

Please, join us in voting no on the motion to invoke cloture.

Thank you.

The PRESIDING OFFICER. All time is yielded back.

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 Scott Pruitt, of Oklahoma, to be Administrator of the Environmental Protection Agency.

Mitch McConnell, John Cornyn, Mike Rounds, Tim Scott, Johnny Isakson, Lindsey Graham, James M. Inhofe, David Perdue, Shelley Moore Capito, Roger F. Wicker, Orrin G. Hatch, Mike Crapo, James E. Risch, James Lankford, John Hoeven, John Thune, Deb Fischer.

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

The question is, Is it the sense of the Senate that debate on the nomination of Scott Pruitt, of Oklahoma, 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 legislative clerk called the roll.

The yeas and nays resulted—yeas 54, nays 46, as follows:

[Rollcall Vote No. 69 Ex.]

YEAS—54

Alexander	Flake	Murkowski
Barrasso	Gardner	Paul
Blunt	Graham	Perdue
Boozman	Grassley	Portman
Burr	Hatch	Risch
Capito	Heitkamp	Roberts
Cassidy	Heller	Rounds
Cochran	Hoeven	Rubio
Collins	Inhofe	Sasse
Corker	Isakson	Scott
Cornyn	Johnson	Shelby
Cotton	Kennedy	Strange
Crapo	Lankford	Sullivan
Cruz	Lee	Thune
Daines	Manchin	Tillis
Enzi	McCain	Toomey
Ernst	McConnell	Wicker
Fischer	Moran	Young

NAYS—46

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

The PRESIDING OFFICER. On this vote, the yeas are 54, the nays are 46.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Scott Pruitt, of Oklahoma, to be Administrator of the Environmental Protection Agency.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, I rise today to speak about the nomination of Attorney General Scott Pruitt to be the Administrator of the Environmental Protection Agency. Scott Pruitt is the right person to run the Agency, and we need to confirm him.

Over the past 8 years, the political leaders of the EPA have taken actions that have undermined the American people's faith in the Agency. They have pushed broad and sweeping regulations that have hurt our economy and have failed to protect our environment. These regulations include the so-called Clean Power Plan. This is a rule that will kill job growth in States like Indiana, Wisconsin, Ohio, and my home State of Wyoming. These also include regulations defining the term "waters of the United States." This was a classic example of Washington overreach. The Agency brought irrigation ditches, plowed farm fields, and even parking lot puddles under Federal control. With both of these rules, dozens of State governments have had to take Washington to court. Why? Well, to try to stop the crippling effects of these Washington-based regulations.

The Agency's outrageous actions have extended beyond these rules and have had real consequences for many American families. According to the chamber of commerce, since 2008 this regulatory rampage by the EPA has destroyed 19,000 coal-mining jobs nationwide. In Kentucky, nearly 4 out of every 10 coal-mining jobs have disappeared over the past 8 years. Ohio and Pennsylvania have each lost more than 1,000 fossil fuel electric power jobs during the same period. In West Virginia, 5,200 coal-mining jobs have vanished just since 2011.

The total cost of all of this new red tape from the Environmental Protection Agency is more than \$300 billion. The leadership at the EPA has failed. It has failed because a lot of their regulations are bad ideas.

That is not the only way the political leaders at the Agency have failed; they have actually hurt people and damaged the environment directly. In 2015, more than 3 million gallons of toxic wastewater spilled into the river at the Gold King Mine in Colorado. The government Agency charged with protecting our environment actually caused this spill and poisoned a river. This was a direct result of negligence on the part of the Environmental Protection Agency. This plume of toxic liquid flowed downstream to New Mexico and polluted the Navajo Nation's main source of drinking water and irrigation water.

In the final days of the Obama administration, the EPA then denied \$1.2 billion in damage claims from the farmers, the Native American tribes, and small businesses impacted by the EPA's own negligence.

In Flint, MI, old pipes and improperly treated water caused lead poisoning in children. When the leadership at the EPA learned of the issue, they failed to respond in a timely manner. The regional EPA administrator actually resigned following the incident.

For the last 8 years, the political leaders of this Agency have been reckless, irresponsible, and arrogant. Change is badly needed at the Environmental Protection Agency and Scott Pruitt will be that change. Mr. Pruitt has served as attorney general in the State of Oklahoma since 2011—6 years. He has worked to protect the environment in his State, while also working for the benefit of all the people of Oklahoma.

He has taken on polluters. He has worked across party lines to do it. When poultry farmers in Arkansas, a neighboring State to Oklahoma, were increasing phosphorous levels in the Illinois River that runs between the States, he worked with Arkansas' Democratic attorney general on a solution. They found a way to reduce pollution and establish permanent standards.

Former Arkansas Attorney General McDaniel, a Democrat, called Pruitt a "stalwart defender of sound science and good policy as appropriate tools to protect the environment in his State."

Scott Pruitt also helped negotiate a water rights settlement between tribes in Oklahoma. The deal will help preserve scenic rivers and lakes so they can be enjoyed for generations to come.

Scott Pruitt also stood up to industry when they caused pollution. That is why the entire Oklahoma congressional delegation has endorsed his nomination. He has been an advocate for the environment in Oklahoma, and he will be an advocate for the environment in Washington.

When the EPA overstepped its mission, Attorney General Pruitt led the charge to rein in Big Government Washington overreach. Time after time, Scott Pruitt worked with other States to challenge the Agency when it exceeded its authority. Under his leadership, this Agency will respect the rule of law.

Attorneys general from 24 States have endorsed Scott Pruitt as someone who can protect the environment while also protecting State decisionmaking. He has also won the support of small businesses and farmers around the country. Groups like the National Federation of Independent Business, the U.S. Chamber of Commerce, the National Association of Home Builders, the American Farm Bureau Federation, and many others have voiced their support for Mr. Pruitt.

As chairman of the Environment and Public Works Committee, I take the nomination process very seriously. Our committee thoroughly vetted Mr. Pruitt. We held a confirmation hearing that lasted more than 6 hours. That is by far the longest confirmation hearing for an EPA Administrator on record.

During this hearing, Attorney General Pruitt was asked more than 200 questions by Members of the committee. We had four rounds of questions—an unprecedented number. Our Democratic colleagues on the committee noted during the hearing how fair the process was. They said how much they appreciated the opportunity to ask so many questions. After the hearing, committee members submitted another 1,078 written questions to Mr. Pruitt to answer for the record. Again, this is the most ever for a nominee to be Administrator of the Environmental Protection Agency. His answers were thoughtful, and they were thorough. That is why I was very disappointed to see the Democrats on the committee decide to boycott the meeting to vote on the Pruitt nomination.

The minority complained that he didn't answer enough questions. Democrats have even complained that he has not been vetted thoroughly enough. That is ridiculous. Scott Pruitt is the most thoroughly vetted nominee we have ever had to lead this Agency. Democrats are using delaying tactics to slow down the confirmation of many of this administration's most important nominees. These boycotts and delay tactics do nothing to protect our environment or the health of Americans. Democrats are engaged in nothing more than political theater. They are wasting time while the Environmental Protection Agency needs a new Administrator.

Attorney General Pruitt has protected the environment in his home State. He is endorsed by his peers, and he has been thoroughly vetted for the job. He will make an excellent EPA Administrator. It is time for the Senate to confirm him.

Mr. President, at this time I ask unanimous consent to have printed in the RECORD the following items in support of Mr. Pruitt's nomination: First are two op-eds I authored, one is from FOX News that is entitled "For Eight Years, the EPA Has Made Life Hard for Too Many Americans. That's About to Change."

The second is from USA TODAY, entitled: "The Strong Leader the EPA Needs."

I also ask unanimous consent to have printed in the RECORD some other items: a letter from Dustin McDaniel, Democrat and Arkansas former attorney general. In the letter, he writes that he "saw firsthand how Attorney General Pruitt was able to bridge political divides and manage multiple agency agendas to reach an outcome that was heralded by most credible observers as positive and historic."

Another item for the RECORD is a letter from 24 State attorneys general who wrote in support of Mr. Pruitt's qualifications.

Also for the RECORD is a letter I received from J.D. Strong. He is the director of the Oklahoma Department of Wildlife Conservation. In the letter, Mr. Strong directly refutes a New York

Times article titled "Scott Pruitt, Trump's EPA Pick, Backed Industry Donors over Regulators."

Mr. Strong writes:

As a fifth generation Oklahoman and someone who has devoted my career to natural resource protection, I take great pride in the progress that has been made in improving Oklahoma's land, air, water, and wildlife resources.

He goes on to say—

For the past six years, General Pruitt has been instrumental in many of our successes and never asked me to compromise regulatory efforts to benefit industry.

Also, I would like to include in the RECORD an op-ed by Ed Fite, the former agency administrator of the Oklahoma Scenic Rivers Commission. He writes:

Scott Pruitt is one who is committed to finding a balance that protects and preserves our environment while at the same time affords an opportunity for a robust economy to exist. Achievement of one doesn't have to be exclusive of the other.

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

[FoxNews.com, Jan. 17, 2017]

SEN. BARRASSO: FOR 8 YEARS THE EPA HAS MADE LIFE HARD FOR TOO MANY AMERICANS. THAT'S ABOUT TO CHANGE

(By Sen. John Barrasso, M.D.)

Seventy-five thousand dollars per day. That's how much the Environmental Protection Agency threatened to fine a private land owner in my home state of Wyoming. The crime: digging a pond in his back yard.

This was an appalling overreach by the Obama administration's EPA and its regulation of American's property.

Sadly, this story is not unique.

For the past eight years, the EPA has abused and attacked far too many hard-working American families.

A regulatory rampage by EPA has led to the loss of thousands of coal mining jobs in Wyoming, West Virginia, Ohio, Pennsylvania, and Kentucky.

Wisconsin is poised to lose more than 20,000 jobs in the next decade because of the Obama administration's proposed regulations on carbon emissions.

The misguided obsession of the EPA has created needless economic burdens for Americans. It has, at the same time, put people's health in danger.

Negligence on the part of the EPA resulted in more than 3 million gallons of toxic wastewater being dumped into a river at the Gold King Mine in Colorado.

The plume of toxic liquid flowed downstream to New Mexico and polluted the Navajo Nation's main source of drinking and irrigation water.

In Flint, Michigan, aging pipes and improperly treated water caused lead poisoning in children. When EPA officials learned of the pending disaster, they failed to respond.

The agency's misplaced priorities are harming state governments as well.

North Dakota stands to lose more than \$100 million in tax revenue over the next four years because of the Obama administration's "clean power plan" regulations. The state will have to look to already-strapped families to make up the difference or else cut back on services.

Disregard for the consequences of its actions has become the trademark of the EPA for the last eight years. Policy goals and talking points have consistently taken priority over American families. This cannot be the case any longer.

As chairman of the Senate Committee on Environment and Public Works, I look forward to ushering in wholesale change at the EPA. I will be doing it alongside a committed and capable administrator.

President-elect Trump has named Oklahoma Attorney General Scott Pruitt to lead the EPA and to overhaul the agency. Attorney General Pruitt has seen the effects of over regulation in his own state and has worked to stop them.

Pruitt has distinguished himself by challenging the Obama administration on several of its most burdensome rules. He stood up for Oklahomans against the EPA's extreme regulations on greenhouse gasses, methane emissions, and cross state air pollution. He took action against unworkable water rules and air standards. He sued the federal government to make sure that it was interpreting the Clean Air and Clean Water Acts as Congress actually wrote them, not how it benefited President Obama's political agenda.

Attorney General Pruitt is respected by his peers for the work he has done. His work in Oklahoma protected the environment and strengthened the economy by standing up for states' rights. Attorneys general from 24 states authored a letter in support of his nomination. They know he can and will rein in Washington.

President-elect Trump has vowed that his administration will overturn two federal regulations for every new one it proposes. The administrator of EPA will play a vital role in keeping that promise. He must make sure that the agency meets its mission of protecting our environment—ensuring clean water, air, and land—while allowing our economy to grow.

Our committee is taking up the nomination of Attorney General Pruitt this week. I look forward to hearing more about his vision for the agency and how he will help get Americans back to work.

The EPA has made the last eight years hard for families in Wyoming and across rural America. Today, there is reason to be hopeful.

The status quo at the EPA is changing.

"THE STRONG LEADER THE EPA NEEDS"

(By John Barrasso)

The Environmental Protection Agency needs reform.

Anyone who doubts the deterioration at this once-respected agency should recall the summer of 2015, when the EPA spilled more than 3 million gallons of toxic wastewater into a Colorado river.

Last month, the EPA denied \$1.2 billion in damage claims from farmers, Native American tribes and small businesses. This disaster followed the EPA's mishandling of the water crisis in Flint, Mich.

The government agency responsible for protecting the environment and the health of Americans has been endangering the public's health.

The EPA has become a bloated regulatory behemoth that has lost sight of the needs of the American people and the environment. The agency's bureaucrats have been more preoccupied with pushing punishing new regulations.

This red tape killed thousands of jobs in energy-producing and manufacturing states such as West Virginia, Pennsylvania, Kentucky, Indiana, North Dakota and my state of Wyoming.

Oklahoma Attorney General Scott Pruitt, President Trump's nominee to lead the EPA, is committed to protecting the environment—ensuring clean air, water and land—while allowing the American economy to grow.

Pruitt will be the strong leader the EPA needs. He has seen the consequences of the agency's overreach, and he has worked to restore its original focus. He negotiated a water rights settlement with tribes to preserve scenic lakes and rivers.

He worked with Dustin McDaniel, a Democrat and former Arkansas attorney general, to reduce pollution in the Illinois River, which flows between their two states. He stood up to oil and gas companies that polluted his state's air and water. Pruitt has won bipartisan recognition and support. McDaniel called him a "staunch defender of sound science and good policy as appropriate tools to protect the environment."

Scott Pruitt will be an excellent EPA administrator, committed to reform.

STATE OF ALABAMA,
OFFICE OF THE ATTORNEY GENERAL,
Montgomery, AL, January 4, 2017.

Hon. JOHN BARRASSO,
Dirksen Senate Office Building,
Washington, District of Columbia.
Hon. TOM CARPER,
Hart Senate Office Building,
Washington, District of Columbia.

DEAR CHAIRMAN BARRASSO AND RANKING MEMBER CARPER: As the attorneys general of our respective states, we write to express our unqualified support for our colleague and the Attorney General of Oklahoma, E. Scott Pruitt, as Administrator of the U.S. Environmental Protection Agency,

As attorneys general, we understand the need to work collaboratively to address threats to our environment that cross state lines, as well as the importance of a federal counterpart in the EPA Administrator who possesses the knowledge, experience, and principles to work with our states to address issues affecting our environment. We believe that no one exemplifies these qualities more than Scott Pruitt.

As the Attorney General of Oklahoma, Mr. Pruitt developed expertise in environmental law and policy. He negotiated a historic water rights settlement with Indian tribes that preserved the ecosystems of scenic lakes and rivers; he worked with his Democrat counterpart in Arkansas to reduce pollution in the Illinois River; and he represented the interests of Oklahomans in rate cases against utility companies and in numerous actions against those who contaminated his state's air and water.

Attorney General Pruitt is committed to clean air and clean water, and to faithfully executing the environmental laws written by Congress. He believes that environmental regulations should be driven by State and local governments—a notion endorsed by Congress in the Clean Air Act and Clean Water Act. When our nation is confronted with issues affecting the environment that are not covered by a particular statute, Scott will come to Congress for a solution, rather than inventing power for his agency. He wholeheartedly believes in a strong Environmental Protection Agency that carries out its proper duties, providing a backstop to state and local regulators as they develop environmental regulations suited to the needs of their own communities.

