms. HARRIS, Mr. PAUL, Mr. REED, Mr. CARPER, Mr. BLUMENTHAL, Mr. MURPHY, Mr. JONES, Mr. MARKEY, Mr. CASEY, Ms. HASSAN, Mr. ALEXANDER, Mr. COONS, Ms. KLOBUCHAR, Mr. BENNET, Mrs. MURRAY, Mr. KAINE, Mr. SANDERS, Ms. MURKOWSKI, Mrs. GILLIBRAND, Mr. WHITEHOUSE, Mrs. FEINSTEIN, Mr. SCOTT of South Carolina, Mr. ISAKSON, Mr. RUBIO, Ms. CORTEZ MASTO, Mrs. SHAHEEN, Mr. PERDUE, Mr. WARNER, Mr. CARDIN, Mr. TILLIS, Ms. COLLINS, Ms. HIRONO, Ms. STABENOW, Mr. VAN HOLLEN, Ms. DUCKWORTH, Mr. PETERS, Mr. WYDEN, Mr. BLUNT, Mr. DURBIN, Mr. PORTMAN, Mr. CORNYN, Mr. GRASSLEY, Mrs. HYDE-SMITH, Mr. BURR, Mr. CASSIDY, Mr. LANKFORD, Mr. SHELBY, Mr. MORAN, Mr. SCOTT of Florida, Mr. SULLIVAN, and Mr. MENENDEZ) submitted the following resolution; which was considered and agreed to:

S. RES. 84

Whereas, in 1776, people envisioned the United States as a new nation dedicated to the proposition stated in the Declaration of Independence that “all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness . . .”;

Whereas Africans were first brought involuntarily to the shores of the United States as early as the 17th century;

Whereas African Americans suffered enslavement and subsequently faced the injustices of lynch mobs, segregation, and denial of the basic and fundamental rights of citizenship;

Whereas, in 2019, the vestiges of those injustices and inequalities remain evident in the society of the United States;

Whereas, in the face of injustices, people of good will and of all races in the United States have distinguished themselves with a commitment to the noble ideals on which the United States was founded and have fought courageously for the rights and freedom of African Americans and others;

Whereas African Americans, such as Lieutenant Colonel Allen Allensworth, Maya Angelou, Louis Armstrong, Arthur Ashe, Jr., James Baldwin, James Beckwourth, Clara Brown, Blanche Bruce, Ralph Bunche, Shirley Chisholm, Holt Collier, Miles Davis, Larry Doby, Frederick Douglass, W. E. B. Du Bois, Ralph Ellison, Medgar Evers, Aretha Franklin, Alex Haley, Dorothy Height, Jon Hendricks, Olivia Hooker, Lena Horne, Charles Hamilton Houston, Mahalia Jackson, Stephanie Tubbs Jones, B.B. King, Martin Luther King, Jr., Coretta Scott King, Thurgood Marshall, Constance Baker Motley, Rosa Parks, Walter Payton, Bill Pickett, Homer Plessy, Bass Reeves, Hiram Revels, Amelia Platts Boynton Robinson, Jackie Robinson, Aaron Shirley, Sojourner Truth, Harriet Tubman, Booker T. Washington, the Greensboro Four, the Tuskegee Airmen,

Prince Rogers Nelson, Recy Taylor, Fred Shuttlesworth, Duke Ellington, Langston Hughes, Muhammad Ali, Ella Fitzgerald, Mamie Till, and Edith Savage-Jennings, along with many others, worked against racism to achieve success and to make significant contributions to the economic, educational, political, artistic, athletic, literary, scientific, and technological advancement of the United States;

Whereas the contributions of African Americans from all walks of life throughout the history of the United States reflect the greatness of the United States;

Whereas many African Americans lived, toiled, and died in obscurity, never achieving the recognition those individuals deserved, and yet paved the way for future generations to succeed;

Whereas African Americans continue to serve the United States at the highest levels of business, government, and the military;

Whereas the birthdays of Abraham Lincoln and Frederick Douglass inspired the creation of Negro History Week, the precursor to Black History Month;

Whereas Negro History Week represented the culmination of the efforts of Dr. Carter G. Woodson, the “Father of Black History”, to enhance knowledge of Black history through *The Journal of Negro History*, published by the Association for the Study of African American Life and History, which was founded by Dr. Carter G. Woodson and Jesse E. Moorland;

Whereas Black History Month, celebrated during the month of February, originated in 1926 when Dr. Carter G. Woodson set aside a special period in February to recognize the heritage and achievements of Black people in the United States;

Whereas Dr. Carter G. Woodson stated, “We have a wonderful history behind us. . . . If you are unable to demonstrate to the world that you have this record, the world will say to you, ‘You are not worthy to enjoy the blessings of democracy or anything else.’”;

Whereas, since its founding, the United States has imperfectly progressed toward noble goals;

Whereas the history of the United States is the story of people regularly affirming high ideals, striving to reach those ideals but often failing, and then struggling to come to terms with the disappointment of that failure, before committing to try again;

Whereas, on November 4, 2008, the people of the United States elected Barack Obama, an African-American man, as President of the United States; and

Whereas, on February 22, 2012, people across the United States celebrated the groundbreaking of the National Museum of African American History and Culture, which opened to the public on September 24, 2016, on the National Mall in Washington, District of Columbia: Now, therefore, be it

Resolved, That the Senate—

(1) acknowledges that all people of the United States are the recipients of the wealth of history provided by Black culture;

(2) recognizes the importance of Black History Month as an opportunity to reflect on the complex history of the United States, while remaining hopeful and confident about the path ahead;

(3) acknowledges the significance of Black History Month as an important opportunity to commemorate the tremendous contributions of African Americans to the history of the United States;

(4) encourages the celebration of Black History Month to provide a continuing opportunity for all people in the United States to learn from the past and understand the experiences that have shaped the United States; and

(5) agrees that, while the United States began as a divided country, the United States must—

(A) honor the contribution of all pioneers in the United States who have helped to ensure the legacy of the great United States; and

(B) move forward with purpose, united tirelessly as a nation “indivisible, with liberty and justice for all.”.

AUTHORITY FOR COMMITTEES TO MEET

Mrs. LANKFORD. Mr. President, I have 10 requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today’s session of the Senate:

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, February 27, 2019, at 10 a.m., to conduct a hearing entitled “Policy principles for a Federal data privacy framework in the United States.”