Scott Pruitt is more than just an exemplary state attorney general, he is also our friend. A man of deep faith who is committed to his family and to his friends, Scott seeks always to do the right thing. His friendship and leadership have been invaluable to us over the years.

The Administrator of the Environmental Protection Agency plays a critical role in our Nation's government. Attorney General

Pruitt has proven over the course of his career that he has the right character, experience, and knowledge to serve as the Administrator of the EPA. We urge the Senate to confirm his nomination.

Sincerely,

Jeff Landry, Attorney General, State of Louisiana; Alan Wilson, Attorney General, State of South Carolina; Luther Strange, Attorney General, State of Alabama; Marty Jackley, Attorney General, State of South Dakota; Patrick Morrisey, Attorney General, State of West Virginia; Adam Laxalt, Attorney General, State of Nevada; Mark Brnovich, Attorney General, State of Arizona; Herbert Slatery, Attorney General, State of Tennessee.

Curtis Hill, Attorney General, State of Indiana; Brad Schimel, Attorney General, State of Wisconsin; Ken Paxton, Attorney General, State of Texas; Bill Schuette, Attorney General, State of Michigan; Doug Peterson, Attorney General, State of Nebraska; Chris Carr, Attorney General, State of Georgia; Sean Reyes, Attorney General, State of Utah; Wayne Stenehjem, Attorney General, State of North Dakota.

Leslie Rutledge, Attorney General, State of Arkansas; Pam Bondi, Attorney General, State of Florida; Lawrence Wasden, Attorney General, State of Idaho; Tim Fox, Attorney General, State of Montana; Derek Schmidt, Attorney General, State of Kansas; Josh Hawley, Attorney General, State of Missouri; Peter Michael, Attorney General, State of Wyoming; Mike DeWine, Attorney General, State of Ohio.

McDANIEL RICHARDSON
& CALHOUN, PLLC,
Little Rock, AR, January 18, 2017.

Re Attorney General Scott Pruitt's Nomination To Serve as Director of the Environmental Protection Agency.

Hon. JOHN BARRASSO,
Chairman, U.S. Senate Committee on Environment & Public Works, Washington, DC.

Hon. TOM CARPER,
Ranking Member, U.S. Senate Committee on Environment & Public Works, Dirksen Senate Office Building.

DEAR CHAIRMAN BARRASSO, RANKING MEMBER CARPER, AND MEMBERS OF THE U.S. SENATE ENVIRONMENT AND PUBLIC WORKS COMMITTEE: My name is Dustin McDaniel. I am an attorney in Little Rock, Arkansas. I served as the Democratic Attorney General of the State of Arkansas from 2007–2015. During that time, I served for three years as the Co-Chair of the Democratic Attorneys General Association, I am a member of the Democratic National Committee and was a strong supporter of Secretary Clinton's campaign for President. I am grateful for your work on this committee. I believe in the core mission of the Environmental Protection Agency. I believe that climate change is real and overwhelmingly the result of human activity. I believe that the United States has a moral obligation to lead the world in shaping climate policy. These challenges in a hostile political environment will be acutely felt by the next director of the EPA.

As you consider the nomination of my friend Scott Pruitt, I respectfully ask that you enter this letter into the record so that I may attempt to clarify what I believe to be unfair criticisms of the historic agreement negotiated between myself on behalf of the State of Arkansas and Attorney General Pruitt on behalf of the State of Oklahoma regarding water quality in the Illinois River watershed.

Prior to the elections of General Pruitt or myself, Oklahoma grappled with Arkansas

municipal water systems and Arkansas industry, primarily poultry companies, over increased phosphorous levels in the Illinois River watershed. Pollution was substantially impacting the water quality in one of Oklahoma's most scenic waterways. In 2003, an agreement was executed that would require that the phosphorous levels be reduced over the next 10 years to a level .037 parts per million. As a result, all parties on both sides of the state line worked diligently to substantially improve the water quality.

At the same time, then-Oklahoma Attorney General Drew Edmondson filed suit using an out of state plaintiffs' firm against Arkansas's poultry industry. Many criticized the litigation as taking the focus away from the environment and placing it on money damages. The State of Oklahoma's outside counsel presented their case to U.S. District Court Judge Gregory Frizzell. Almost all the claims were dismissed by the court. The evidence was fully submitted to the judge in March of 2010 on the remaining question regarding injunctive relief. To this day, no ruling in that litigation has been handed down.

As 2013, the ten-year deadline for the reduced phosphorous levels, was approaching, two things were evident: 1.) despite huge improvements in water quality, the phosphorous levels in the river would not be at .037 parts per million before the deadline, and 2.) research into the standard itself called into question its origin and basis in hard science.

The States of Arkansas and Oklahoma were facing a point of litigating against one another (again) over this issue to the detriment of all concerned, I approached General Pruitt to ask if we could reach a solution that would protect the environment and demonstrate to our citizens that we were committed to working together on their behalf rather than litigating against one another using taxpayer dollars for lawyers instead of scientists.

The resulting agreement reflects that Oklahoma enhanced, not relaxed, its enforcement of environmental protections. Scientists were appointed to establish the proper water quality metrics, establish a binding standard, and at no time were phosphorous abatement measures relaxed. It was an historic moment that demonstrated that cooperation in pursuit of environmental protection yielded better results than litigation. The resulting report was recently released from the commission and is available for your review, (See, www.ok.gov/conservation/documents/IR%202016.12.19%20Final%20Report.pdf)

Recent press accounts regarding these efforts unfairly mischaracterize the work that was done by General Pruitt and his team. He was a staunch defender of sound science and good policy as appropriate tools to protect the environment of his state. I saw firsthand how General Pruitt was able to bridge political divides and manage multiple agency agendas to reach an outcome that was heralded by most credible observers as both positive and historic.

As I am sure that this committee will have questions about this matter, I wanted to take this opportunity to add facts and context to an accomplishment that should stand as a credit to General Pruitt's career and qualifications for this nomination.

I sincerely appreciate the opportunity to submit this letter to you and to your committee and to be a part of the record in these proceedings. I thank you for your service to our nation,

Respectfully submitted,
DUSTIN MCDANIEL.

OKLAHOMA DEPARTMENT OF
WILDLIFE CONSERVATION,
Oklahoma City, OK, January 15, 2017.

Re Debunking New York Times article,
"Scott Pruitt, Trump's E.P.A. Pick,
Backed Industry Donors Over Regu-
lators," January 14, 2017.

Hon. JOHN BARRASSO,
Chairman, U.S. Senate Committee on Environ-
ment & Public Works, Washington, DC.

Hon. TOM CARPER,
Ranking Member, U.S. Senate Committee on En-
vironment & Public Works, Washington,
DC.

DEAR CHAIRMAN BARRASSO AND RANKING
MEMBER CARPER: Rarely do I feel compelled
to respond to a newspaper article, particu-
larly one that runs in a nationally renowned
news outlet like the New York Times. I've
learned over 23-years as a State environ-
mental regulator to value the media's role in
uncovering and exposing the truth, not to
mention the wisdom found in the quote,
"Never pick a fight with anyone who buys
ink by the barrel." However, the mistruths
propagated by the above captioned article
undoubtedly caught the attention of you,
your fellow committee members, and many
of your respective constituents just days be-
fore Attorney General Scott Pruitt's con-
firmation hearing for EPA Administrator,
and thus deserve a response from at least one
of the regulators that allegedly lost out to
industry donors.

First, it's worth noting that I spoke with
the New York Times for nearly fifteen min-
utes laying out the facts from my perspec-
tive as Oklahoma's former Secretary of En-
vironment and a plaintiff in the state's liti-
gation against the poultry industry, then
later as Director of the Oklahoma Water Re-
sources Board—the agency responsible for es-
tablishing the phosphorus standard re-
ferenced in the article. One would think such
experience deserves significant play in an ar-
ticle of this focus, yet more column space
was devoted to a retired employee of the
Oklahoma Department of Environmental
Quality who was incorrectly listed as the
leader of the agency's Water Quality Divi-
sion and wrongfully given credit for being
responsible for "overseeing the poultry-related
cleanup." The poultry industry and its re-
lated cleanup are governed by our Oklahoma
Department of Agriculture, Food & Forestry.
Rather than insinuating that Mr.
Derichsweiler retired out of frustration with
General Pruitt, instead of the fact that he
retired after 40 years of service to the State,
the New York Times should have at least di-
vulged that Derichsweiler currently serves
as Vice Chair of the Oklahoma Chapter of Si-
erra Club, an organization that has launched
a campaign to oppose General Pruitt's con-
firmation.

The facts that I shared in my interview
with the New York Times paint a completely
different picture than the article portrays. If
I were writing the headline, it would read,
"Pruitt Helps Deliver Water Quality Im-
provement in Oklahoma's Scenic Rivers." At
the end of the day, that has been Oklahoma's
goal in the Illinois River watershed for de-
cades, and that is what is happening during
General Pruitt's term as Attorney General.
As I stated to the New York Times, no State
Attorney General can force a Federal Judge
to rule, or I'm certain former Attorney Gen-
eral Drew Edmondson would have taken such
action during his last two years in office.
Rather than beating his head against that
wall, Pruitt helped Oklahoma negotiate a
new agreement with the State of Arkansas
that prompted not just a study of the appro-
priate phosphorus level necessary to protect
our shared scenic rivers, which the article
dismissed as trivial, but more importantly

provided for continued phosphorus controls
on wastewater and poultry facilities. For the
first time in my career, Oklahoma measured
decreasing phosphorus levels and water qual-
ity improvement in the Illinois River water-
shed beginning in 2012. While many people on
both sides of the border deserve credit for
this result, General Pruitt definitely was a
key player. This mere "study" ultimately
led to a recent agreement between the states
of Arkansas and Oklahoma wherein Arkan-
sas committed to meet a more stringent
phosphorus standard—another shocking de-
velopment for two states that have quarreled
for decades and quite the opposite result one
would expect from an Attorney General that
is being unfairly maligned as a shill for in-
dustry.

Rather than spend several more pages con-
testing the inaccuracies found in the New
York Times article, I will leave you with
this overarching truth. As a fifth generation
Oklahoman and someone that has devoted
my career to natural resource protection, I
take great pride in the progress that has
been made in improving Oklahoma's land,
air, water and wildlife resources. For the
past six years, General Pruitt has been in-
strumental in many of our successes and has
never asked me to compromise regulatory ef-
forts to benefit industry. On the contrary,
all of our projects and cases that involved
his office were given staff support at the
highest level and, more often than not, re-
sulted in more stringent environmental pro-
tections. Please do not confuse Pruitt as
being anti-environment because of his well
justified (and strongly supported by me) ef-
forts to counter the EPA's various attempts
to second-guess or usurp State authority.
Rather, he has been a strong ally in defend-
ing our ability to continue the great
progress that we've made in protecting Okla-
homa's environment at the state level—
progress that is too often impeded by Fed-
eral overreach and interference.

If I can be of further assistance as you
embark on your important task of reviewing
Mr. Pruitt's qualifications and disposition to
serve as EPA Administrator, please do not
hesitate to contact me. I've always found
Mr. Pruitt to be a man of great honesty and
integrity, so you should have the perfect op-
portunity in your hearing to gather facts be-
fore making your final decision. If truth pre-
vails, you will find what most of us in Okla-
homa know to be true: Scott Pruitt stands
for responsible, common sense, State-led en-
vironmental protection efforts that generate
positive results.

Respectfully,

J.D. STRONG,
Director.

[Jan. 12, 2017]

A FIRSTHAND PERSPECTIVE FROM A MAN IN
THE MIDDLE: PRUITT NOMINATION IS WELCOME
(By Ed Fite)

We have all heard much yammering, left
and right, about President-elect Donald
Trump having selected Oklahoma Attorney
General Scott Pruitt as the next head of the
U.S. Environmental Protection Agency. As a
conservationist and riverologist, I have
worked firsthand with Scott Pruitt and
know a good deal more about him than those
nationally that are attempting to malign
him.

I have made it my life's work and my ca-
reer to look after our states designated Sce-
nic Rivers. As a state employee and a re-
source facilitator (I cannot take care of
these valued-treasured water resources by
myself), I always find myself arguing for the
middle ground, for the workable solution
upon which both sides of an issue can agree.
I have looked and worked for real solutions,

and have implemented them with help from
all sides.

I have found that General Pruitt has al-
ways done right by our Scenic Rivers. He has
done every constructive thing that he told
me he would do. Furthermore, for the first
time ever, he has gotten the State of Arkan-
sas, which happens to have portions of the
streams we've designated as "scenic rivers"
originating in and flowing through their
state, to agree to Oklahoma's Scenic Rivers
Phosphorus Standard—an incredible environ-
mental accomplishment, the impact of which
cannot be understated. Instead of engaging
in years of inter-state litigation, he did this
by negotiating an agreement with Arkansas
Attorney General Dustin McDaniel, a prac-
tical and economical approach that will
yield enormous environmental benefits.

To understand the magnitude of this agree-
ment, one must consider that Oklahoma and
Arkansas have litigated over Illinois River
water quality for more than three decades.
The latest action brought by Oklahoma,
about abating water quality degradation
from the land-application of poultry waste in
the Illinois River watershed, has languished
for more than six years in the federal dis-
trict court. Many thought that when General
Pruitt took office he would abandon this suit
because he is also known for his staunch sup-
port of farming and ranching communities.
However, not only did General Pruitt allow
the case to be fully litigated, he proactively
sought this joint state solution to let science
determine the phosphorus standard for the
Illinois River. In the end, a study conducted
by Baylor University reinforced that the
phosphorus standard Oklahoma sought to
protect would remain.

Last, I have not seen him advocate disman-
tling the EPA. Rather, he has rightfully sup-
ported necessary laws but has challenged the
agency when they have written new rules
without Congress having given them author-
ity to do so. An administrative agency
should not decide what the law is in the ab-
sence of legislation.

And so, my middle-of-the-river view is that
Scott Pruitt is one who is committed to find-
ing a balance that protects and preserves our
environment while at the same time affords
an opportunity for a robust economy to
exist. Achievement of one doesn't have to be
exclusive of the other.

Mr. BARRASSO. I yield the floor.

The PRESIDING OFFICER. The Sen-
ator from Delaware.

Mr. CARPER. Mr. President, I just
want to follow up on the comments of
my friend, the chairman from Wyo-
ming, and I note that Scott Pruitt has
responded to more questions than any-
one in EPA history since Gina McCarthy,
the past Administrator who re-
sponded to more than 1,400 questions,
and she actually responded to them
completely, not evasively and not indi-
rectly. She needed more time, given
the volume of questions, and more time
was granted so she might more fully
answer the questions that were raised.
I just wanted to add that if I could.

Mr. President, I come to the floor to
share with you and with our colleagues
the reasons I oppose the nomination of
Attorney General Scott Pruitt to be
the EPA Administrator. Over the last
month, we have had a number of Presi-
dent Trump's nominees come before
the committee and be debated on the
Senate floor, as you know.

We have had multiple confirmation
hearings in a single day, with Members

running to and from hearings trying to learn more about nominees and get important questions answered. So I understand if some of my colleagues who have attended back-to-back hearings have not yet delved into Scott Pruitt's record as deeply as we have on the Environment and Public Works Committee, and that is why we are here today.

As ranking member of the Environment and Public Works Committee, I, along with my colleagues on the committee, have scoured Mr. Pruitt's record to the best of our ability with the somewhat limited information the nominee has provided.

We sat through his nomination hearing, where we asked him fundamental questions about his views on the role of the EPA and what he would do to protect our environment and public health. We submitted additional questions we had for the record and read through all of Mr. Pruitt's responses. We have done our due diligence with the information we received, and I want to share with my colleagues and all of those watching exactly why, based on this review, I cannot support Mr. Pruitt's nomination.