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, February 27, 2019, at 10 a.m., to conduct a hearing.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, February 27, 2019, at 10:15 a.m., to conduct a hearing.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Wednesday, February 27, 2019, at 12:30 p.m., to conduct a hearing on the following nominations: William Beach, of Kansas, to be Commissioner of Labor Statistics, Scott A. Mugno, of Pennsylvania, and John P. Pallasch, of Kentucky, both to be an Assistant Secretary, Cheryl Marie Stanton, of South Carolina, to be Administrator of the Wage and Hour Division, and John Lowry III, of Illinois, to be Assistant Secretary for Veterans’ Employment and Training, all of the Department of Labor, Robert L. King, of Kentucky, to be Assistant Secretary for Postsecondary Education, Department of Education, Janet Dhillon, of Pennsylvania, to be a Member of the Equal Employment Opportunity Commission, Mary Anne Carter, of Tennessee, to be Chairperson of the National Endowment for the Arts, Marco M. Rajkovich, Jr., of Kentucky, William I. Althen, of Virginia, and Arthur R. Traynor III, of the District of Columbia, each to be a Member of the Federal Mine Safety

and Health Review Commission, and other pending nominations.

COMMITTEE ON HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Wednesday, February 27, 2019, at 2:30 p.m., to conduct a hearing entitled "Perspective on protecting the electric grid from an electromagnetic pulse or geomagnetic disturbance."

COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs is authorized to meet during the session of the Senate on Wednesday, February 27, 2019, at 2:30 p.m., to conduct a hearing entitled "The 45th anniversary of the Native American Programs Act and the establishment of the Administration for Native Americans."

COMMITTEE ON SMALL BUSINESS AND
ENTREPRENEURSHIP

The Committee on Small Business and Entrepreneurship is authorized to meet during the session of the Senate on Wednesday, February 27, 2019, at 2:30 p.m., to conduct a hearing entitled "Made in China 2025 and the Future of America Industry."

COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs is authorized to meet during the session of the Senate on Wednesday, February 27, 2019, at 10 a.m., to conduct a hearing.

SUBCOMMITTEE ON CYBERSECURITY

The Subcommittee on Cybersecurity of the Committee on Armed Services is authorized to meet during the session of the Senate on Wednesday, February 27, 2019, at 2:30 p.m., to conduct a hearing.

SUBCOMMITTEE ON PERSONNEL

The Subcommittee on Personnel of the Committee on Armed Services is authorized to meet during the session of the Senate on Wednesday, February 27, 2019, at 2:30 p.m., to conduct a hearing.

PRIVILEGES OF THE FLOOR

Mr. MERKLEY. Mr. President, I ask unanimous consent that my intern, Cyrus Johnson, be granted privileges of the floor for the balance of the day.

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

AMERICAN HEART MONTH AND
NATIONAL WEAR RED DAY

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 83, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 83) designating February 2019 as "American Heart Month" and February 1, 2019, as "National Wear Red Day."

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCONNELL. I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 83) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

CELEBRATING BLACK HISTORY
MONTH

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 84, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 84) celebrating Black History Month.

The PRESIDING OFFICER. Is there objection to proceeding to the measure?

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCONNELL. I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 84) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

ORDERS FOR THURSDAY,
FEBRUARY 28, 2019

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Thursday, February 28; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, morning business be closed, and the Senate proceed to executive session and resume consideration of the Wheeler nomination under the previous order.

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

ORDER FOR ADJOURNMENT

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the

previous order, following the remarks of our Democratic colleagues.

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

The PRESIDING OFFICER. The Senator from Massachusetts.

CLIMATE CHANGE

Mr. MARKEY. Mr. President, I am here today to talk about climate change and about our climate crisis.

Climate change is an existential threat to our country and the planet. We know this because the world's leading scientists—the United Nations Intergovernmental Panel on Climate Change—just made that very warning last year. The U.N. report told us that we have very limited time until we are past the point of no return and the most catastrophic impacts of climate change are irreversible. Our own Federal scientists across 13 Agencies also just warned in the "National Climate Assessment" that the impacts of climate change are not in the future but are happening in our communities right now. Here is what all 13 Federal Agencies said: "Our efforts do not yet approach the scale necessary to avoid substantial damages to the economy, environment, and human health."

These are Earth-shattering reports about the state of our Earth. These are the doomsday reports about what will happen if we do not take bold action.

The consequences of climate change will be dire: a tenfold increase in ice-free summers in the Arctic, a 99-percent loss of coral reefs, and a doubling of species lost around the world. In worst-case scenarios in the Northeast, by the end of the century, both the Massachusetts Institute of Technology and Logan Airport will be underwater. Climate emissions are not slowing down. In 2018, greenhouse gas emissions in the United States increased by 2.8 percent. We have a denier-in-chief in the White House.

This week, Republicans in the Senate are poised to confirm a coal lobbyist to be the head of the Environmental Protection Agency. It is unbelievable that we will confirm a coal lobbyist to be the head of our environment in our country. Andrew Wheeler's denial of the climate crisis should in and of itself be disqualifying. His record as a coal lobbyist should be disqualifying.

We should come together and reject Andrew Wheeler as the next head of the Environmental Protection Agency. The impact of climate change on ordinary families, on their health, on our Nation, on our security, and on our future is too urgent.

The United Nations tells us that climate change is an existential threat to the planet. It is the national security, health, economic, and moral issue of our time—of all time. We have a responsibility to act. We must be bold. We must be ambitious. That is why I have introduced the Green New Deal resolution, because it lays out a serious, bold, and aspirational set of goals

that meet the scale of the threat. It is a set of principles and not prescriptions. It challenges this country to find solutions to this problem.

The Green New Deal is a climate plan about net-zero emissions. The Republican climate plan is in zero existence. They don't have a climate plan. Republicans don't like the Green New Deal because they don't like a functional government. Republicans don't like the Green New Deal because they don't like climate science. Republicans don't like the Green New Deal because their allies—the oil companies, the coal companies, and the corporate polluters—don't like wind power or solar power or all-electric vehicles or the millions of blue-collar jobs they can create. We can save all of creation by engaging in massive blue-collar job creation in this country. Republicans don't like the Green New Deal because clean energy is a direct threat to the interests and the bottom line of Big Oil and King Coal.

The Green New Deal isn't just a socialist manifesto. It isn't pie in the sky. It isn't a takeover. It isn't any of the misinformation and distortions that Republicans and their fossil fuel allies have called it. The Green New Deal isn't, as the Republican leader called it this morning, "the far left's Santa Claus wish list dressed up to look like serious policy." If it were, then Republicans in this Chamber wouldn't care enough about it to spend their entire morning remarks on it, and the majority leader wouldn't be threatening to bring it to the floor without any hearings, without any expert testimony, without any amendments, and without any science.

Let's have the debate. Let's have the hearings. Let's bring in all the experts. Let's let the U.N. testify. Let's let our own scientists and every one of the Federal Agencies in America testify. Let's bring in all of the corporate executives right now on wind, solar, all-electric vehicles, and storage batteries in our society. Bring them in. Let's hear the stories. Instead, what we have is just an attempt to short-circuit the debate.

They may not believe climate change is an existential threat to human kind, but they are smart enough to know that the bold goals of the Green New Deal are an existential threat to the Koch brothers and all of their other corporate polluter and fossil fuel allies.

Let me just read some of what is in the Green New Deal that Republicans are opposed to: securing for all people of the United States for generations to come clean air and water, climate and community resiliency, healthy food, access to nature, and a sustainable environment.

Are Republicans opposed to access to nature? That is in the resolution. Are Republicans opposed to clean air and water? That is in the resolution too. Do you know what is not in the resolution? Ending airline travel. Do you know what is not in the resolution? No more cows.

Do you know what is not in the resolution? A prohibition on nuclear energy or carbon capture and sequestration. The Green New Deal resolution is bold, and it is aspirational in its principles, but it is not prescriptive in its policies.

Let's look at some of what is actually in this resolution: to create millions of good, high-wage jobs—I guess Republicans don't believe in that; to invest in the infrastructure and industry of the United States to sustainably meet the challenge of the 21st century—I guess Republicans don't believe in that; guaranteeing universal access to clean water, supporting family farming, cleaning up existing hazardous waste and abandoned sites, ensuring economic development and sustainability on those sites—I guess Republicans don't believe in those either. Those are all part of the Green New Deal and climate solutions.

We already know that Big Oil and King Coal and other fossil fuel companies don't want to compete with clean energy because that is a direct threat to their business plan.

Clean energy makes the air we breathe cleaner, it saves consumers money, it makes us safer, and it creates jobs.

In his remarks, the Republican leader called the Green New Deal "foolish and dangerous." With all due respect to the leader and my Republican colleagues, the only foolish and dangerous thing about the Green New Deal is to ignore the \$400 billion in damage to our country over the last 2 years from supercharged storms and wildfires all over California and all over the West.

To ignore the tens of trillions of dollars in damages we will see from climate change in the United States by 2100 is something that ultimately, from my perspective, is foolish and dangerous. An ounce of prevention is better than a pound of cure. Ignoring what is happening, ignoring the warnings from all of the top scientists in the world and in the United States and continuing on the same pathway—that is foolish, that is dangerous, and that is going to cost us tens of trillions of dollars in damages that would have been otherwise avoided if we unleashed a technology revolution in our country that would create millions of new jobs.

It is also dangerous to send our men and women in the military overseas to protect tankers of oil coming from the Middle East to the United States. We are still bringing in oil from Saudi Arabia. We are still bringing in oil from other countries in the Middle East. What if we could dramatically increase the fuel economy in the vehicles we drive? What if we could accelerate the pace to use all-electric vehicles? Wouldn't it be great if we could say that the day arrived when we never have to see another tanker of oil from the Middle East coming into our country? Would that not make us safer? Would that not give us better control of our own foreign policy and where we

send young men and women in uniform? I think it would.

I think it would be foolish and dangerous not to take that pathway. The superstorms, the wildfires, the rising seas, and the other extreme weather events—the impacts of climate change if we do not act boldly to stop it—that isn't just dangerous; that is an existential threat. That is what the world's scientists have called it.

The Green New Deal is dangerous for the status quo of doing nothing on climate change. It is dangerous for the Koch brothers and those who are used to killing off every climate debate before it gets a chance to start. It is dangerous for those who want us to limp into a frightening future with no plan and no protections in place. It is dangerous for those who benefit from the continued devaluation of our workers, the historic oppression of vulnerable communities, and from the continued destruction of the environment. Those are the ones who would think the Green New Deal is dangerous.

We want to support working families and support a safe climate future where all communities are protected. We welcome a debate on proposals for how to get there, but the science is clear as to where we need to end up.

The Republicans may think that the Green New Deal is just a resolution, but it is a revolution. It is a revolution. Young people want a green energy revolution in our country. They know we can do this. They know that all of these new technologies can be invented; all of these new technologies can be deployed.

It is not just a resolution; it is a revolution. All across this country, when the Republicans have refused to bring their climate plan out there because theirs is a party of science denial—the President is the "Denier in Chief" on climate science—then we are going to allow this problem to worsen and worsen and worsen.

Do you know who should know best? Donald Trump, because within 30 years, according to the science, Mar-a-Lago is going to become Mar-a-Lagoon. It is right on the coast. It has already begun to happen. It is just going to continue.

The President might be able to protect his property, but we are going to lose tens of trillions of dollars for the properties of other Americans because he decided that he was going to deny the warning that the scientists have presented to us.

When I was a boy, lying on the rug, looking at President Kennedy on the television, he challenged our country to send a mission to the Moon and to return that mission safely to the United States within 10 years.

When he gave that speech at Rice University, he made very clear in the speech that we would have to invent new metal alloys that did not exist. We would have to invent new transmission systems that did not exist, that we would have to return that mission safely from the Moon through heat half the

intensity of the Sun. We would have to complete it within 10 years, and we would have to do it not because it was easy but because it was hard. We had to be bold.

Because the challenge from the Soviet Union was so great, the United States did not have an option. Failure was not an option, and we completed that mission.

Well, the same thing is true here for a Green New Deal. Failure is not an option. The consequences will be catastrophic for our planet and for the United States of America, and the solution is to unleash this green energy job-creation engine. We now have 350,000 solar and wind workers in the United States. It is up from almost nothing in 2008. It has already happened over 10 years.

We had only 1,000 megawatts of solar in our country in 2008. We now have 62,000 megawatts of solar.

We had only 25,000 megawatts of wind. We now have 98,000 megawatts of wind.

We had only 2,000 all-electric vehicles in our country in 2008. We now have a million, and between Tesla and all of the other companies, they are going to sell 500,000 just this year in our country. They have invented new metals. They have invented new battery systems. They have invented new propulsion systems in order to solve those problems, but we still have a long way to go.

It is imperative that we put the tax breaks for wind and solar, for all electric vehicles, for batteries on the books and make them permanent because this problem is going to be solved only if we can convince the smartest young people in our country that all of the incentives, all of the policies are there and that their country has their back and wants them to solve the problem in the same way that our whole country had the back of NASA in the 1960s. If we do that, we will be successful. There is no question about it in my mind.

I am a technological optimist, and I hate the pessimism of the other side. I hate this “can’t do” mentality that they have, especially given what has happened in the last 10 years in electric vehicles and wind, solar, and storage technology breakthroughs. It is just really sad to hear this.

I think, ultimately, something is rising up across this country. Young people, especially, know it is time for the revolution. They know it is time to close the door on this era where all we do is indiscriminately use the atmosphere as a sewer for all of this carbon and all of these greenhouse gases.