First, I think it is important to revisit just why the EPA is still so critical. This Agency was created 46 years ago by a Republican President named Richard Nixon with the support of a bipartisan Congress. Their task was implementing our Nation's most important clean air, clean water, and safe chemical laws. The EPA is required to use sound science to protect both our environment and our public health, and, by and large, the EPA has done it successfully—not perfectly but successfully for decades while our economy has continued to grow. Many people may not remember a time before the EPA, a time when States had to work individually to protect citizens in the communities in which they lived, a time before the Clean Water Act and Clean Air Act were signed into law, a time when businesses operating throughout the United States were faced with a myriad of conflicting State and local laws affecting our health and environment. The choking smog and soot of a half century ago seems unfathomable now. Rivers on fire and deadly toxic plumes sound like something almost for another world, impossible in our United States of America.

Today we have the luxury of largely forgetting these frightening circumstances, thanks to the efforts of the EPA and its employees, in partnership with State and local governments and with countries and companies and businesses across America. The EPA and its many partners throughout the country have been so successful that it is easy for some of us to forget why this Agency is so critical. Some may presume there is not much more for this Agency to do. That could not be further from the truth.

The environmental threats we face today are real. They don't respect

State boundaries. Over time, my State of Delaware has made great strides in cleaning up our own air pollution, but our work only goes so far.

In Delaware, like many States on the east coast, we sit at the end of what is known as America's tailpipe. Ninety percent of the pollution in Delaware comes from outside the First State, from plants hundreds of miles away in places like Kentucky, Ohio, my native West Virginia, Indiana, and throughout the Midwest.

As Governor of Delaware, even if I had eliminated every source of air pollution within our State by stopping every combustion source and ordering every motor vehicle off our roads, Delawareans would still face deadly doses of air pollution. Should Delawareans be forced to live with consequences of decisions made by polluters hundreds or even thousands of miles away from us? I don't think so. I don't think so. That is not the Golden Rule I know.

Fortunately, the EPA has recently implemented something called the good neighbor rule to make sure all States do their fair share to clean up our air. Every citizen in this country has a right to breathe clean air, regardless of where they live, whether they live in a downwind or an upwind State. That is why we have the EPA.

We have known for decades that most of the mercury in our fish comes from air pollution that is emitted from the dirtiest coal plants and then settles in our waterways. We know mercury is a powerful neurotoxin that accumulates in our body over time, threatening the health of this generation and generations to come. The EPA recently issued public health protections to clean up the toxic air pollution from our dirtiest coal plants, allowing families in Danville, where I grew up alongside the Dan River, and thousands of other communities that can once again eat fish from our rivers, lakes, and streams without concern of mercury poisoning. That is why we have the EPA.

Too often, when States and local communities are pinched for cash, they try to save money by shortchanging clean air and water protections. Improvements to infrastructure are often ignored, corners are cut, and solutions are adopted that may save dollars now but inflict costly unnecessary damage later.

As we have seen most recently in the city of Flint, MI, these cuts can have a terrible and even tragic impact on the health of the most vulnerable in our society, especially on the youngest among us. Today, the citizens of Flint still lack clean drinking water, and a new generation in that city which has been exposed to high levels of lead faces an uncertain future. That is why we have the EPA.

Many people don't know it, but Delaware is the lowest lying State in our Nation. The highest point in the State of Delaware is a bridge. Back home, the reality that our climate is changing is

not up for debate. Families and business owners face the stark realities of climate change almost every single day. Tackling that challenge is not just the right thing to do or what is best for Delaware's economy, it is a matter of survival. Our little State alone cannot stem the flow of greenhouse gases into our atmosphere that is largely causing our climate to change, our seas to rise, and our coastlines to retreat. Every State—every State—must do its fair share to safeguard our climate and their neighbors. That is why we have the EPA.

Examples of the air and water pollution produced by one State and fouling the air and water of others can still be found in too many parts of America, like the runoff from Pennsylvania that degrades the waters of the Chesapeake Bay or the haze exported from other States that oftentimes shrouds the Smoky Mountains and degrades visibility at the Grand Canyon. That is why we have the EPA.

Throughout my years in the Senate and as a member of the Environment and Public Works Committee, I have had the opportunity to consider the credentials of five different nominees to serve as EPA Administrator—individuals put forth by both Democratic and Republican Presidents. I have supported candidates in the past because they were able to clearly demonstrate their commitment—candidates like former New Jersey Republican Governor Christine Whitman and former Utah Governor Mike Leavitt. I was proud to support them both, proud of their service, and proud of their role as head of EPA. But I have supported candidates like them because they clearly demonstrated their commitment to advancing the mission of the EPA—the mission to protect human health and to protect our environment. Never have I been forced to consider a candidate to lead the EPA who has been so focused throughout his career on crippling the Agency he now seeks to lead or so hostile to the basic protections to keep Americans and our environment safe.

So, with that, I am going to close, and I will come back many times in the hours to come as we continue the consideration of this candidate's nomination.

I yield the floor.

The PRESIDING OFFICER (Mr. KENNEDY). The Senator from West Virginia.

Mrs. CAPITO. Mr. President, I am here to address an issue that I think is of great importance to this country and to this administration; that is, the nomination of Scott Pruitt to be the new EPA Administrator.

We are nearly 8 years removed now from what we consider—many of us, I think, particularly as we look back—the great recession. However, many American workers, their families, and their communities have yet to feel the benefits of any kind of a recovery. A key component to a slow recovery—the

slowest recovery since World War I—is the regulatory overreach coming out of this city—Washington, DC.

Since the end of the recession in June 2009, Federal agencies have burdened a weakened economy with thousands of pages of new rules, costing consumers billions of dollars. Tens of thousands of workers have lost their jobs. The EPA has perhaps become the poster child for this overreach, from restricting carbon emissions without the direction of Congress—and according to the clean air direction of Congress of what is important—to federalizing every stream, every pond, every wetland under the waters of the United States rule, to unilaterally banning virtually Appalachian coal mining by obstructing the permitting process and pursuing ozone standards that the vast majority of the country cannot meet. The vast majority of the country is still trying to meet the ozone standards that were established under the last regulation.

I support the mission of the EPA in protecting human health, in protecting our air and our water, but there has to be a balance. There has to be a balance between growing the economy and preserving the environment. Over the last several years, we have seen that balance very disrupted. This disruption is at odds with the law and the well-being of many of our working families.

This has been acutely felt in my State of West Virginia where we have lost more than 35 percent of our coal jobs since the year 2011. That is more than 7,000 jobs eliminated in a relatively small State like West Virginia, and many of these jobs are very high-paying jobs.

As a nation, we have lost more than 60,000 coal miners in the same time-frame. This has hurt our workers, our families, our communities, and our State.

The loss of good-paying jobs means less commercial activity. It means less tax revenue to support our education, our county school systems, our county ambulances, our county sheriff's departments, and our law enforcement. For example, little old Wayne County in West Virginia has lost 88 percent of its coal severance taxes between 2013 and 2016. This year, our Governor and our legislature are struggling right now with a \$500 million budget deficit, largely due to the loss of our coal jobs.

Patching that shortfall could mean significant tax increases, painful cuts in public services, or both, which could further hurt and cripple our local economy. It will be a long road undoing the legal and economic damages suffered over the last several years.

Voters in my State and across the country have made it clear that fixing Washington includes meaningful reforms for the way that the EPA operates and has been operating.

So what do we have before us? We have a great nominee for EPA Administrator, Scott Pruitt, who is presently the attorney general of another en-

ergy-producing State—Oklahoma. Scott is committed to returning the Agency to its core mission of protecting our air, our water, and our land without undercutting the economy. At least, we know that he will listen to the other side and try to be reasonable.

He will ensure that the EPA abides by congressional intent, and he will be an active partner with State and local stakeholders in the rulemaking process.

Going back to the stream buffer rule and the reason that fell apart—and I am so pleased that the President is going to be signing the CRA on that today—the EPA invited States to come in and speak about the rulemaking process. Within months, it became very apparent to the States that are charged with protecting the water that this is just window dressing. They realized: They are not listening to us, and they don't really want us to buy in. Eight of those States left.

So as the attorney general for the State of Oklahoma, he has held industry to account as well protected lakes and streams in his State. I asked him in the committee: If the State or local government doesn't intervene in what looks to be an environmental issue—not just a crisis, but if they are not doing their job in protecting the air and the water—what would you do as the EPA Administrator? He said: That is where we should be stepping in. That is where we should be helping those States meet those standards, helping those States get the right information.

So I think he is going to be unafraid to take on the EPA when it is set to ignore a State's sovereignty.

Mr. Pruitt is the most thoroughly vetted candidate for this position in history. He fielded 6 hours' worth of questioning before the Committee on Environment and Public Works, where I serve. During that hearing, he assured me that he will engage directly with the State of West Virginia and visit our State. We could never get the EPA Administrator to visit our State and listen to our side. He will visit our State, listen to our side, and reform the rulemaking process to prevent another open assault on our economy by unelected bureaucrats.

He also committed to me that he would pursue full implementation of the bipartisan Frank R. Lautenberg Chemical Safety for the 21st Century Act, a bill on which we joined together—Republicans and Democrats, both sides of the aisle, with President Obama—to modernize our toxic chemical regulations in terms of water.

This is important to me. I was talking to my colleague from Michigan about this issue. We had a water crisis in West Virginia where we had a large chemical spill. This bill, under Scott Pruitt's leadership and my pressing for the implementation, as others will be, will help us in situations like this.

Beyond the over 200 questions he answered in the hearing, he answered more than 1,000 followup questions. He

is the most thoroughly vetted nominee for Administrator in the history of the EPA. I am confident—very confident—as he assured me in committee and in personal meetings, and I have watched him in action in terms of questioning the overreach in the court systems. He has worked with our attorney general, Patrick Morrisey, to be the leader in this.

I have confidence that he embodies the leadership that we need to restore the balance and accountability to the EPA in a way that will benefit the public health and benefit environmental preservation, as well as restore much-needed economic growth that needs to be a part of the balance that we want to see restored back to the EPA.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, let me say first that I join with the distinguished Senator from West Virginia in expressing concern about our water infrastructure and water issues. As many of us know, we have had terrific challenges in Flint, MI, with an entire water system being unable to be used because of lead poisoning and the terrible decisions made, primarily at the State level.

I was very concerned—when I speak about Mr. Pruitt and his nomination—that when asked by Senator CARDIN if he believes there is any safe level of lead that can be taken into the human body, particularly a young person, he said that this is something he hasn't reviewed and doesn't know anything about. That is deeply concerning to me—that the person who would be heading the EPA would not know anything about lead poisoning and what that means, first of all, in a child's body, where it is poisoned and affects their development throughout their life. It is critically important for us in Michigan—and there are many, many places where there are serious water quality issues that need to be addressed—that we have someone who understands the science and the need for clean water rules and protecting our waters so that any family, any community can have the confidence of turning on the faucet and knowing that there is going to be clean water coming out into their sink in their home. It is very concerning to me that we have a nominee who indicated that he really didn't know anything about this issue.

So for that and a number of reasons—many, many reasons—I am joining with so many colleagues in opposing Scott Pruitt to be the next Administrator of the Environmental Protection Agency.

The EPA Administrator is a very important position. As I indicated, to those of us in Michigan, surrounded by the beauty of the Great Lakes, having the responsibility for protecting the Great Lakes, this is a very, very important position.

After examining Mr. Pruitt's record on a broad range of issues, as well as

his views about the Agency he has been nominated to lead, I have significant concerns about the direction and the priorities the EPA would take if he becomes Administrator.

Now, this is not based on partisan politics. When George W. Bush was President, I joined 98 of my colleagues to vote to confirm Christie Todd Whitman to be EPA Administrator. Two years later, I was among 87 other Members of the Senate to vote to confirm Michael Leavitt to succeed her at the EPA.

But the facts are—the evidence is—that Scott Pruitt does not have the requisite experience and track record to successfully lead an Agency that plays such a critical role in protecting the health and the well-being of the American people, and, certainly, the people that I represent in the great State of Michigan.

As I mentioned before, we are very, very familiar with the importance of clean water and the consequences of environmental mismanagement. We need an EPA that will act quickly when there is a crisis like the one that happened in Flint, which is, unfortunately, still going on. This was a man-made crisis inflicted by the State of Michigan's actions on a number of different levels that created a situation where the State would rather save \$100 a day than treat the water for lead corrosion. So \$100 a day they wanted to save rather than treat the water to prevent children and families from being exposed to lead-tainted water. This was a State decision.

Mr. Pruitt has made it clear that it is his intention to defer as much as possible to States—to States like Michigan, which didn't treat the water, then didn't tell the truth, then covered it up, and still has not done—despite Congress and the President together acting to support that community, the State still has not stepped up to meet their responsibilities. After more than 2 years, people still cannot turn on the faucet and have confidence that they are going to have clean water. Yet Mr. Pruitt says the State ought to be the one making these decisions.

While I firmly believe an effective EPA is one that works closely and often in concert with State and local communities, we must also be sure we have leadership at the EPA that is willing and capable of providing the oversight necessary to ensure environmental and public health standards.

We also need an EPA Administrator whom we can trust to protect and preserve our amazing Great Lakes. Critical to this objective is a grant program administered by the EPA called Great Lakes Restoration Initiative. I was very pleased to champion and help launch this in 2010 with strong support from the Obama administration. This accelerates efforts to protect and restore the Great Lakes by providing grants to clean up contaminated areas; prevent and control invasive species, things like Asian carp, which we are

constantly having to focus on to push back these fish from destroying our fisheries and boating operations and environments in the Great Lakes; to address harmful algae blooms and restore habitat; and to protect native species.

Scott Pruitt's long record of opposing nearly all Federal environmental programs raises serious questions to me about his commitment to the Great Lakes Restoration Initiative and all of the efforts we have worked on in a bipartisan, bicameral way to make sure we are protecting 20 percent of the world's freshwater, 30 million people's drinking water, and a huge economic engine called the Great Lakes.

I always like to say the Great Lakes are in our DNA, and that is very true for all of us who live in Michigan and certainly around the Great Lakes because we understand that this great natural resource supports more than 1.5 million jobs and nearly \$62 billion in wages tied to jobs and industries, and, frankly, it reflects our wonderful quality of life in Michigan.

I also have great concerns about Mr. Pruitt's long-running opposition to the landmark renewable fuel standard, which puts him at odds with the Agency that administers the program. The President promised us a farmer-friendly EPA. Yet this nominee to lead the Agency wants to dismantle one of the most successful economic drivers in rural America. Mr. Pruitt has repeatedly spoken out against the renewable fuel standard, calling the program flawed and unworkable.

Mr. Pruitt heading up EPA, coupled with former ExxonMobil executive Rex Tillerson at the State Department and oil refinery owner Carl Icahn advising the White House, may well be the end of the RFS as we know it. That is, frankly, bad news for biofuels producers in Michigan, bad news for Americans who care about creating economic growth and jobs in rural communities, and bad news for small towns and communities throughout Michigan. Mr. Pruitt's record of siding with polluters over sound science puts him outside the mainstream of what we should expect from our EPA Administrator.

It is for these reasons that I intend to vote against his nomination, and I urge my colleagues to do the same.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. KAINE. Mr. President, I also rise to oppose the nomination of Scott Pruitt as EPA Administrator.

To summarize—and then I will go into some detail—Virginians are pro-science people. The political figure we most venerate is still Thomas Jefferson, who was the preeminent scientist of his day. We are pro-science people. Second, the evidence from Mr. Pruitt's career demonstrates he is anti-science in the climate area and possibly others. Third, there is no position in the Federal Government that more relies upon accurate science and scientific judgment than EPA Administrator.