I am very confident that one way or another this body will start to act or it is going to become one of the top two or three election issues in 2020 because this generation knows that the planet is running a fever. There are no emergency rooms on planets, and it is going to take action in this body in order to put the policies in place, in order to preserve this planet and hand it on better than we found it.

The challenge is great. The Green New Deal sets the framework for laying out how serious the problem is and how bold the action has to be to deal with that serious problem for our planet.

If we do it right, I think future generations will look back on ours in the same way we now look back on President Kennedy and that generation, and they will know that they discharged their historic responsibility to our country and to the planet.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Hawaii.

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

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

Ms. HIRONO. Mr. President, in many ways, Andrew Wheeler is a perfect example of a Cabinet appointment in the Trump era—conflicted, unethical, and hostile to the mission of the Agency he was nominated to lead.

He shouldn’t have been confirmed to this position as Deputy Administrator of the Environmental Protection Agency, the EPA, and he certainly shouldn’t be confirmed to lead the Agency on a permanent basis.

Prior to his service at EPA, Mr. Wheeler spent 8 years lobbying for many of the special interests that he is targeted or charged with regulating. For example, in his work for Murray Energy, whose president, Robert Murray, was among the largest donors to Donald Trump’s 2016 campaign, Mr. Wheeler worked to kill a rule that would have prevented coal companies from dumping mining waste into American streams and waterways.

As a lobbyist for Murray Energy, Mr. Wheeler also fought tooth and nail against President Obama’s Clean Power Plan, a forward-looking initiative that would have substantially reduced carbon emissions from power generation.

Mr. Wheeler’s client, Robert Murray, was present front and center as former EPA Administrator Scott Pruitt signed an Executive order to begin the process of dismantling the Clean Power Plan. I don’t think that was a coincidence.

After Mr. Wheeler’s confirmation as the EPA’s Deputy Administrator, he assured Bloomberg News in June 2018: “If I lobbied on something, I don’t think it’s appropriate for me to participate [in policymaking].”

Of course, he was lobbying on a lot of things for years. In fact, Mr. Wheeler participated in meetings with three former clients with interests before the EPA. Holding these meetings with former clients is a clear conflict of interest and ethical lapse. Andrew Wheeler fits right in with Donald Trump’s version of “draining the swamp,”

which is more like “come on in, the water’s fine.”

We have already had one EPA Administrator, Scott Pruitt, resign in disgrace over ethical lapses and potentially illegal behavior in office. We don’t need another.

Mr. Wheeler’s work at the EPA is also consistent with the hostility of Trump Cabinet officials to the core mission of the Department or the Agency that they are appointed to lead.

The EPA is the primary Agency charged with safeguarding the environment and protecting public health from dangerous and toxic chemicals. At its core, the EPA is tasked with making sure we have safe air to breathe and clean water to drink.

Yet, during his time as Deputy Administrator, Mr. Wheeler has championed a deregulatory agenda that fundamentally undermines the EPA’s core mission. Under Mr. Wheeler’s leadership, the EPA has proposed undermining the legal authority of the mercury and air toxics standard to reduce emissions of mercury and other toxic air emissions from coal and oil burning powerplants.

According to the Union of Concerned Scientists, mercury exposure can damage the nervous, digestive, and immune systems and is a serious threat to child development. The EPA’s current efforts to reverse these emission standards, in place since 2012, come after utilities across the country had already invested resources in reducing mercury emissions by 90 percent.

Under Mr. Wheeler’s leadership, the Trump administration has also proposed a dramatic weakening of fuel economy and greenhouse gas emissions standards for cars. Their proposed rule would increase air pollution from vehicles and would result in Hawaii families ending up paying thousands more dollars for gasoline to fill less efficient cars. Through his opposition to the Clean Power Plan and his efforts to repeal it at the EPA, Mr. Wheeler serves as a primary architect of the Trump administration’s assault on climate science and their refusal to act decisively against climate change. This assault can also be seen in a new proposed rule from the EPA that would exclude rigorous, peer-reviewed scientific studies under the guise of promoting scientific transparency.

At first glance, the rule sounds like something everyone should support, but like so many initiatives proposed by this administration, the rule’s true intent is much more sinister.

Insisting that policymaking rely only on studies that make all of their data public would exclude studies that rely on confidential medical information that by law cannot be made public. Limiting the factual basis on which the EPA can make decisions in this manner would have a catastrophic impact on public health.

If this rule had been in effect in 1993, the “Six Cities” study by the Harvard

School of Public Health would never have transformed the way we regulate air pollution in this country. The study showed that Americans living in cities with more air pollution have shorter lifespans than Americans living in cities with less air pollution.

Using confidential medical information, the study conclusively demonstrated that fine particulate matter that is smaller than 2.5 microns is exceptionally deadly to human beings. These findings, which have been backed up in subsequent studies, provide the basis for cost-benefit analyses done by EPA for future rules regulating air pollution. Undermining this kind of evidence-based policymaking would give industry the green light to pollute with fewer consequences.

This proposed rule is consistent with an administration-wide effort to promote ignorance in the face of the real threat climate change poses to national security, public health, and public safety.

Climate change is an issue where ignorance is not bliss. Ignorance is dangerous. The President's own top security officials agree. Director of National Intelligence Dan Coats, for example, issued a new worldwide threat that concluded that "climate hazards" like extreme weather, wildfires, droughts, and acidifying oceans are, "threatening infrastructure, health and water and food security."

In 2017, then-Secretary of Defense James Mattis told the Senate Armed Services Committee that "climate change is impacting stability in areas of the world where our troops are operating." He went on to say that "climate change is a challenge that requires a broader whole-of-government government response."

Instead of accepting the conclusions of his top national security officials, Donald Trump is following the recommendation of William Happer, a notorious climate denier and now a Senior Director on the NSC, to establish a new Presidential Committee on Climate Security.

Dr. Happer is particularly notorious for his assertion that "the demonization of carbon dioxide is just like the demonization of the poor Jews under Hitler. Carbon dioxide is actually a benefit to the world, and so are the Jews."

Anyone who makes this kind of outrageous analogy should not be entrusted to lead anything on climate security, in my view.

No one should doubt that the President and Dr. Happer have a preordained outcome in mind. They want to legitimize ignorance and denial of climate change and abandon tens of millions of Americans to the disastrous impacts of climate change in the coming decades.

I repeat, with climate change, ignorance is not bliss. It is dangerous. It is dangerous for a State like Hawaii that would be the hardest hit by the impact of climate change. With extreme weather, ocean acidification, coral

bleaching, and rising seas, climate change poses an existential threat to our State. It is one of the reasons Hawaii has implemented some of the most ambitious and aggressive policies to combat climate change in the country.

Hawaii was the first State to separately ratify the Paris climate agreement and has set an ambitious goal of becoming carbon neutral and generating 100 percent of our power from renewable sources by 2045. Hawaii's ambitious effort to confront climate change and the success we have already seen in moving toward our goals demonstrate that we can embrace similarly ambitious policies at the national level.

It is one of the reasons I have signed on as a cosponsor of the Green New Deal—an aspirational effort to transform our economy to combat climate change.

In the weeks since the plan was introduced, we have endured all kinds of mocking outrage from people who would rather stick their heads in the sand as science and fact deniers. They paint the Green New Deal as something scary and dangerous for the country. What is really scary and dangerous are people like them who deny that climate change is real and refuse to do anything about it in their steadfast support and alliance with the fossil fuel industry. History will not be kind to them.

Rejecting the nomination of Andrew Wheeler to serve as Administrator of the Environmental Protection Agency, we can take one step forward in the fight against dangerous ignorance.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, Henry David Thoreau once said: "What use is a home if you don't have a tolerable planet to put it on?"

We might just expand that question to say what use is anything if we destroy our planet because it is the only one we have. There is no planet B, no rescuing by going to some horrific other planet nearby. We have the gem, we have the treasure, and we have the responsibility to make sure we don't destroy it.

Here we are. Within a single human lifetime, we have increased the percent of carbon dioxide in the atmosphere by a dramatic amount—about 30 percent in my lifetime and more if you are older—and that chemistry change is really unseen in geological history on this planet, such a rapid change with rapid, deep growth.

That is why we are coming to the floor to keep talking about this issue, reach across the aisle, reach across the country, and find partners to say this isn't a blue or red issue. This isn't a city or rural issue. It affects us all, and we need to all work together to respond. As we do so, we need America to lead the world in responding.

Senator CARPER's resolution says a couple simple things. It says we recognize that we have a very warming cli-

mate on Earth. It says we recognize that human activity burning fossil fuel has consequences, and it calls on us to act. There we are. It is time to confront this enormous threat to our beautiful blue-green home in the middle of the cosmos.

There are some who say: That is so scary, so intimidating, so threatening. I just can't open my eyes or ears to hear that information. I have to pretend it is not real.

We are here in the Senate. We are here where we don't have the privilege of covering our eyes, our ears, pretending it is not happening. We have the responsibility to face this when others shy away and act.

There are others who say: You know, we just can't be sure exactly what is happening so let's wait another 10 or 20 years because we can't measure it as precisely as we want. It is like saying: Oh, cancer is ravaging my body, but I am not going to take any medicine because I am not sure if it has affected 15 percent or 16 percent of my cells. Well, you know you have cancer, and you know you need to act.

So there we are. Let us not let our heads be buried in the tar sands. Climate chaos is real. It is ravaging our planet. It is because of human activity, and we do have the responsibility to respond.

The year 2018 was one of the four hottest years on record. Nine out of the ten of the hottest years on record occurred since the year 2000. If we are looking at this chart, we don't see the Earth becoming any cooler. We see the Earth becoming a lot warmer. Four of the hottest years on record, 2018, 2017, 2016, and 2015—that was the last 4 years having been the 4 hottest years on record. The odds of that happening by accident is essentially none.

We have some very serious scientific heft weighing in. In October, the United Nations climate panel said we must act dramatically within this next decade. A month later, on Black Friday, we had the release of the "Fourth National Climate Assessment"—the Trump administration's "Fourth National Climate Assessment"—and it concluded that "Earth's climate is now changing faster than at any point in the history of modern civilization, primarily as a result of human activities."

There was a report from the Global Carbon Project that which found that global carbon emissions are going up. They went up 0.7 percent in 2018, hitting a record breaking 37.1 metric tons around the world. That is human activity putting out carbon dioxide that acts as a blanket on the planet. This isn't some new thought.

We go back to 1959. We had an eminent scientist who became better known for his work in the nuclear world, but he was asked to address the 100th anniversary of the petroleum industry. At that speech in 1959, he said: The energy you have unleashed and harnessed can do dramatic things to

change the world, but you have a couple of challenges. One challenge is that there isn't an infinite amount of petroleum in the ground. Another challenge is it creates carbon dioxide. It doesn't look like a pollutant because you can't see it and you can't smell it, but in fact, it traps heat. I think he framed it more scientifically, that it traps infrared energy.

He said that is going to be a problem, and, of course, we are seeing that problem all the time now. You don't need these scientific reports out of a global panel or a fourth assessment from the administration to tell us what is going on because we see the facts on the ground.

In my home State of Oregon, you can't move around the State without seeing the impact. In Eastern Oregon, you have the warmer winter. It is not killing the pine beetles. So the pine beetles are killing the trees. More pine beetles and less trees is not a good thing.

If you are over on the coast, the oyster men will tell you they had a big crisis in 2008 and 2009 because all of the baby oysters were dying, not because of a bacteria but because the acidity in the Pacific Ocean has gone up. How is that related? Because carbon dioxide is absorbed by the ocean and becomes carbonic acid. We burn so much carbon dioxide that we changed the acidity of the ocean. Can you imagine that is possible? It seems impossible, but it speaks to how much carbon dioxide we released within a few decades of human civilization on this planet.

You can keep going on with this story around Oregon. Our kelp beds are disappearing. They provide protection for all kinds of fish species. The kelp are dying because the blue sea urchins are eating them. The blue sea urchins are expanding rapidly because the starfish are dying because the ocean got too warm for them. It is one story after another. There is less irrigation water, less snowpack, warmer streams, and harsher conditions for trout and salmon all within the State of Oregon, and there are similar stories throughout our Nation.

Perhaps the most destructive factor, though, has been the increased number of forest fires. There are bigger fires, hotter fires, and a longer fire season. They are not just ravaging our forests but producing smoke that has a huge impact on our towns. We take a lot of pride in our wine in Oregon, and a lot of our grapes had smoke taint and weren't usable this last year.

We have towns where furniture salesmen said they couldn't sell the furniture because it had the lingering smell of smoke.

It had an impact on the entertainment world. The Shakespeare Festival had to shut down and partially move inside to smaller venues, which is having a huge impact on their finances and a huge impact on the tourism attraction.

This stuff is real. It is why we should all be here, Democrats and Repub-

licans, talking about the challenge and saying: What higher calling is there in our life than to come together to discuss this honestly and to work together to find solutions?

This isn't something where we can just say that the next generation can deal with it because the effects are cumulative. They build up. They become worse. It is a lot worse now than it was 10 years ago, and 10 years from now, it will be more so.

There is no easy, fast way to strip the carbon dioxide back out of the air. We can work at it, but it is not easy. We can plant more trees, yes, but, meanwhile, those hotter fires are killing more trees. Those pine beetles are killing more trees. In other words, it is urgent. The time to act is now.