I think the President is afforded significant discretion in appointing members of the Cabinet, and I have voted to confirm a number of President Trump's nominees even if I wouldn't have nominated them myself because I think they meet the basic test of competence and integrity. But I have voted against individuals if they can't satisfy me that they meet our ethical standards or that they are qualified for the position or that they are able to do the job fairly and objectively.

The ability of the EPA Administrator to do this job fairly and objectively requires an acknowledgement of the scientific reality of climate change and other science. This isn't an abstract matter for Virginia, and it is not an abstract matter for the EPA Administrator.

Next only to coastal Louisiana, Virginia is the most susceptible State to sea level rise. Hampton Roads, VA, with 1.6 million people—our second largest metropolitan area—not only is it a busy and thriving metropolitan area, but it is the center of American naval power and the largest base of naval operations in the world. It is the homeport for the U.S. Atlantic fleet. What we are seeing throughout Hampton Roads, VA, is that neighborhoods where you could sell and buy a house 15 years ago, you now can't because normal tidal action renders the homes impossible to sell. It affects businesses.

By 2040, the main road into the largest naval base in the world, Norfolk, will be covered 2 to 3 hours a day just by normal tidal action, not by storm surges, which make it more significant. So now the cities of Norfolk, Virginia Beach, Portsmouth, Suffolk, Chesapeake, Newport News, and Hampton are all trying to figure out ways to make resiliency investments to protect against sea level rise, and the Department of Defense is having to contemplate the same kinds of investments to protect our naval operations in Hampton Roads.

The EPA's mission and its entire existence revolve around science. To enforce the Clean Water Act and the Clean Air Act, to set limits on pollutants that are stringent enough to have measurable benefits but reasonable enough to avoid negative economic impacts to the degree we can, and to pore over reams and reams of data and analysis and figure out whether a chemical in a consumer product is harmful takes science. To analyze whether fracking or some other method of extracting energy is dangerous to drinking water or not dangerous or somewhere in the middle or what the right limits should be takes science.

In an earlier iteration, I was the mayor of Richmond. My city has a river in the middle of it that was so polluted—the James River—you couldn't swim in it and you couldn't fish in it. There was no bird life in it because it had been polluted over such a long time. Today, go to Richmond, VA, and you will see people canoeing

and kayaking. You will see people fishing and taking the fish home to eat. You will see people swimming. It has gone from the sewer of our city to the front yard of our city, to the thing that has helped bring population back into downtown Richmond and grow our population, and it happened because of the Clean Water Act.

There is always a question in regulation—too hot, too cold, or just right. But my city would not be what it is today had there not been a Clean Water Act that required us—in some ways that were painful at times—to save the river, and now it has herons, bald eagles, fish, kayakers, and canoeists, and everybody's quality of life and the economy are better too.

Mr. Pruitt has been asked repeatedly about his views on climate science. Just 4 months ago, he stated:

We've done a lot [in reducing carbon emissions], and that's not even addressing, guys, the fact that there's a tremendous dispute, as you know, that's going on in the marketplace about how much this global warming trend that the [Obama] administration talks about, if it's true or not.

Is it truly man-made and is this simply just another period of time where the Earth is cooling, increasing in heat? I mean is it just typical natural type of occurrences as opposed to what the Administration says?

That was just 4 months ago. This kind of skepticism—we don't know whether humans cause it; we don't know whether it is natural—is exactly the kind of thing we have seen in Congress before. There was a famous hearing in Congress that was sort of emblazoned on people's memories of a whole bunch of witnesses standing up and swearing to tell the truth and saying: We don't know that there is a connection between cigarette smoking and cancer. This kind of denial of the scientific consensus from an Administrator of the chief agency that needs science in this country is deeply troubling.

I don't think it should be going out on a limb to declare that climate change is happening, driven largely by the burning of fossil fuels, and is a problem we have to deal with in some way. How to deal with it, how quickly to deal with it—those are tough questions, but acknowledging the science should not be tough.

That acknowledgement of the science was the policy of a predecessor of mine, Virginia Senator John Warner, a Republican, who introduced one of the first climate bills in Congress with Democratic Senator Joe Lieberman in 2006. This policy that we recognize science was the policy of the George H.W. Bush administration, which negotiated the U.N. Framework Convention on Climate Change more than 25 years ago. It was the policy that underlay the Presidential campaign of one of our colleagues, Senator JOHN MCCAIN, in 2008.

Acknowledging the science of climate change isn't a matter of political views; it is a matter of science and reality. We can discuss and debate what

to do about it, and I think those are challenging discussions to have. That is fair game. Differences of opinion about what to do about—that is fair game. But denying an overwhelming scientific consensus that climate change exists and that it is driven by human activity in the burning of fossil fuels—something ExxonMobil scientists were agreeing to in papers written in the 1980s, not 4 months ago—denying that is a denial of science.

I worry. If Mr. Pruitt denies science on this matter, what other science will he deny? His record as attorney general in Oklahoma bears me out on my worry to some degree. In virtually every decision, the attorney general's office defended the interests of oil and gas, of Big Agribusiness, and basically the interests of polluters against the interests of clean air and water, which are the interests of our families and our kids.

A New York Times article from 2 years ago—before Mr. Pruitt was nominated for this position—identified that when the EPA was looking at the potential impacts—potential, not guaranteed; we are trying to determine if there are impacts—of fracking on water quality and seismic instability, Attorney General Pruitt submitted comments on behalf of the State of Oklahoma that expressed skepticism that fracking was causing any problems. Well, why not do the investigation? Why not get to the bottom of it? Was the opinion that he expressed backed by science? Was it backed by a deep analysis that had been done by scientists or smart attorneys in Mr. Pruitt's office? No. In this instance, good investigative journalism determined that the comment expressing skepticism about fracking having any effect on water quality was actually written by an energy company, copied, and pasted onto official Oklahoma letterhead and submitted to the EPA as representing the views of Oklahoma public officials.

Would it be appropriate for the attorney general of Oklahoma—a State that has significant oil and gas—to take into account the views of oil and gas producers on something as important as fracking? Absolutely. In fact, you would not be doing your job if you didn't take the views of those companies into account. But considering industry views is very different from taking their views and portraying them as coming from you, a holder of a public trust who is supposed to be working for everybody and not just one company or one industry.

Here is one more example I will give before I conclude, because I take it personally. Virginia is one of the six States in the Chesapeake Bay watershed. I worked on this matter as Governor of Virginia, along with colleagues in the other States and the District of Columbia, and we worked together with the EPA on how to clean up the bay. This is a treasured resource for Virginians. It is about as bipartisan

a thing as there is in Virginia. Probably next to support for veterans, support for the Chesapeake Bay would be a close second in bipartisanship. As public officials, we worked out with the EPA a strategy we thought would be conducive to cleaning up the Chesapeake Bay—which is not just about enjoyment, not just about water quality, but also about traditional Virginia industries, like watermen's industry tourism, which is a big industry in our State.

We worked it out to our satisfaction, but when we did, there was a lawsuit filed against this particular regulation by the Farm Bureau. The attorney general of Oklahoma—not one of the six States in the Chesapeake Bay watershed—the attorney general of Oklahoma intervened and filed a friend-of-the-court brief to try to strike down the regulation that the EPA and Virginia officials had worked on in tandem for the good of the Chesapeake Bay, for the good of our Commonwealth, for the good of our citizens.

I contend: Why would an attorney general in Oklahoma care so much about a Chesapeake Bay rule that we had worked out together? I contend that he and some other attorneys general who joined in this were worried that if the EPA succeeded, then the EPA might try something in other large watersheds, including those in their States.

The matter did go to the Federal appellate court. The Federal appellate court upheld the Chesapeake Bay plan. The attorneys general and others tried to take it to the Supreme Court. The Supreme Court wouldn't take the appeal, and so the Chesapeake Bay plan is in operation. We were all struck about why an Oklahoma attorney general would be going after something affecting the Commonwealth of Virginia, and there is a point there.

The point was this. EPA scientists working in tandem with State officials had analyzed the water quality in the bay, and they had followed the State's progress, or lack thereof, over time, and they finally said, again, working in tandem with many of us: The pollution levels are so bad that we are never going to return the bay to what it can be unless we need to take action.

It was that scientific consensus that Mr. Pruitt as attorney general of Oklahoma was challenging. Science is the pursuit of truth. Science is supposed to follow where the facts lead, no matter what the scientist's initial views might be.

Mr. Pruitt's record does not tell me he will follow the data wherever it leads. It tells me that whenever there is a menu of options, he is going to take the option that is most beneficial to polluters rather than beneficial to public health.

I will conclude with the point at which I started. There is no Federal agency that needs to have somebody who accepts science and scientific consensus more than the EPA. It matters

deeply to Virginia, but I don't think Virginians are unique to this. I think it matters to the citizens of 50 States.

EPA regulations are not all wise, and some need to be dialed back. I have seen the positive effects of wise EPA regulations in my city and in my State. I am going to vote no on Mr. Pruitt because I don't believe his first duty will be to follow science and enforce just laws and regulations, appropriately governing the water we drink and the air we breathe.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

GUN VIOLENCE

Mr. DURBIN. Mr. President, I rise again to speak about the epidemic of gun violence in the city of Chicago and across America.

The American Medical Association has declared gun violence as a public health crisis in America. Every day, almost 300 men, women, and children are shot in this Nation. Gun violence touches every American community, but no community has suffered more than the city of Chicago.

I am honored to represent that city. I love it, and I think it is a great city. I spend a lot of time there to get to know the people who were born there and live their lives there and call it home. It is a great honor to call it part of my State that I am honored to represent.

The stories that are coming out of the city of Chicago are heartbreaking stories—and none worse than this week. This week there was a slaughter of the innocents. In a 4-day period earlier this week, three beautiful children under the age of 12 were fatally shot.

On Saturday night, 11-year-old Takiya Holmes, sitting in her mom's car, was shot in the head and killed. A 19-year-old suspect in custody has been charged. He reported that he was shooting from across the street at rival gang members, and a stray bullet hit Takiya. She died on Tuesday morning.

On Saturday, 12-year-old Kanari Gentry-Bowers was shot while playing basketball in the West Englewood neighborhood. She passed away just yesterday.

On Tuesday at 1:30 in the afternoon, 2-year-old Lavontay White was shot and killed while sitting in the car with his pregnant aunt and uncle. Lavontay's uncle was also killed. His aunt was wounded.

These shootings are senseless, devastating, and heartbreaking. Already this year there have been over 400 shootings in Chicago—so far this year. That is after there were more than 4,300 shootings last year.

My thoughts and prayers, of course, go to the victims and their families. I have attended so many marches and parades, funerals, and memorial services. But thoughts and prayers are not enough. We need to do something to reduce this epidemic of gun violence. There have been too many funerals, too many families who have lost that baby

they loved, too many children who suffered the physical and mental trauma of gunshot wounds and witnessing violence. Many of these shootings could have been prevented, but it is going to take changes in our laws and changes in our attitude for that to happen.

We have absurd loopholes in our gun laws that make it easy for dangerous people to get their hands on guns. We have obvious gaps in our gun background check system. We have inadequate Federal laws to stop gun trafficking and straw purchases of guns. These factors allow a flood of illicit guns to come into Chicago from other towns and States, from gun shows in neighboring States where there is no background check. These drug gangs drive over to these locations and fill up the trunks of their cars with guns to take them and sell them in the neighborhoods to kids who shoot and kill one another day in and day out.

We have gun dealers—federally licensed gun dealers—who look the other way when someone comes in to make a straw purchase. That is the purchase of a gun that the purchaser is not going to use but is going to give it to somebody who is prohibited from buying a gun.

In light of the epidemic of gun violence in our country, Congress should be working around the clock to fix these gaps in our Federal law. But the Republican-controlled Senate is doing nothing to address gun violence in Chicago or anywhere else. Instead, look at what we just did yesterday. Just yesterday, this Senate, on this floor, voted to weaken the gun background check system instead of strengthening it. It is hard to understand how the Republican Party can have its priorities so wrong when it comes to gun violence.

We can respect Second Amendment rights of individuals. We can respect the rights of people to own a gun for self-defense, for sporting and hunting purposes. I have gone hunting. I have used a firearm. I complied with every law in the books, all of them. The hunters who were with me did too.

Why is it so hard to ask before we sell a gun to someone whether they have a criminal record, whether they are buying it for another person who might have a criminal record, or whether they have a history of mental instability, which would disqualify them from owning a gun?

We are facing a crisis in Chicago and across the Nation because of this violence. We in Congress have a responsibility to do everything we can at the Federal level to protect our constituents, our neighbors, from getting shot. We can't ignore this responsibility, and we certainly shouldn't be weakening gun laws as the Senate did yesterday.

We also need the Federal Government to be an engaged partner with cities like Chicago to help reduce violence and expand economic options in depressed neighborhoods. You can pick out three neighborhoods in the city of Chicago that account for almost 50 per-

cent of gun violence—three neighborhoods. I visited some of them. They warned me: Don't get out of the car. They are right. Random gunfire is a reality of life in those neighborhoods. We know where they are. We know where the shooters live. We know where the victims are. We can do more.

President Trump sends out a lot of tweets. He likes to tweet about Chicago, and I am not quite sure why. Tweeting doesn't save lives. Saying that you are going to send in the Feds may be one of those short tweets that is catchy, but it doesn't mean a damned thing to the people who are being shot and are dying in the city of Chicago.

Last week I joined my colleague Senator TAMMY DUCKWORTH, and we sent a letter to the President asking him to do more than tweet when it comes to Chicago.

I ask unanimous consent to have printed in the RECORD this letter.

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

UNITED STATES SENATE,
Washington, DC, February 10, 2017.

President DONALD J. TRUMP,
The White House,
Washington, DC.

DEAR PRESIDENT TRUMP: During the 2016 presidential campaign and in numerous tweets and comments since the election, you have lamented the recent surge of gun violence in Chicago and said the federal government could help stop the violence. While the level of shootings and homicides is clearly unacceptable, tweeting alone will not fix it. Tweeting does not break cycles of violence; tweeting does not help lift people out of poverty; tweeting does not save lives. We urge you instead to provide a surge in federal support and resources for Chicago to reduce violence and expand economic opportunities for neglected communities.

Public safety is primarily a local responsibility, but the federal government must be an engaged partner in public safety efforts alongside local officials, law enforcement, and community stakeholders. There is much the federal government can do to help.

Instead of tweeting, you could begin by directing your Administration to enhance U.S. Department of Justice (DOJ) programs that improve community policing, such as the COPS Hiring Program to help local police departments put more cops on the beat, and the Byrne-JAG grant program to enable local law enforcement to purchase or upgrade equipment. We note that in his first year in office, President Obama pushed for a surge in COPS and Byrne-JAG funding through the Recovery Act and the appropriations process that provided Chicago with \$13.256 million in COPS Hiring funding and \$35.637 million in Byrne-JAG funding. This is more than four times the amount of COPS funding and 15 times the amount of Byrne-JAG funding that the City received last year. You could push for a similar funding surge.

We also urge you to direct DOJ to promote mentoring and job training programs for youth and the formerly incarcerated. We are ready to work with you to strengthen the Office of Juvenile Justice and Delinquency Prevention to improve mentoring and violence prevention initiatives and to boost funding for recidivism reduction programs under the federal Second Chance Act. We urge you to direct DOJ to abide by its commitment to help implement policing reforms

recommended by the Department's Civil Rights Division. We also request your support for legislation to close gaps in the FBI gun background check system and in federal firearm laws that enable straw purchasers and gun traffickers to flood Chicago's streets with illicit guns.