In 1988 George H. W. Bush ran for President as an environmentalist. He announced he was going to take on global warming. His opponent, the Democrat, ran on the coal industry. That is not the same partisan alliance as you might hear today. George H. W. Bush said: "Our land, water and soil support a remarkable range of human activities, but they can only take so much and we must remember to treat them not as a given but as a gift."

Those words should echo in this Chamber. We have other words in this Chamber that seem to not address all of the facts that are right in front of us. One individual said: "The satellite says it ain't happening." Well, one could probably pick out some one piece of data from one satellite somewhere and say it doesn't show the story, but you collect all the data together and it is happening.

Here is a chart of how the globe is warming over time. It shows the difference in average temperatures. Here we are with just one tiny cache where there is a significant drop in temperature. There is a little bit of white and light blue showing that it stayed about the same, and there is a whole lot of red saying things are getting a lot worse. That is the collected data. Maybe there is some satellite that took a picture of one little spot here, but to cherry-pick data like that is dishonest.

We can't afford to pretend that things are OK when we are facing such a dramatic challenge to our blue-green home in the universe. NOAA, or the National Oceanic and Atmospheric Administration, works at this, and they record all kinds of data from all around the world.

Here is another chart that shows the Earth's climate record. This one shows the zigs and zags over time. We are going back to 1880, but if we look from 1880 to 1980, we see a significant rise in the temperature of the planet. If we go from 1980 until now, it is this absolutely frightening horror show of increasing temperature. That is what is happening when we talk about snowpacks. We talk about glaciers, we talk about coral, we talk about pine beetles, and we talk about 100 of these things where there is that feedback.

All of those affect humans. Those aren't just some abstract things, like if a tree falls in the woods but nobody hears it, did it really happen? Did we really hear it? Does it matter? No.

These reverberate back on our quality of life in this planet, including security concerns. The civil war in Syria that produced millions of refugees trying to get to Europe started with an extended drought because of the stresses of a warming planet.

Our military weighs in and says that climate chaos accentuates all the security concerns we have. It creates instability around the world. If one doesn't want to listen to the scientists, how about if we listen to our own military?

That is what the discussion of Senator CARPER's resolution is all about. That is what the Green New Deal is all about. The Green New Deal says a few simple things. It says we have a big problem. Check. Yes, we do. It says we need to take it on boldly and aggressively. Check. Yes, we do. It says when we take it on boldly, we can create millions of jobs, and that will be a good thing for our economy. Check. Yes, it is.

Creating those jobs is good. It says when we do that, we shouldn't leave our frontline communities behind. We should make sure those communities—rural communities and inner-city communities that have been left behind previously in different economic expansions—can't be left behind now. Check. That is absolutely right.

Let's make this economic surge benefit everyone in every community, with special attention to communities that have been struggling.

My colleague is here from Virginia. I am so glad he is. I am talking a lot about what is happening on the west coast of America. Perhaps he will fill us in a little bit on the perspective from the east coast. This is not one isolated spot on our planet. This is a concern to all of us. We need bipartisan work on this. Some suggest we put a fee on carbon. Let's have that conversation. Some suggest we provide more subsidies to renewable energy. Let's have that conversation. Some say we should do a green workforce—green corps training. Let's talk about that. Let's talk about every strategy we can bring to bear and come to a collective plan because there is no space in the urgency of this issue for us to retreat into blue and red corners. There is no time. It is unacceptable.

I feel it is such a privilege to come to this floor and be part of this conversation, and I encourage all of my colleagues to do likewise. There are few issues that threaten us on this scale, but this one does. Let's work together to save our country and save our planet.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. KAINE. Mr. President, I rise and want to compliment my colleague from Oregon for putting on the table the

need for this body—the greatest deliberative body in the world—to deliberate upon a situation of grave importance to the world—the reality of climate change and what we as American leaders can do to tackle it. I will take the floor to talk about this in the coming days.

VENEZUELA

Mr. President, I actually rise now not on this topic, which affects Virginia significantly, especially sea level rise, but I want to talk a little about the ongoing humanitarian crisis in Venezuela. I do this on behalf of Venezuelans. I do this on behalf of Venezuelan-Americans, many of whom live in Virginia, but I also do it on behalf of democracies, because what is happening in Venezuela today demonstrates, really, in just one country, a global battle between democracies and authoritarian nations.

Authoritarian nations are supporting the regime of Maduro, and the democracies of the world are supporting the interim government of President Guaido.

If you want to know, circa 2019, in the battle being waged between authoritarians and democracies, Venezuela is a place where you can see it in one country. You see this global challenge between democracy and dictatorship.

The Maduro regime has been destroying Venezuela, which is home to the world's largest oil reserve, and it was once, in recent history, the richest country in all of Latin America. It is now in full-fledged economic and political collapse, with nearly 80 percent of the country's population living below the poverty line and more than half of the families unable to meet their basic food needs.

Right now, inflation in Venezuela is 2.7 million percent and will grow to 10 million percent this year, and most Venezuelans can't afford one meal a day. Medicines and other lifesaving commodities are too expensive for the average citizen to purchase, while Maduro and his colleagues and cronies syphon funds from state-owned enterprises into personal accounts and prohibit humanitarian assistance from entering the country.

Infants have starved to death because their families couldn't afford or access formula. Infectious diseases like malaria, measles, and diphtheria, which were previously eradicated in Venezuela, are emerging as public health system catastrophes.

Maduro is using the power of the state to subjugate and repress the Venezuelan people. His security forces use detention, torture, and lethal force against demonstrators and political opposition in what the United Nations and the Organization of American States called possible crimes against humanity.

It has provoked a massive refugee crisis. There are 3.4 million people and

counting who have made the difficult decision to leave their homeland because life has become untenable. Many have come to Virginia and to the United States as they have fled two countries throughout the region and created Latin America's worst refugee crisis, which is worsening by the day. Make no mistake—this is a manmade political crisis in a beautiful nation with beautiful people that would have ample resources if it were not so poorly governed.

In May 2018, Maduro declared victory for a second term in office in an election so flawed that the Organization of American States, the European Union, and the United States refused to recognize it as legitimate.

Following months of protests, on January 23, the National Assembly, which is Venezuela's only democratic body, determined that Maduro had usurped the Office of the President, and in accordance with the Venezuelan Constitution's provision for succession—and this is important—the President of the National Assembly, Juan Guaido, assumed the role of the Interim President of Venezuela. Again, that was done pursuant to Venezuelan constitutional law. The announcement, which I supported, was swiftly backed by the United States, by the Organization of American States, and by over 50 countries worldwide, including most of the democracies of the West. In contrast, which nations are supporting the Maduro regime? They are Russia, China, Iran, Syria, Turkey, Cuba, Nicaragua, Bolivia, and Belarus—authoritarian nations.