Federal efforts must also transcend law enforcement and criminal justice programs to focus on causal factors, including the lack of economic opportunity. We urge the U.S. Department of Education and the U.S. Department of Labor to prioritize important career and youth training programs that, if properly funded and expanded, would address the role that poverty plays in the violence epidemic facing Chicago and other communities around the country.

Before you send your next tweet, you could request a surge in additional federal resources for these public safety and economic development efforts in Chicago. But so far, your Administration has refused to commit to spend any additional resources to combat Chicago's violence and has actually threatened to cut federal funds for the City. Now is not the time for the federal government to abandon its support for Chicago and its people.

This week, you reportedly attributed Chicago's crime situation to the presence of undocumented immigrants. This coincides with your January 25 executive order that makes up to eight million immigrants priorities for deportation and seeks to create a mass deportation force by tripling the number of immigration agents. The vast majority of immigrants in our country are peaceful and have strong family values, and studies have shown that immigrants are less likely to commit serious crimes than native-born individuals. We are aware of no evidence that undocumented immigrants are responsible for any significant proportion of the murders in Chicago, and claims otherwise do nothing but distract from efforts to meaningfully reduce the City's recent increase in violence.

We note that you have urged Congress to fund the construction of a wall on the Southern border that would reportedly cost at least \$21.6 billion, even though the wall would not fix our broken immigration system and even though Republican Congressman Will Hurd, whose district covers 800 miles of the border, has said "building a wall is the most expensive and least effective way to secure the border." If your Administration were to take even one percent of this funding and devote the resources instead to help Chicago's public safety efforts, it would make a dramatic difference in reducing Chicago's violence. We urge you to reprioritize federal resources that you would request for wall construction and commit those resources instead to reducing gun violence in Chicago and other violence-prevention efforts around the nation. Doing so could save many more lives than tweeting.

Thank you for your consideration on this important issue.

Sincerely,

RICHARD J. DURBIN,
U.S. Senator.
TAMMY DUCKWORTH,
U.S. Senator.

Mr. DURBIN. We asked the President to put his twitter account down for a few minutes and instead direct his Department of Justice to enhance programs that improve community policing, such as COPS and the Byrne-JAG grants. We asked him to provide a surge in these programs, just like President Obama did in his first year through the Recovery Act and the appropriations process.

We also asked the President to direct the Justice Department to promote mentoring and job training programs. I want peace on the streets of Chicago and every American city, and I know that one of the keys to this is the belief that there is a chance in this economy for you and your family.

We need to have mentoring and job training programs for young people through the Office of Juvenile Justice and Delinquency Prevention and for former incarcerated persons through the Federal Second Chance Act.

We asked the President to support policing reforms recommended by the Justice Department in Washington. We asked him to support our efforts to close the gaps in Federal gun laws.

There is no denying that poverty plays a role in fueling violence and in violating justice. We asked the President, also, to prioritize funding for jobs programs under the Departments of Labor and Education. These are concrete steps that would help reduce violence in Chicago.

So far, President Trump's administration has not committed any additional resources to combatting Chicago's violence. Mayor Emanuel was here a few days ago to meet with the Department of Justice and to make the same plea. The administration instead is threatening to cut funding, on top of the devastating funding cuts we have already seen in Illinois under our current Governor.

Now is not the time for the Federal Government to abandon support for the families living in this great city. I urge the President and his administration to reprioritize Federal resources to reduce gun violence in Chicago and around the Nation. It is going to save a lot more lives than tweeting.

If you will not do it for two Democratic Senators, do it for these families. Do it for the moms and the relatives who are now planning the funeral services of these babies who were gunned down in the city of Chicago this week.

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. ROUNDS. 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. ROUNDS. Mr. President, I rise to discuss Mr. Trump's nominee to be Administrator of the U.S. Environmental Protection Agency, Oklahoma Attorney General Scott Pruitt.

His background with the EPA regulatory process makes him well suited to lead this Agency. He has an in-depth understanding of the impact regulations have on landowners, American businesses and State and local governments. As attorney general, Mr. Pruitt has been a leader in standing up for the rights of State governments in the face

of an aggressive EPA that has imposed increasingly costly and burdensome regulations on the States.

During his time as the attorney general, Mr. Pruitt established Oklahoma's first Federalism Unit in the Office of Solicitor General to more effectively combat unwarranted regulation and overreach by Federal agencies. General Pruitt is a strong believer in federalism and States' rights, which have been often overlooked by the previous administration, often to the detriment of the U.S. economy and our environment.

I am hopeful Attorney General Pruitt will take steps to improve the Federal regulatory process to make certain Federal regulations are promulgated with adequate public participation, underpinned by the best scientific evidence available and in a transparent and open manner. Attorney General Pruitt understands the importance of taking stakeholder, State, and local government comments and expertise into account when promulgating regulations. He understands that listening to and considering the differing viewpoints of stakeholders will improve the regulatory process and lead to better regulations. This will lead to fewer burdensome and costly regulations for South Dakota farmers, ranchers, and landowners, while at the same time making certain we have clean air and clean water.

The Obama EPA's process for considering scientific information was flawed and unbalanced. There was a lack of balanced opinion, geographic diversity in State, local, and tribal representation on EPA's Science Advisory Board, which is tasked with providing scientific advice to the EPA. Attorney General Pruitt understands the importance of relying on the most up-to-date science to underpin environmental regulations.

During his confirmation hearing, he affirmed to me that he would uphold his obligations to use the most current, accurate data and sound science when making decisions, especially when it comes to the renewable fuel standard. The RFS has been successful in South Dakota in encouraging investments and creating jobs in corn ethanol production. Mr. Pruitt understands the importance of corn ethanol to the Midwest.

Throughout his tenure as attorney general, Attorney General Pruitt witnessed firsthand the negative impact that EPA regulations, such as the waters of the United States rule, have on U.S. landowners and on our business owners. He saw how incomplete economic analysis did not account for the full impact of regulations on U.S. citizens, and the regulatory burden was often far greater than what the EPA claimed it would be.

The attorney general can modernize the EPA's approach to regulation and make certain that regulations are promulgated in a deliberate, fair, and

transparent process. A better regulatory process will lead to better regulations. Better regulations will make certain our air, water, and land is protected, our economy continues to grow, and American jobs can continue to be created.

Attorney General Pruitt has had a rigorous vetting process since first being nominated by President Trump. He has answered more than 1,200 questions from Senators, more than 1,000 more questions than nominees for the EPA Administrator from the incoming Obama administration to the Bush administration or the Clinton administration. Additionally, his confirmation hearing was the longest for any EPA Administrator.

I, personally, would like to thank Chairman BARRASSO for spearheading this fair and very transparent confirmation process. I would also like to thank Attorney General Pruitt for taking the time to answer all of the questions that were asked of him and meeting with Senators both on and off the EPW Committee.

General Pruitt's impressive background and depth of knowledge on EPA issues make him well suited to be the next EPA Administrator. As a member of the Senate Environment and Public Works Committee and chairman of the subcommittee which has oversight of the EPA, I look forward to his eventual confirmation and to working with him in the future.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SASSE). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

PRESCRIPTION DRUG PRICES

Mr. COTTON. Mr. President, I recently read a story in the Wall Street Journal that I thought was so alarming it demanded action. Here is the headline: "Marathon Pharmaceuticals to Charge \$89,000 for Muscular Dystrophy Drug After 70-Fold Increase."

Yes, that is \$89,000 a year, and, yes, that is a 70-fold increase—70-fold, as in 7,000 percent.

For those of you who have not read the article, here is the story. There is a rare disease called Duchenne muscular dystrophy. It affects about 12,000 young men in the United States. Most of them, unfortunately, end up dying in their twenties and thirties because of it.

We don't have a cure yet for Duchenne. Until recently, there was not even a treatment with FDA approval. So, for many years, patients and parents have been importing a drug called deflazacort, a steroid, from other countries. Even though it is not a cure, it at least helps treat symptoms and has been a welcome relief to many families.

Well, technically it is illegal to import a drug that doesn't have FDA approval. But there is a catch. The FDA does not quite enforce the ban against all unapproved drugs. In fact, it has issued regulatory guidance saying that you can get an exemption and buy an unapproved drug from overseas if you meet five conditions. First, you have to have a serious illness for which there is no other treatment available. Second, you can't sell the drug. Third, you can't pose an unreasonable risk to your health. Fourth, it has to be for you and you alone. Fifth, you can't buy more than a 3-month supply.

All of that sounds fair enough. But if someone comes along and gets FDA approval for their version of the exact same drug, the exact same chemical composition of the drug that is being imported, then you cannot buy it overseas anymore. That is exactly what happened here.

This was not a new drug. This was not a medical breakthrough. This was not a scientific advance. This was, plain and simple, an arbitrage opportunity. Other people had already gone to the trouble of making a drug that worked, but if you paid the expenses of getting FDA approval, you would essentially buy for yourself monopoly pricing power. That is what other companies missed, and now, to cover the costs of going through that approval process, Marathon is increasing the price from roughly \$1,500 a year to \$89,000 a year.

I don't think it is an overstatement to say that this turn of events is nothing short of outrageous. It defeats the very purposes of our FDA laws. The reason we offer people the chance to create a monopoly is to encourage innovation and medical breakthroughs, to generate new drugs that are going to solve diseases or illnesses.

What we are saying is, if you go to the pain and expense of developing a new treatment, we will give you the sole rights to sell it for a number of years so you can recover your costs, and, therefore, we will encourage more medical breakthroughs to alleviate the pain and suffering of the American people. In other words, monopoly rights are not merit badges. They are not a reward for business smarts. They are supposed to serve the interests of patients. They are supposed to expand access to treatment. But in this case, what we see in our system is, in fact, restricting access and driving up the price for that coverage.

I understand that many people with Duchenne are happy that Marathon has done this because now that the drug has FDA approval, insurance companies will likely cover it—unlike before when people had to pay out of pocket, meaning that poor kids didn't get access to deflazacort, whereas upper middle-class and rich kids typically did.

I also know that Marathon has promised to increase spending on research on a new drug and to help people of limited means afford that treatment. That, too, is all to the good.

I am not casting aspersions on anyone's motives here, but let's be real. Someone has to pay the full price of this drug at \$89,000 a year. We have a drug that used to be available for \$1,500 a year, and now it is \$89,000 a year. Whatever happened, that is a system-wide failure. We as a Congress have to address it.

There is simply no getting around the fact that this story should never have been written in the first place because it should have never happened in the first place. We should be channeling peoples' ambition and entrepreneurial spirit into finding cures, not finding new and clever ways to make a profit. That is what our food and drug laws are designed to do. That is what they have clearly failed to do in this instance.

I just want to say that I am not going to let this story disappear. I am going to work with my colleagues to find a legislative solution to this mess and promote affordable, high-quality healthcare for all, for all families whose young children suffer from Duchenne and for every other orphan disease that has drugs that can be used for treatment and right now are being blocked from the market or for which we are paying way too much money as a society.

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. CANTWELL. 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. CANTWELL. Mr. President, for the last 47 years, the EPA has enforced science-based environmental policies that have resulted in cleaner air and water, the cleanup of some of our Nation's most contaminated lands and waters, and has improved our understanding of our changing climate. All of this has led to a healthier America.

Bipartisan Administrators of the Environmental Protection Agency—everybody from the great Washingtonian Bill Ruckelshaus to most recently Gina McCarthy—took on the role and responsibility as EPA Administrator, knowing that it was their responsibility to protect existing environmental law and to let science be the guide on research and new policies. They took the EPA mission to heart, and they fought to protect human health and the environment.

I have questions about whether the nominee, Mr. Pruitt, follows those same values, and I come to the floor to oppose his nomination to be the Administrator of the EPA.

Mr. Pruitt has repeatedly attacked needed EPA regulations, and he supports polluters at the expense of the environment and health laws. He doesn't believe the scientifically proven causes of climate change are real.

Less than a year ago, then-Oklahoma attorney general Scott Pruitt, working in their State, wrote: "Scientists continue to disagree about the degree and extent of global warming and its connection to the actions of mankind." That was written in the *Tulsa World*.

When questioned by my colleagues during the hearing process, he said: "The climate is changing, and human activity contributes to that in some manner" but the degree of that contribution is "subject to more debate."

The reason I raised these issues is that this issue of climate and climate impact is so real in the State of Washington. It is already happening, and it is already affecting our industries.

As EPA Administrator, Mr. Pruitt would have the responsibility for setting the Agency's agenda, including how to respond to climate change, yet the fact that he doesn't support the existing climate change science puts him in a role where I think he would not protect the economic interests of our State.

We cannot have a lackadaisical attitude about these issues. It is not a hypothesis. It is here. It is happening.

In the Pacific Northwest, it is altering our region's water cycle, putting Washington's farming jobs and our \$51 billion agriculture economy at risk. Wildfire seasons are longer and more severe than ever before. It is costing our Nation billions of dollars.

Warmer water temperatures in our streams and rivers have degraded salmon spawning habitat, led to massive die-offs, and certainly our shellfish industry has been very challenged.

With 25 percent of carbon dioxide emissions being absorbed by our oceans, it is raising the acidity level, and that is impacting the chemistry of Puget Sound. Oceans and their absorption of carbon dioxide emissions and these acidic conditions are making it hard for our shellfish industry to do the type of seeding that needs to take place. It is severely impacting the Pacific Northwest's \$278 million shellfish industry. Ocean acidification has been found to dissolve the shells of important prey species, and the ocean acidification effects then carry up the food chain, if they are not addressed.

If we have an EPA Administrator who isn't going to work to cut down on carbon emissions and thinks that it is only part of the impact, aren't there a lot of Northwest jobs at stake? For example, our maritime economy alone is worth \$30 billion, so I would say there is a lot at stake.

In looking at the record of Oklahoma attorney general Scott Pruitt, he fought EPA regulations that protect public health, including the cross-state air pollution rule, the regional haze rule, the clean air standards for oil and gas production sites, and the clean water rule.

Despite this issue of repeatedly suing the EPA, he recently told Congress: "I do not expect any previous lawsuits to adversely affect my performance as EPA Administrator."

Well, I have serious concerns about how Mr. Pruitt's past lawsuits will influence his aggressive attitude as EPA Administrator in not fighting for the things that are going to protect the jobs and economy in Washington State that count so much on a pristine environment.

A letter was sent by 773 former EPA employees who served under Democratic and Republican administrations, stating: "Mr. Pruitt's record and public statements strongly suggest that he does not share the vision or agree with the underlying principles of our environmental statutes."

His record does not give me the confidence that he is the right person to lead this Agency at this point in time.

But there are other issues. During his time as Oklahoma attorney general, Scott Pruitt planned the Summit on Federalism and the Future of Fossil Fuels. This summit brought together energy industry executives with attorneys general to strategize against EPA, and they specifically discussed EPA's overreach, as they put it, regarding a very important issue called the Pebble Mine.

The Pebble Mine is an attempt by some who want to actually establish a gold mine in the very place of one of the most successful salmon habitats in the entire world: Bristol Bay, AK.

The EPA followed the letter of the law in their multiyear, science-based assessment of Bristol Bay. They basically made sure that everybody understood what was at risk: that Pebble Mine would destroy up to 94 miles of salmon spawning streams; it would devastate anywhere from 1,300 to 5,350 acres of wetlands; and it would create 10 billion tons of toxic mine waste, which is nearly enough to bury Seattle. And all of this would occur in the headwaters of the greatest salmon fishery on Earth, where half of the sockeye salmon on the planet spawn.