There is a clear international divide between democracies and authoritarians. We must defend our convictions and bolster the democracies of the world. It is about supporting the Venezuelan people, but it is also about sending an important message globally that the United States remains confident that democracy is the way for people to achieve their hopes and dreams, and when authoritarians try to crush the democratic desires of populations, the United States should be an ally.

The United States should never tell another nation who its leader should be. We have no business being in regime change. We support free and fair elections. We support constitutions. That is why I support the current interim Government of Venezuela, which has been designated pursuant to the Venezuelan Constitution.

I recently met with the Guaido interim government's representative to the United States. I was encouraged to hear that the National Assembly's goal was to move to a democratic system and replace the interim government with a national government that would follow free and transparent elections, which Maduro has blocked repeatedly. Support for this goal must continue to come from the international community, the Organization of American States, and other democracies.

A caution: As a missionary in Honduras in the 1970s, I lived in a military dictatorship, and I am keenly aware of the history and the legacy of U.S. intervention in the Americas. That is why I was very troubled and remain troubled by the Trump administration's threats of military intervention in Venezuela. That would be a massive mistake. The rhetoric is reckless and counterproductive. Our leaders should not be bombastic and enflame a delicate situation that could go in the direction of violence and civil unrest. In fact, the suggestion of U.S. military intervention actually strengthens the hand of the dictator because the Maduro dictatorship would like to blame Venezuela's economic challenges on Uncle Sam or the West rather than on its own mismanagement of the economy. The United States should not be making military threats against Venezuela.

There are many steps we can take, though, that would be appropriate. I support the increase in direct U.S. humanitarian aid for the Venezuelan people as the transition unfolds. It is unbelievable that for years, the government has refused to allow humanitarian aid to enter the country to help its own people. The scenes we have seen over the past weekend of roadblocks on highways entering Venezuela and the Venezuelan military fighting to stop humanitarian aid from reaching citizens epitomizes the Maduro regime's ongoing disregard for the plight of everyday people.

I support the long needed aid package that will help international organizations provide assistance inside Venezuela that interim President Guaido welcomes and that former President Maduro should welcome as well. That is why I joined Senator MENENDEZ in cosponsoring the Venezuela Humanitarian Relief Act and the Rule of Law Act, and I will support them in their reintroductions.

I support the United States in its playing a role in convincing other nations and the Organization of American States to also stand for the people of Venezuela. OAS's leadership is very strong, but in the OAS, every member country has one vote. Venezuela has used its petroleum reserves to convince a number of Caribbean nations to back the dictatorship. I think the United States could use very plain diplomacy with Caribbean nations to get them to support the democracy, the current interim government, and we could do that and attain some significant success.

We should amplify the pressure we have applied by recognizing the interim government and deploying humanitarian assistance to the border. South America is absorbing 3.4 million refugees from Venezuela. The Trump administration condemns the brutality of the Maduro Government, but we are reducing our support for refugees from Venezuela and elsewhere.

I think the crisis warrants the extension of temporary protected status to

the Venezuelans who are already in the United States. If the Trump administration is serious about helping Venezuela recover from a devastating crisis, it cannot require Venezuelans to return to a deteriorating security situation there.

It is not our place to dictate the negotiated terms of a resolution that will end this crisis. That is the role and the responsibility of the people of Venezuela and their representatives, but the United States and the international community should create the right environment for those negotiations to go forward, and they should provide the assistance to allow this transition to occur.

We don't want to see greater violence or greater civil war in Venezuela. Interim President Guaido's offer of amnesty to Maduro's military and political supporters who wish to end their support for autocratic rule is a good step, as is his explicit call for a transitional government and free and fair elections. His role should and must remain that of a steward until those elections take place pursuant to the Venezuelan Constitution.

There is an example in the region. The peace agreement in Colombia signaled the end of six decades of conflict. The hemisphere is on a trajectory toward peace with there being no ongoing hostilities in the more than 30 countries. It is critical that we keep it that way.

In conclusion, during my time in Honduras, I learned a very important prayer that we used to say at mealtime. It was this: (English translation of the statement made in Spanish is as follows:) "Lord, give bread to those who hunger and hunger for justice to those who have bread."

I call on this body and our colleagues in the international community to support the people of Venezuela in their quest for both bread and justice.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

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

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

Mr. CARPER. Mr. President, before my colleague from Virginia leaves, I admire him so much. I just want to applaud him and applaud his early work as a missionary in Honduras.

During our past recess, Senator JEFF MERKLEY and I and four of our colleagues from the House were privileged to be a part of a 5-day congressional delegation to Honduras, Guatemala, and El Salvador. We were there to find out how the Alliance for Prosperity was being implemented, of which the Senator has been very supportive, as have I, in order to focus on hope, economic opportunity, crime, violence, and corruption.

The Alliance for Prosperity is focused on all of those matters. The United States puts up some of the money to address them, but we expect the other countries, including Honduras, to put up even more. It is like being at Home Depot—you can do it, and we can help. For every \$1 in El Salvador, they put up \$7, and we leverage our money to get the support of foundations, NGOs, private companies, and others to do their share. It is like turning the course of an aircraft carrier, and it is starting to turn.

Probably late this week—maybe tomorrow—I suspect Senator MERKLEY and I will want to have a colloquy on the floor. It would be great if the Senator could join us because he has forgotten more about that part of the world than we will ever know.

Thank you.

I didn't come to the floor to focus on that, but I am glad I had the chance to since Senator KAINE was here.

NOMINATION OF ANDREW WHEELER

Mr. President, I rise this evening to continue to share with my colleagues the concerns I have about the nomination of Andrew Wheeler to be the Administrator of the Environmental Protection Agency.

I want to talk for a couple of minutes about an issue that is important for all Americans, and that is reducing mercury and air toxic pollution that affect the health especially of our children.

As a number of our colleagues know, reducing mercury and air toxic pollution from our Nation's powerplants is something of a passion for me, and I know it is for some of my colleagues, too, Democrats and Republicans. In my home State of Delaware, for example, we have made great strides in cleaning up our own air pollution. Unfortunately, a number of the upwind States to the west of us have not made the same commitment.

When I was the Governor of Delaware, I used to say I could have literally shut down Delaware's economy—I could have taken cars, trucks, and vans off of highways and shut down every business—and we still would have been out of compliance for air quality because of the pollution from other States. That is because over 90 percent of Delaware's air pollution comes from our neighboring States—over 90 percent.