So the notion that this is how this nominee would spend his time—as I said, the mine itself is a direct threat to the \$1.5 billion salmon industry in Bristol Bay. That is 14,000 jobs just in the Pacific Northwest. The importance of making sure that the mine is not located there is of the utmost importance, I say, to the salmon fisheries of the entire Pacific Northwest.

I want to make sure we are putting someone in place who is going to fight for the laws that are on the books and to show leadership, not spend time trying to undermine the Agency, the organization, and its existing authority.

If Scott Pruitt allowed Bristol Bay to go forward, it would be devastating to our State. It would be voting in favor of these polluters instead of making sure that we are protecting science and environmental law.

I have very serious concerns, and that is why I am opposing this nominee. I hope my colleagues on the other side of the aisle will realize that these economies—the ones that depend on clean air and clean water, safe salmon

spawning grounds—are dependent on our doing the right thing to protect what is really our stewardship of this planet that we are on only for a very short period of time. I hope my colleagues will consider all of this and oppose this nominee.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Mr. President, I want to speak about this nomination from the standpoint of our State, our State of Florida, because we are famous for sugar-white beaches, fertile fishing grounds, and unique environmental treasures, such as the Florida Everglades. These precious natural resources need our protection and our stewardship. In fact, Florida's multibillion-dollar tourism industry is driven by the fact that people come to our State to enjoy these kinds of environmental treasures.

I have just come from a meeting with the American Hotel & Lodging Association. With multibillions of dollars of investments all over Florida, what happens if the guests don't come? That is a major investment that is lost.

And, oh, by the way, a few years ago during the BP oil spill—when the oil got only as far east from Louisiana as Pensacola Beach, and some oil was in Choctawhatchee Bay and Destin and some tar balls were as far east as Panama City Beach, but not any further—the visitors didn't come because they thought the beaches were covered with oil.

Well, right now Florida's unique environment is threatened by several environmental challenges, from the threat of fracking in this honeycomb of limestone filled with freshwater that supports the peninsula of Florida to algal blooms that have plagued much of Florida's Treasure Coast this last year, to the red tide in the Tampa Bay area, and to Burmese pythons in the Everglades. And that is just a little bitty partialness of the plagues. To deal with these challenges, States such as ours depend on the EPA as a backstop.

I am here to express my concerns about the President's pick to lead this agency. It has been well documented that the President's pick is a friend of the oil industry. There is nothing wrong with that. But this is an industry that has invested hundreds of thousands of dollars in political contributions to Mr. Pruitt and the PACs supporting him over the years.

Ever since I was a young Congressman, I have been fighting to keep oil rigs off the coast of Florida. In the first place, there is not a lot of oil out there, but Florida's unique environment—from what I just told you about, the BP oil spill—its tourism-driven economy, and, oh, by the way, the largest testing and training area for the U.S. military in the world, the Gulf of Mexico off of Florida, as well as all of the testing ranges on the east coast, and how about the rockets coming out of the

Cape Canaveral Air Force Station and the rockets coming out of the Kennedy Space Center—because of all of those, you can't have oil rigs down there. For all of those reasons, it makes Florida incompatible with offshore oil drilling. An EPA Administrator with such close ties to the oil industry is deeply concerning for the people of Florida.

But Mr. Pruitt's ties to Big Oil aren't the only concern that we have in Florida. During his confirmation hearing, Mr. Pruitt said that he believes that his views on climate change are "immaterial" to the job of the EPA Administrator.

Whoa, the EPA Administrator is directly involved in things that involve climate change. I can't think of a more relevant issue for our EPA Administrator to be concerned with because Florida is ground zero when it comes to the effects of sea level rise.

These are not projections, not forecasts. These are measurements over the last 40 years in South Florida. The sea has risen 5 to 8 inches.

By the way, where is three-quarters of the population of Florida? It is along the coast. We are already seeing regular flooding at the mean high tide in the streets of Miami Beach, and they are spending millions on infrastructure in order to get those pumps working to get the water off the streets and raising the level of the streets.

We are seeing the saltwater, which is heavier than freshwater, seep into the ground where there is a honeycomb of limestone filled with freshwater, and the seawater is seeping into the freshwater. So cities are having to move their city well fields further to the west because of the saltwater intrusion, and it only gets worse.

The threat Floridians face every day is a result of this sea level rise that is very real. It is critical that we have an EPA Administrator that understands that there are things that are happening because of climate change. It is not immaterial to the job of the EPA Administrator; it is very relevant.

There is Mr. Pruitt's history of questioning science, especially when the facts conflict with his friends, whom he surrounds himself with, about the effects of science. So whether it is protecting Florida's livestock from deadly parasites or protecting the air we breathe, science informs policy decisions that affect all of us—clean water, clean air. It affects public health, national security, and the environment.

Yet we continue to see troubling reports about scientists being muzzled from the State level all the way up to the Federal level in the EPA. So it just seems that this is unacceptable. Our scientists should be free to publish scientific data and not be muzzled. They should be able to publish their reports without fear of losing their jobs or being censored for using phrases like "climate change."

That is why I recently sponsored legislation to protect our scientists from political interference. The Scientific

Integrity Act would ensure that Federal scientists can communicate their findings with the public. It requires Federal agencies to implement and enforce scientific integrity policies and ensure that procedures are in place so that if those policies are violated, it is known and there is a procedure to deal with that.

I conclude by stating that Floridians and the State of Florida cannot risk the health of our environment or our economy on an EPA Administrator who pals around with folks that do all of what I am talking about—they question our scientists, denying the true threat we face from sea level rise and climate change. Floridians can't afford such a risk, and they shouldn't be forced to take this risk. Therefore, I will vote no on Mr. Pruitt's nomination to be EPA Administrator.

Mr. President, I yield the remainder of my postcloture debate time to Senator CARPER.

The PRESIDING OFFICER. The Senator has that right.

Mr. NELSON. I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Ms. HEITKAMP. Mr. President, I join my colleagues today to recognize that the environment is critically important. One of the true issues States face is getting back to the promises of the Clean Air Act and Clean Water Act to make sure States enjoy primacy, and I think that is a critical component that is not being discussed today as we look at guaranteed clean water and clean air—making sure that those closest to those issues have the ability to have the input that was anticipated by almost every environmental statute. So I would remind my colleagues that when we focus many times on Federal issues and Federal appointments, one of the most important things that we can do is focus on the fact that these Federal agency heads need to work cooperatively with State organizations.

Scott Pruitt, who is a soon-to-be former attorney general, understands the State role, and I think that is a critical qualification and an important distinction to make.

EX-IM BANK

But I didn't come to talk about the appointment of Scott Pruitt. I came to talk about something we could all agree on, and in fact the President and I agree on this, and I think everyone agrees on this almost unanimously, which is that American jobs matter. Putting Americans back to work in manufacturing is one of the most critical things that we can do in the Senate, making sure that our people have an opportunity to succeed, participate, and have an opportunity to produce goods and services that can be exported and can grow the wealth of our country and grow the economy of our country.

Last week I joined President Trump in a small bipartisan lunch. We had a chance to talk about a variety of issues. There are very many issues that divide us, but this issue unites us. I

specifically talked with the President about the need to get the Export-Import Bank up and running. I also talked to him about the Export-Import Bank in December and talked about the importance of enabling this institution to function for the American manufacturing worker. The great news is that President Trump agrees, and he informed me that we can in fact say he supports the Ex-Im Bank and that he would be nominating someone soon to serve on the Export-Import Bank.

That led off a rash of discussion among the usual naysayers with the Ex-Im Bank, mostly driven by ideology and not fact. So I think it is important to come once again to reiterate the importance of the Ex-Im Bank.

I certainly appreciate the President's interest in making American workers a priority. He will be at Boeing in South Carolina on Friday. I don't know if he will make any announcement about nominating someone to the Ex-Im Bank. I hope he does.

There has been a lot of talk about supporting the economy and boosting American manufacturing jobs, but all that talk falls on deaf ears if we don't take action on the simple issues when we can accomplish those goals, and that simple issue is enabling the Export-Import Bank to function. For decades the Export-Import Bank has leveled the playing field for American workers and businesses. Yet heavy politics is enabling one Senator to put political ideology before the jobs and well-being of thousands of American workers across our country.

We worked very, very hard in 2015. We knew that we were going to be challenged to get the Ex-Im Bank reauthorized. In June of 2015, the Export-Import Bank expired and did not have a charter. It was not authorized for the first time in its more than 80-year history. I fought very hard to reauthorize it, as did a number of my colleagues. Finally, in December 2016, 6 months later, the Bank was given a charter, given an authorization. I want to point out something because I think way too often we think what stops this endeavor is partisan politics. Guess what. Over 70 percent of the House of Representatives voted for the Ex-Im Bank and over 60 percent of the Senate voted for the Ex-Im Bank. This is not a partisan issue. There is bipartisan support. Yet there is a narrow group of people who would rather put ideology ahead of American jobs. It is wrong on so many levels.

Despite the fact, unfortunately, that we finally authorized the Ex-Im Bank over a year ago with overwhelming support, we do not have a Bank that can authorize any credits over \$10 million. That is because it requires a quorum of Bank board members to make that decision. We only have two out of the five members of the board. That means that we don't have a quorum. So what has been happening is that there is \$30 billion—think about that, \$30 billion—of American exports waiting in the queue, waiting for approval, hoping desperately to get the

Ex-Im Bank up and running so those exports can receive the credit they need and receive the guarantees that those exports need and get people back to work.

Do you know what else has been happening since we haven't had a quorum on the Bank? Thousands of American jobs have been transported to places like France and Canada. We are losing thousands of jobs.

When I hear people say the Ex-Im Bank is the bank of Boeing or the bank of GE, trust me, I do not bleed for the executives of Boeing. I do not bleed for the executives of GE. They will do fine. In fact, they know how to get around this problem. They just move those manufacturing jobs to a country that will recognize the exports and will provide that export credit. That is what is happening. But guess what is happening to the American worker and families across these manufacturing facilities? They are getting pink slips. Why? Because this body refuses to give us a quorum on the Ex-Im Bank.

The President understands this. The President understands how important it is to get these American workers back together. Now I want you just to think about what \$30 billion of exports is worth to American employment. If we use the numbers that extrapolate, it is hard to know, but it is over 170,000 jobs. Think about the fact that 170,000 jobs are waiting in the wings for us to do the right thing. When we move forward with the Ex-Im Bank, I think we will have a good day—a good bipartisan day when the President of the United States joins with those of us who care about workers and manufacturing in this country—and we will get the Ex-Im Bank up and running. I think if we fail to do it and if we fail to send the signals that help is coming and that the Ex-Im Bank is going to be an effective institution that will once again play a role in American manufacturing and will be in that tool chest of trade opportunities—if we don't do it—then they are going to give up all hope, and they are going to find some other place to manufacture the products that will allow them to access the credit, that will allow them to sell their products overseas. So it is critically important.

I want to leave with one statistic. The Peterson Institute recently estimated that the United States is losing \$50 million in exports for every day that a nomination is not confirmed—\$50 million of new wealth creation for our country. It is a travesty.

Of all of the things I have seen here—the callous things—that sound so bureaucratic when you talk about the Ex-Im Bank, when you pick up the curtain and you look underneath, what we see are American jobs and American families and American opportunity and new wealth creation for our country and economic growth for our country. And because some institution that could give you a black mark in a political campaign says “We don't like it,” it doesn't get done. Shame on us.

Thank you to the President for agreeing to help us move the Ex-Im Bank forward. Thank you to all of my colleagues—64 in the last Congress—who stood with us to get the Ex-Im Bank reauthorized and the over 70 percent of the House of Representatives, on a stand-alone vote, who voted for the Ex-Im Bank, who know how critically important this is. We can get this job done, and we can stop the migration of these jobs to other countries.

I look forward to hearing more this week and hopefully early next week from the President. As a member of the Banking Committee, I look forward to pushing for a hearing and a vote on this nominee. And I look forward to the day that all of these exporters and these American workers can see that this institution can work for them, and that will be the day that those credits are approved at the Ex-Im Bank.

Thank you so much, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. Mr. President, what is the pending business?

The PRESIDING OFFICER. The Senate is postcloture on the Pruitt nomination.

Mr. WICKER. Mr. President, I rise in support of the nomination of Scott Pruitt.

Ms. HEITKAMP. Mr. President, will my friend from Mississippi yield the floor for one moment?

Mr. WICKER. I am delighted to yield.

Ms. HEITKAMP. I thank the Senator from Mississippi.

Mr. President, I yield the remainder of my postcloture debate time to Senator CARPER.

The PRESIDING OFFICER. The Senator has that right.

The Senator from Mississippi.

Mr. WICKER. Mr. President, I am delighted to rise this afternoon in support of Scott Pruitt, nominated for EPA Administrator, and to congratulate the leadership of this Senate and the administration for persevering on this nomination to the point where we will get a vote tomorrow afternoon and I think be able to end the week on a positive note.

My good friend, the Senator from North Dakota, had just called for a good bipartisan day on the Senate floor, and I support many of the remarks she made in that regard. I would hope we could begin having some good bipartisan days with regard to the administration's nominations for these important positions.

Sadly, it looks as though we will not have a bipartisan vote for Scott Pruitt. He will be confirmed but not nearly with the vote he should receive from Members on both sides of the aisle who know that there has been extreme overreach on the part of the EPA leadership under the Obama administration. The EPA needs a change in direction, and they need to become more sensible with regard to stopping pollution, while at the same time being

friendly on job creation. So we will get this nomination finished tomorrow and we will have a good Administrator, but regrettably it will not be on a very bipartisan basis.

This is the Scott Pruitt whom I have had a chance to learn about since he was nominated in January.

The Scott Pruitt I have had a chance to learn about took on the polluters as attorney general for his State of Oklahoma and finalized multistate agreements to limit pollution, and he did so working with Democrats and working with Republicans on a bipartisan basis across the political spectrum. I think we need that sort of person as EPA Administrator. Scott Pruitt negotiated a water rights settlement with the tribes to preserve scenic lakes and rivers, and I think he is to be congratulated on that, not scolded. He stood up to oil companies and gas companies as attorney general for the State of Oklahoma and challenged them when they were polluting his State's air and water. Then—something I applaud—when the EPA overstepped its bounds and its mission and ceased to follow the law, he challenged the EPA. I submit to my colleagues that that is exactly the sort of balance we need to return to as Administrator of the EPA.

In the hearing, which was rather extraordinary because of its length, Attorney General Pruitt demonstrated his knowledge, he demonstrated his intellect, and he demonstrated his patience. He was available all day long—an extraordinarily long hearing—answered more than 200 questions propounded at the hearing, and then beyond that he has now answered more than 1,000 questions for the record. Yet, in spite of this, it is disappointing that some of my colleagues, some of my friends on the other side of the aisle, have taken not only to disparaging his qualifications and his suitability for this position but also engaged in a slow-walking process designed to keep this nomination from even coming forward.

Every Democrat boycotted the committee meeting that was called to report this nomination to the floor so that we could even have an up-or-down vote. They walked out of the meeting. This is the sort of tactic we were able to overcome on a parliamentary basis, but it has given us what we now know is the slowest confirmation process in 225 years. The only President to have a slower confirmation process was the one who was getting it all kicked off to start with; George Washington's was a bit slower. We will see. Maybe if this keeps going, we could surpass the slowness of the confirmation process that occurred for our first President.

We need a change at EPA. The American people are ready for a change at EPA. We need an EPA Administrator who will listen to the environmentalists but also listen to the job creators. This means listening to the election but moving past the election and getting on to filling the positions that are

important to Americans, such as the EPA Administrator.