This air pollution is not only dangerous to our hearts, to our lungs, and to our brains, but it also costs a great deal in doctor and hospital bills and in our quality of life. It makes healthcare costs in Delaware more expensive than in other places where they get cheap electricity. We ended up having to clean up our emissions. We have more expensive electricity and higher healthcare bills. It is just not fair.

Delaware has depended on the EPA to ensure our neighbors do their fair share so that we can protect our citi-

zens in the First State. Just recently, Delaware petitioned the EPA under something called section 126 of the Clean Air Act, which requires upwind powerplants that are located in other States to turn on and fully operate their installed pollution technology. I will say that again—to use their installed pollution technology. They are not to turn it off but to leave it on.

Unfortunately, Mr. Wheeler ignored the health of Delawareans. The people of Maryland had the same concern, and the people of Connecticut had the same concern. He rejected all of our petitions. Talk about the Golden Rule. How is that consistent with the Golden Rule of treating other people the way you want to be treated? It flies in the face of it. We thought it was unforgivable.

Some of the air pollution that crosses our border is toxic. It is coming into our State as a silent killer. It wasn't too long ago that uncontrolled fossil fuel powerplants were the largest source of unregulated mercury and air toxics in the country—coal-fired powerplants.

For those who may not know, mercury and other toxics, such as lead, arsenic, benzene, and acid gases, that are emitted by uncontrolled coal-fired powerplants get into our airways, our waterways, and our seafood. As we breathe and ingest these air toxics, they build up in our bodies and cause cancer, respiratory illness, mental impairment, and even death.

Mercury pollution is especially dangerous for unborn children, who can suffer long-lasting neurological damage if they are exposed during their development at very early ages—even before they are born. The American Academy of Pediatrics has stated there is no safe level of mercury exposure for children—none.

Almost two decades ago, Senator ALEXANDER and I led legislation that required utilities to reduce mercury emissions by 90 percent. At the time, most utilities told us that it could not be done or that it would be too expensive to achieve.

In 2012, which was a few years later, the EPA implemented something called the mercury and air toxics standards—we call it MATS—which also required utilities to reduce their mercury emissions by 90 percent and other air toxic emissions by half.

Just as with the bill introduced by Senator ALEXANDER and me about a decade ago, many utilities claimed they could not meet those standards to reduce mercury and other air toxics. They predicted consumer rate spikes. They predicted mass powerplant closures. They predicted brownouts. They predicted blackouts. Luckily, those predictions were dead wrong. Under the 2012 MATS rule, the EPA determined it was appropriate and necessary to regulate air toxic plant emissions, like mercury, lead, arsenic, acid gases, and benzene, because of the health hazards of these pollutants. Today, believe it or

not, 7 years later, every utility is now in compliance with the mercury and air toxics rule—every one.

Powerplant mercury emissions are down by over 80 percent from just 7 years ago.

Compliance with MATS was done faster than predicted and for one-third the cost. Imagine that, faster than predicted, for one-third the cost, and we have gotten better results than we could hope for as well.

Let me go on. Consumer retail prices are lower today than they were before MATS was implemented. We are also seeing health benefits, as I said, occur faster than expected originally, and despite some of the original opposition, everyone now has embraced MATS. Isn't that amazing?

All these utilities and folks who opposed what Senator ALEXANDER and I were trying to do a decade ago, what the MATS rule that up to 12 years ago was trying to do—all the folks who were opposed to it then say: No, this is good. It didn't cost as much. We implemented it much faster than we had ever expected—better results than we had expected. So it is pretty amazing, a wonderful outcome—except over the December holiday break 2 months ago, for reasons unknown to me, Acting EPA Administrator Andrew Wheeler signed a proposal to remove the legal underpinnings of the mercury and air toxics standards, remove the legal underpinnings of the MATS rule.

Mr. Wheeler says this action was not intended to get rid of the rule. He says it was necessary and that the proposal strikes a balance. Everyone—everyone—industry, environmental groups, health groups—knows that is just not so. It is just not so.

No court has ordered this action, no utilities are asking for this action, and this proposal is not intended to protect public health.

Here is what EPA has done. In the proposal, EPA mimics flawed arguments used in a recent Murray Energy lawsuit against the MATS rule.

Like the lawsuit, EPA uses outdated data and deems that some benefits—like reductions in cancer, reductions in birth defects, reduction in asthma attacks—are no longer important and shouldn't even be considered.

Think about that. Think about that. Based on this information, EPA determined it is no longer appropriate and necessary for the Agency to regulate powerplant air toxic emissions—no longer appropriate and necessary to regulate mercury, to regulate lead, arsenic, acid gases, benzene pollution from powerplants. Imagine that.

Yet the Agency also proposes to keep the MATS rule which regulates powerplant air toxic emissions in place, even though it is simultaneously saying that the rule is not appropriate and necessary. This confusing conclusion opens the door for future lawsuits to vacate the MATS rule entirely.

That is our concern—not just my concern but a broadly held concern. By undermining the legal foundation of MATS, this proposal unnecessarily puts the MATS rule in legal jeopardy, and despite Mr. Wheeler's claim that he doesn't plan to eliminate the standards themselves, EPA is still requesting public comment in the proposal on whether to do just that.

If EPA is successful and the MATS rule goes away, air pollution control technologies on coal plants across the country will be turned off, just like the coal plants listed in Delaware's 126 petitions and up in Pennsylvania and I think to our west in West VA.

On this issue, Mr. Wheeler seems to be all alone. Environmentalists, States, labor groups, coal-fired utilities, religious leaders, the U.S. Chamber of Commerce all agree that the life-saving protections to limit mercury pollution should stay in place. They all agree. There are not a whole lot of things they all agree on. They all agree on this.

The stakeholders listed on this chart right over here over my shoulder and many more urge this administration not to move forward with their pro-

posal—not to move forward. Mr. Wheeler has chosen to ignore the chorus of the stakeholders who all hoped he would chart a more responsible path.

In talking with my Republican friends, I know many of them can't make sense of the EPA's efforts to undermine the MATS rule. They are as confused as I am by why Mr. Wheeler would be taking a step that will hurt public health and, frankly, hurt the industries that are required to implement this technology and protect our health.

I had hoped we could try to help Mr. Wheeler course correct on this issue during the nomination process. That just doesn't seem to be happening. His lack of willingness to change course on the MATS rollbacks is very troubling to me and one of the reasons I cannot support his nomination to be EPA Administrator at this time.

I have fought for almost two decades in this body to protect our children from mercury and air toxic pollution from powerplants. I am not going to back down. I am not going to go away.

For my colleagues who are concerned about regulating mercury, I would ask that you join me in opposing Andrew Wheeler's nomination vote tomorrow.

I yield the floor.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 7 p.m., adjourned until Thursday, February 28, 2019, at 10 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate February 27, 2019:

DEPARTMENT OF THE TREASURY

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.