Most Americans believe we can protect the environment and still protect job creators, and so does Attorney General Scott Pruitt. Most Americans believe we can have clean air and water without destroying thousands upon thousands of jobs for Americans. That is what I believe. That is what Scott Pruitt believes.

I would quote from a recent op-ed in the Wall Street Journal which William McGurn wrote in support of Mr. Pruitt but also generally in support of other nominations. With regard to Pruitt, Mr. McGurn says this: "The fierce opposition to Mr. Pruitt speaks to the progressive fear that he might help restore not only science to its rightful place but also federalism." I think that is what Scott Pruitt is going to be about when he is confirmed tomorrow and finally gets down to working for us, the taxpayers, as Administrator of EPA.

This is about the 1-month mark in this administration, and we are slowly getting past this unprecedented slow-walk effort by our colleagues. I certainly hope that with the 1,100 other appointments that have to be submitted and have to be spoken to by this Senate, we can hasten the process so we can pass legislation and be about the business our constituents sent us here to do.

Approving Attorney General Scott Pruitt will allow us to move forward with the people's business with a man who has demonstrated courtesy, intelligence, patience, and professionalism, and I will be honored to be one of those voting yes tomorrow when we confirm this outstanding candidate as EPA Administrator.

I thank the Chair.

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. 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, I would like to follow up on something our friend from Mississippi was just saying. I want to make it clear that I am not really interested in obstructing. I am not interested at all in obstructing. What I am interested in is getting to the truth about this nominee and others.

Two years ago, an organization called the Center for Media and Democracy petitioned, under the Oklahoma open records law—it is a FOIA-like law at the State level—they asked for access to thousands of emails that were sent from or to the attorney general's office under Scott Pruitt. That was 2 years ago. They have repeatedly renewed that request over time, and it has not been granted.

Why might emails be germane? Well, they are germane because many of the emails were with industries that have differences with the EPA and in some cases are involved in lawsuits, a number of which were sponsored by or joined in by Attorney General Pruitt.

Two years after the request to see those emails was submitted to the attorney general's office, they had not seen one of them. A lawsuit was filed earlier this month asking the court—I think it is called the district court of Oklahoma, a State court—asking to see the emails and asking that the court intervene so that the Center for Media and Democracy would have access to the emails.

The Democrats on the Environment and Public Works Committee wrote to the judge, and we shared our voice because we have been making the same request of the attorney general's office—of the attorney general—as part of the nominations process. He has declined to provide the emails to the Congress, the Senate, and we have let the judge know that we appreciate her attention to this matter and hope she might even expedite it. Well, an expedited hearing is called for this afternoon on the sharing of these emails that have been blocked, stonewalled, for 2 years.

What we did as Democrats on the Environment and Public Works Committee is I met with the majority leader, and nine of us wrote to the majority leader, and we said: With all due respect, we suggest to give the judge time to make a decision, and if the judge says the emails should be opened up, allow us to have until a week from this coming Monday to look at the emails to see if there is anything inappropriate or untoward that could be revealed.

That request to the majority leader—he was very nice about it, but he basically said: We are not going to do that.

I renewed the request here yesterday on the floor, and he said: No, we are not going to do that.

I am generally one who thinks it is very important for us to communicate, collaborate, cooperate around here, as I think most of my colleagues would attest, but in this case, I don't think we made an unreasonable request of the nominee. And I think to block access to these emails—even when petitioned under the Oklahoma FOIA law, backed up by our support—for nothing to happen is just wrong. That is just wrong.

So hopefully when the judge has this hearing later this afternoon—actually, in 2 hours—we will find out a bit more as to whether the AG's office is going to be asked to turn these emails over and make them public with that information. I hope the answer will be yes. We will see.

I asked Mr. Pruitt 52 questions on December 28 and asked they be responded to by January 9. January 9 came and went, and we were told maybe we would get the responses at the hearing we were going to have on

January 18. We had the hearing on January 18, and some of the specific questions were answered, some not, but we submitted as a committee some 1,000 additional questions for the record. That is a lot of questions. I suggested to the committee chairman he give the nominee a reasonable amount of time to respond to those questions. The chairman, in the interest of moving things along, I think, gave the nominee 2 days, which is, in my view, not nearly enough.

If we go back several years ago, the last EPA Administrator was a woman named Gina McCarthy. She was asked a number of questions. She was actually asked more questions, I think 1,400 questions, which is several hundred more than Scott Pruitt but a lot of questions. She did not have enough time to answer the questions, and a little extra time, maybe a week or so, was granted. She answered the questions, as I understand, fully, completely, and directly. I will read some of the questions we asked of Scott Pruitt later today, later tonight, with examples of the kind of answers he provided. Some were reasonably complete, but too many were evasive, indirect, or just nonresponsive. Maybe that is because the chairman only gave him a couple days to respond. That is not the way we ought to be about the business.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. PERDUE. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I came to the floor today to oppose the nomination of Scott Pruitt to serve as Administrator of the Environmental Protection Agency. I thank my colleague from Delaware, whom I had the honor to serve with when we were both Governors, for his good work to point out why Scott Pruitt is the wrong person to head the Environmental Protection Agency.

The EPA was created by a Republican President in 1970, Richard Nixon. I remember very clearly when he did that. Across subsequent decades, support for this Agency and for its important mission has been a strongly bipartisan endeavor. Our Nation has benefited from the service of dedicated, highly effective EPA Administrators from both parties, but I am deeply concerned that Scott Pruitt is a radical break from this bipartisan tradition.

After reviewing Mr. Pruitt's environmental record, I have to ask: Why was he nominated for this critically important position? He rejects the core missions of the Environmental Protection Agency at every turn. He has sued the EPA to block protections for clean air and clean water; he is an outspoken climate change denier; he seeks to dismantle the EPA's Clean Power Plan, which was put in place to address climate change; and he opposes other efforts to slow the warming of this planet. Time and again, he has put private interests and their profits ahead of public interests and public health.

As attorney general of Oklahoma, he has sided with oil and gas companies, and he has failed to protect the people of his State from some of the worst impacts of hydraulic fracturing. He has taken hundreds of thousands of dollars in campaign contributions from fossil fuel industries, and he zealously advocated for their freedom to pollute our air and water.

So again I ask: Why was Scott Pruitt nominated to serve as Administrator of the Environmental Protection Agency? Well, I think it is clear Mr. Pruitt was nominated not to lead the EPA forward but to prevent it from carrying out its mission. Make no mistake, Mr. Pruitt and his extreme agenda are a threat to the environment, to the planet, and to our public health.

Christine Todd Whitman, a former Republican Governor of New Jersey and whom I also had the honor of serving with when I was Governor—Senator CARPER, Christie Whitman, and I all served as Governors together. She also was EPA Administrator during George W. Bush's administration. What she said about Pruitt I think is worth listening to. This is a Republican talking about Scott Pruitt: "I don't recall ever having seen an appointment of someone who is so disdainful of the agency and the science behind what the agency does."

People in the State of New Hampshire have no doubt about the reality of climate change. In the Granite State we see it. We experience it all the time. The steady increase in yearly temperatures and the rise in annual precipitation are already affecting New Hampshire's tourism and our outdoor recreation economy, which accounts for more than \$4 billion a year and employs over 50,000 people. Each year, hundreds of thousands of sportsmen and wildlife watchers come to New Hampshire to enjoy our beautiful mountains, our lakes, our other natural resources, and our 18 miles of coastline, which we are very proud of. As I said, hunting, fishing, and outdoor recreation contribute more than \$4 billion to New Hampshire's economy each year, but much of this is now threatened by the warming of our planet. Rising temperatures are shortening our fall foliage season, they are negatively affecting our snow- and ice-related winter recreation activities, including skiing, snowboarding, and snowmobiling. An estimated 17,000 Granite Staters are directly employed by the ski industry in New Hampshire, and the New Hampshire Department of Environmental Services warns that those jobs are threatened by climate change.

Likewise, New Hampshire's and indeed all of New England's brilliant fall foliage is at risk. I wish to quote from a report by New Hampshire Citizens for Responsible Energy Solutions. They say: "Current modeling forecasts predict that maple sugar trees eventually will be completely eliminated as a regionally important species in the northeastern United States."

Climate modeling by the Union of Concerned Scientists projects that by the end of this century, New Hampshire summers will feel like present-day summers in North Carolina, 700 miles to our south. We have a map that shows what is going to happen to our red maples and the maple sugaring industry. We can see everything here that is in red, these are all those sugar maples. It is projected that by 2070 or 2100, they are gone. They are gone from New England, from the Northeast, and from most of the Eastern part of this country. If we fail to act on climate change, this could mean a steep loss of jobs. It could mean a loss of revenue. It will destroy our maple sugaring industry and will damage our outdoor recreation industry.

Maple sugar production is entirely dependent on weather conditions, and changes—no matter how modest—can throw off production and endanger this industry. Maple trees require warm days and freezing nights to create the optimal sugar content in sap production. The changing climate is putting more and more stress on sugar maples. As this map shows so well, it is already significantly affecting syrup production. If we fail to act on climate change, this could destroy our maple syrup industry. If you haven't done maple sugaring in the springtime, there is nothing like maple syrup over snow. There is nothing else like it. To lose that and to lose the jobs that are there is a real change to one of the recreational activities we love in New Hampshire.

Climate change is also threatening our wildlife species and their habitats. The moose is an iconic feature of New Hampshire's culture and identity, but as the results of climate change, we have seen a 40-percent decline in New Hampshire's moose population. We can see clearly from these pictures why we are losing our moose: Because of milder winters, ticks don't die off. It is really very tragic. The ticks multiply on a moose, they ravage it, and they eventually kill it. I don't know if people can see, but what look like little balls on the end of that moose's tail are ticks. This moose probably has brain worm, which is another problem the moose have because of winters that aren't cold enough to kill off those parasites. Ticks multiply on a moose, they ravage it, and they eventually kill it.

We have seen modeling from the University of New Hampshire which suggests that by 2030, moose will be gone—not only from northern New Hampshire but from much of the northern part of this country.

Other newly invasive insects are harming wildlife species as well as trees. Of course, people are also suffering from the impacts of climate change. Rising temperatures increase the number of air pollution action days. They increase pollen and mold levels, outdoors as well as allergen levels inside, and all of these things are

dangerous to sensitive populations with asthma, allergies, and chronic respiratory conditions. In fact, New Hampshire has one of the highest rates of childhood asthma in the country because we are the tailpipe. All of New England is the tailpipe for the rest of the country. Pollution blows across this country from the Midwest and exits through New Hampshire and New England.

Rising temperatures facilitate the spread of insect-borne illnesses such as Lyme disease. We could see on that moose what the impact is. Those ticks aren't just multiplying on the moose, they are multiplying in a way that affects people as well.

Fortunately, because we have seen the impact of climate change, New Hampshire and the other New England States are taking the lead in reducing carbon emissions and transitioning to a more energy-efficient, clean energy economy. We are one of nine Northeastern States participating in the Regional Greenhouse Gas Initiative called RGGI. It is essentially a cap-and-trade system in the Northeast. New Hampshire has already reduced its power sector carbon pollution by 49 percent since 2008. That is a 49-percent reduction in less than a decade. Thanks to efforts by State and local communities, New Hampshire is on track to meet the Clean Power Plan's carbon reduction goals 10 years early. In addition, we are using proceeds from emissions permits sold at RGGI auctions to finance clean energy and energy efficiency investments.

Unfortunately, Scott Pruitt seems to believe that reducing pollution and investing in a clean environment are somehow bad for the economy. He is just wrong about that. Our efforts in New Hampshire and across New England to fight climate change and promote clean energy have been a major boost to economic growth. We have seen jobs added as a result. During its first 3 years, RGGI produced \$1.6 billion in net economic value and created more than 16,000 jobs in our region. Nationwide, employment in the fossil fuel sector is falling dramatically, but job creation in the clean energy and energy efficiency sectors is exploding. According to the U.S. Department of Energy, more than 2 million jobs have been created in the energy efficiency sector alone and—if we can ever get Congress to move the energy efficiency legislation Senator PORTMAN and I have introduced—would create, by 2030, another 200,000 jobs, just on energy efficiency. Across New England, we are demonstrating that smart energy choices can benefit the environment and strengthen job creation and the economy overall.

So, again, we have to ask: Why does Scott Pruitt deny the science of climate change? Why has he urged States to refuse to comply with the Clean Power Plan? Why has he filed lawsuit after lawsuit to block enforcement of the Clean Air Act? Why does he deny

something as nearly universally recognized as the dangers of mercury pollution?

The bottom line, I believe, is that Scott Pruitt is first and foremost a fierce defender of the oil and gas industry. If scientists point to carbon emissions as the main cause of climate change, then he has to deny that science. If science and common sense point to hydraulic fracking as the cause of thousands of earthquakes in the State of Oklahoma, then he must deny that too. If the EPA's mission is to protect clean air and clean water from pollution caused by fossil fuels, then he has to sue the EPA and try to cripple it.

Scott Pruitt's nomination is not about shaking things up in Washington. It is about turning over control of the EPA to the fossil fuel industry and turning back the clock on half a century of bipartisan efforts—in Democratic and Republican administrations alike—to protect clean air and clean water and to pass on to our children a livable environment and an Earth that they can inhabit from future generations.

My office has been flooded with calls, emails, and letters from Granite Staters. They not only oppose Mr. Pruitt's nomination, they are genuinely afraid of the consequences of putting him in charge of the EPA.

I heard from Deb Smith from Hampton, NH. That is a small community on our coastline. She wrote:

I am a birder, love to walk on the beach and in the mountains, and rely on time spent in nature to cope with a [stage four] lung cancer diagnosis. Clean air is especially important to me! Pruitt's long history of suing the EPA and reversing decades of progress in improving the environment disqualifies him for this post. It is essential to continue to preserve and improve our natural environment for people, birds, and other wildlife!

Elizabeth Garlo of Concord writes:

New Hampshire, due to quirks in its geology and the Earth's rotation, is the "tailpipe" of the Nation with much of the air pollutants from the Midwest exiting to the ocean from here. The people of New Hampshire cannot sit back and watch our children suffer from asthma and be restricted from outside activities due to "bad air quality days." Mr. Pruitt will be a very significant detriment to the quality of life in New Hampshire.

Eugene Harrington of Nashua writes:

I am AGAINST the appointment of Scott Pruitt to head the EPA. He does not seem to support the purpose of the EPA. Now I hear that even scientific papers are being reviewed to be sure they support the current administration's view of "facts." Please do what you can to support a functioning EPA.

Christopher Morgan of Amherst, NH, writes:

This is my first message I have ever sent to my senator in my 32 years as a voting American. . . . As a registered Republican . . . I am vehemently opposed to Mr. Pruitt leading the EPA. He has consistently shown he does not believe in the threat posed by climate change. Climate change affects every citizen in this country and has a detrimental effect on the New Hampshire climate specifically. President Trump's willful dis-

regard for the safety and protection of all Americans cannot go unchecked.

Let me emphasize that I have heard from many Republican constituents who oppose Scott Pruitt's confirmation. My Republican friends point with pride to the fact that the EPA was created by a Republican President. After all, what could be more conservative than conserving our environment and preserving a livable Earth for future generations? For nearly half a century, protecting the environment has been a bipartisan priority and endeavor. That is especially true in the State of New Hampshire, where folks understand that clean air and water and fighting climate change are not and should not be partisan issues. We all have a profound stake in protecting the environment.

Unfortunately, with the nomination of Scott Pruitt to head the EPA, the Trump administration is willing to shatter this bipartisan tradition and consensus, and we must not allow this to happen. I appeal to all of my colleagues but especially to all of those on the other side of the aisle: Don't allow this nominee to destroy your party's hard-earned, commonsense efforts to protect clean air, clean water, and a sustainable Earth.

I urge us to come together—Senators on both sides of the aisle—to reject this effort to undo nearly five decades of bipartisan efforts to protect our environment and our planet.

The stakes are incredibly high for all of us. By rejecting this unsuitable nominee, we can reconsider our approach to the EPA. We can embrace this Nation's bipartisan commitment to protecting the environment for future generations. This is what the great majority of Americans want us to do. Let's listen to their voices, and let's say no to this nominee, Scott Pruitt, who is not only not qualified for this position, he is not committed to the EPA and its mission.

Mr. President, at this time I yield 30 minutes of my postcloture debate time to Senator SCHUMER.

THE PRESIDING OFFICER. The Senator has that right.

The Senator from New Hampshire.

Ms. HASSAN. Mr. President, I rise today, honored to speak after my colleague from New Hampshire and joining my other colleagues in opposing the nomination of Oklahoma attorney general Scott Pruitt to serve as the Administrator of the Environmental Protection Agency.

Our beautiful natural resources define my home State of New Hampshire. From the White Mountains to the Seacoast, to our pristine lakes and our forests, our natural resources are critical to our economy, our environment, our way of life, and protecting these resources plays a critical role, as well, in protecting public health.

However, we are already beginning to see the real impacts of climate change in New Hampshire, and these impacts threaten to have major consequences

for our natural resources and families and businesses in every corner of my State. Recognizing that fact, members of both parties have come together in New Hampshire to enact commonsense bipartisan solutions to take on climate change and to grow and maintain our State's renewable clean energy sector. We have worked to protect our land, our air and water, and the health of our citizens.

Unfortunately, it is clear from Mr. Pruitt's opposition to the Agency he will be tasked to lead, his record of working to weaken critical environmental protections that our citizens need to thrive, and his unwillingness to fight climate change, that he is unfit to serve in this position.

The mission of the Environmental Protection Agency begins with protecting our environment and the health of all of our citizens. The EPA does critical work to protect the water we drink and the air we breathe.

In recent years, the EPA has used sound scientific evidence to take strong measures to protect our environment. Unfortunately, President Trump has made clear that he does not support this critical Agency. Throughout his campaign, the President has repeatedly attacked the EPA, calling for its elimination and saying that our environment would be "just fine" without it. The President has doubled down on his hostility toward this Agency by nominating Mr. Pruitt to serve as its Administrator.

As attorney general, Mr. Pruitt has been a vocal critic of the very Agency he has now been nominated to lead, and he has been involved in over 20 legal actions against it.

According to the Washington Post, Mr. Pruitt has "spent much of his energy as attorney general fighting the very agency he is being nominated to lead."

On social media, Mr. Pruitt has referred to himself as "a leading advocate against the EPA's activist agenda." He has questioned the role of the Agency, stating that "the EPA was never intended to be our Nation's frontline environmental regulator."

When asked by one of my colleagues if there were any clean air or clean water EPA regulations in place today that he could support, Mr. Pruitt declined to name a single one.

The foundation of a future where all Americans have an opportunity to thrive starts with a healthy environment and healthy families. The EPA serves an important role in protecting the health of our people. We must do better than having an Administrator who has fought so tirelessly to undermine the work that this Agency does.

I am also concerned by an EPA Administrator who has consistently voiced skepticism about the clear facts on climate change. Throughout my time in office, I have always fought to protect our environment and have been a strong supporter of curbing the impacts of climate change. As a State

senator, I sponsored legislation that allowed New Hampshire to join the Regional Greenhouse Gas Initiative, and I helped pass the State's renewable portfolio standard to maintain and grow New Hampshire's clean renewable energy sector.

During my time as Governor, I worked with members of both parties to strengthen and build on those efforts, signing legislation to update the renewable portfolio standard and to maximize the benefits of the Regional Greenhouse Gas Initiative.

I am proud that my State has long led efforts to cut carbon emissions, and it is crucial that other States follow our lead and take responsibility for the pollution that they cause. That is exactly why I am a strong supporter of measures like the Clean Power Plan.

I also strongly support the Paris agreement on climate change and believe that the United States must take action to implement the agreement while also ensuring that our international partners fulfill their obligations.

Mr. Pruitt, however, has been a consistent skeptic on the role of climate change and the role that it has had on our environment.

Mr. Pruitt has stated that we do not know the extent of human impact on climate change and has called climate change a natural occurrence. He has said that climate change is "one of the major policy debates of our time."

And he continued:

That debate is far from settled. Scientists continue to disagree about the degree and extent of global warming and its connection to the actions of mankind.

Scientists are clear in their understanding of the climate change science. The American Association for the Advancement of Science says the scientific evidence is clear: Global climate change caused by human activities is occurring now, and it is a growing threat to society.

The American Geophysical Union says that humanity is the major influence on the global climate change observed over the past 50 years.

The American Meteorological Society says it is clear from extensive scientific evidence that the dominant cause of the rapid change in climate of the past half a century is human-induced increases in the amount of atmospheric greenhouse gases.

The Intergovernmental Panel on Climate Change says that warming of the climate system is unequivocal and human influence on the climate system is clear.

The EPA is a science-based organization, and it is unacceptable for the EPA Administrator to be at odds with the well-established views of leading scientists. As the Agency's own website says:

EPA is one of the world's leading environmental and human health research organizations. Science provides the foundation for Agency policies, actions, and decisions made on behalf of the American people. Our re-

search incorporates science and engineering that meet the highest standards for integrity, peer review, transparency, and ethics.

Mr. Pruitt disagrees with well-established climate science. Simply put, that disqualifies him from leading an agency where "science provides the foundation for . . . policies, actions, and decisions." If you refuse to believe research from the world's leading scientists, you cannot lead a science-based agency.

From protecting our environment to protecting public health, the EPA plays a critical role in protecting the health of Granite Staters and all Americans. We know that a cleaner environment plays a key role in the economy, for the economy of New Hampshire and our entire country. We should be building on the critical efforts the EPA has taken to combat climate change and protect public health, not rolling them back.

Mr. Pruitt's hostility to the basic functions of the Environmental Protection Agency and his work to undermine protections for clean air, land, and water make clear that he should not serve in this role.

I will vote against Mr. Pruitt's nomination, and I urge my colleagues to do the same.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Mr. President, I rise in opposition to the nomination of Scott Pruitt as the Administrator of the Environmental Protection Agency.

When Democrats on the Environment and Public Works Committee asked Scott Pruitt for critical information on his environmental record as attorney general of Oklahoma, Scott Pruitt said no to the Environment and Public Works Committee.

When Democrats on the Environment and Public Works Committee asked our fellow Republicans to delay Mr. Pruitt's vote until he got that important information, the Republican leadership here said: No, we won't wait for that critical information so that all Senators and the American people can understand who is being nominated.

When I asked Scott Pruitt if he would recuse himself from all issues relating to the cases that he has brought against the EPA as Oklahoma attorney general, Scott Pruitt said no to me.

Today we are here to respond to these very serious issues that are being raised about his ability to be an impartial Administrator of the EPA because the question before the American people and the Senate is whether Scott Pruitt should be the Administrator of the Environmental Protection Agency, and that answer is no.

The EPA is our cop on the beat, protecting the American people and our environment from harmful pollution, hazardous waste, and the impacts of climate change. But as attorney general of Oklahoma, Scott Pruitt has tried to undermine the clean water rule and the Clean Air Act, putting the pub-

lic health of millions of Americans at risk.

Scott Pruitt questions the science of climate change. Scott Pruitt has accused the EPA of overestimating air pollution from drilling of natural gas wells in Oklahoma. Scott Pruitt has argued against President Obama's Clean Power Plan, which the EPA is supposed to implement. Scott Pruitt has sued to block the EPA from restricting mercury, a toxin that causes brain damage in children in the United States.

The only thing that Scott Pruitt is certain of is that he wants to represent the interests of the fossil fuel industry. He wants to change the environmental watchdog into a polluter lapdog. And today we are drawing a line out here on the Senate floor because it is critical that the American people understand the moral implications for the water Americans drink, for the air they breathe, for the mercury that could go into the blood systems of children in our country, for the amount of smog that is allowed to be sent into the air, the amount of haze that is created across our country, and why the nomination of Scott Pruitt leads inevitably, inexplicably toward more pollution, more unhealthy air, and more unhealthy water going into the systems of our families across our country.

That really goes to what the moral duty is of the Senate, the moral duty we have to ordinary families across the country. Do Americans really think the air we are breathing is too clean? Do people really believe the water we drink is too clean? Do people really want to water down those standards? Do they want to reduce the safeguards we have put in place?

One hundred years ago, life expectancy in the United States was about 48 years of age. In other words, we had gone from the Garden of Eden all the way to about 100 years ago, and we had increased life expectancy to about 48 years of age—not much progress. Now, it was always good for the Methuselah family. The wealthy always did pretty well. They could protect themselves from the things that would affect ordinary families, poorer families, from the Bible to 100 years ago. But then what happened? All of a sudden there was an awakening in our country that we had to make sure the sewage systems in our country were not going to be able to pollute families across our society. Then step by step, beginning with sewage and water, we in our Nation came to understand that we had to remove the majority of pollutants that were out there that were damaging the lives of ordinary Americans. That was a change that transformed not just the United States but, over time, the whole rest of the world.

Now, 100 years later, life expectancy goes out to age 80. In other words, we have added 32 years of bonus life to the average American over the last 100 years. And what did it? Well, it is no

secret formula; it is just that we looked around and we saw the things we had to put in place in order to protect families, and we took a moral responsibility to make sure that those industries, especially those that were not providing protections, were forced to provide protections for those ordinary people.

Here we are now considering Scott Pruitt as the new Administrator of the Environmental Protection Agency. Here is what Mr. Pruitt has done as the attorney general of Oklahoma: He has sued the national Environmental Protection Agency for the State of Oklahoma 19 times, and the issues on which he has sued are almost a litany of the things that go right to the heart of the protections the American people want for their families.

There are still eight cases that he brought pending before the EPA.

I said to Scott Pruitt in the confirmation hearing: Attorney General Pruitt, will you recuse yourself from consideration of any of those eight pending cases during the time you are Administrator of the EPA if you are confirmed? And Mr. Pruitt said no. Well, as I said to him in the hearing, if you do not recuse yourself, Mr. Pruitt, that turns you into the plaintiff, the defendant, the judge, and the jury for all of those cases, and that is just an unconscionable conflict of interest. As a result, he would never be seen as an impartial Administrator at the EPA as he moved forward trying to repeal or weaken environmental protections through regulations that he originally sought to accomplish through litigation.

We all know that across our country, overwhelmingly, the American people want—in the highest possible polling numbers, Democrat and Republican, liberal and conservative—they want the EPA to protect clean air, clean water, public health. They don't want children unnecessarily being exposed to pollutants in the atmosphere that can cause asthma. Those numbers are going up. The goal in America is to see the numbers go down, but that will not be the agenda Scott Pruitt brings to the EPA if he is, in fact, confirmed.

This question of his fitness for this job also goes to the question of climate change. The science of climate change is now well established.

Pope Francis came to the Capitol a year and a half ago to deliver his sermon on the hill to us, and what Pope Francis said to us is very simple: No. 1, that the planet is dangerously warming and that it is something which is being caused by human activity largely and that those who are going to be most adversely affected are the poorest and most vulnerable in our society. As the Pope said, we have a moral responsibility to do something about it as the most powerful country in the world and, along with China, the leading polluter in the world. This is Pope Francis talking to us about climate change.

What does Scott Pruitt say about climate science? He says he is not quite

certain any actions really have to be taken in order to deal with that issue. Well, we have a Pope who actually taught high school chemistry and who delivered a science and morality lesson to the Congress. He told us that science is certain, and he told us that our moral obligation is unavoidable.

If we had a nominee for the Environmental Protection Agency who embraced that science and morality, I would be voting for him, but that is not who Scott Pruitt is. He is ignoring the impact the fossil fuel industry is having, and he is unwilling to commit to taking steps that can reduce that danger for our planet and for the most vulnerable on the planet.

So I stand in opposition to his nomination, as I will be standing out here all day and into the night. I don't think that we are going to have a more important discussion than the direction of the health of our planet and the health of the children in our country. I think it is something that the American people have to hear all day and through the night.

With that, I see the arrival of the Senator from Ohio. I know that he has time to speak on the Senate floor. So I yield back my time so that my good friend Senator PORTMAN can be recognized.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, I thank my colleague from Massachusetts for yielding his time.

OPIOID EPIDEMIC

Mr. President, I rise today to talk about this issue of opioids—heroin, prescription drugs, now fentanyl—coming into our communities. It is at epidemic levels. We have worked on this issue over the last year in a bipartisan way and have made some progress. But I come today to the floor to report bad news and also to report something that Congress could do to help to address a new problem.

There was a report recently that came out by the U.S.-China Economic and Security Review Commission—very disturbing. It said that there is a new influx of what is called fentanyl coming in from China. This is a synthetic form of heroin. It can be up to 50 times more powerful than heroin. Think about that.

The report says:

The majority of fentanyl products found in the United States originate in China. Chinese law enforcement officials have struggled to adequately regulate the thousands of chemical and pharmaceutical facilities operating legally and illegally in the country, leading to increased production and export of illicit chemicals and drugs. Chinese chemical exporters covertly ship these drugs to the Western Hemisphere.

So that comes from an official report from this Commission on the United States and China. It is confirmed, unfortunately, back home. I was home this week meeting with law enforcement on Monday. They told me: Rob, the top issue in our community is now

not heroin; it is fentanyl, and it is this synthetic form of heroin that is far more powerful.

At least in their minds, they think that it is also more effective at making people addicted because it is less expensive and the trafficking of it is more aggressive. So this is a big concern because we were finally, I thought, making some progress on the prescription drugs and the heroin, and now this fentanyl, Carfentanil, and U4—it goes by various names depending on the chemical compounds—are coming into our communities.

It is truly scary. The consequences are, I hope, obvious to everybody now. We are losing one American every 12 minutes. This speech will be about 12 minutes. We will lose another American to an overdose. But it is getting worse, not better. By the way, it is everywhere. Last year, in 2016, every single State in the Union had at least one forensic lab test positive for fentanyl.

According to the Centers for Disease Control and Prevention, the number of positive forensic tests for fentanyl in the United States doubled, in fact, from 2014 to 2015. We believe it is worse. We know it is worse than 2016 from the information we have. Unfortunately, even this year, this month and a half, we have seen more and more evidence of fentanyl coming into our communities.

According to the China Commission's report, the top destination for Chinese fentanyl, by the way, is my home State of Ohio. We had more positive tests for fentanyl than any other State. By the way, Massachusetts—to my colleague who has been involved in this issue and worked on this issue and helped to try to stop the overprescribing of prescription drugs—was No. 2.

We are talking about 3,800 positive tests for fentanyl in Ohio alone. I do believe this is something that is being confirmed at the local level, not just from my meeting on Monday but from what I am hearing from around the State. Just 2 days after the Commission's report came out, in Butler County, OH, police seized \$180,000 in fentanyl-laced heroin after suspected fentanyl overdoses killed five people in just 2 days.

Drug overdoses in Butler County, by the way, have nearly tripled since 2012. When I was in Dayton, I met with the Dayton R.A.N.G.E., which is a law enforcement task force—the Regional Agencies Narcotics and Gun Enforcement Task Force. They told me that this is now their biggest problem.

They said, because it is stronger, there are more overdoses and more deaths than there are with a similar amount of heroin or the number of people using heroin. They said that just over a 2-week period, they had seized more than 40 pounds of drugs off the streets, including 6 pounds of fentanyl last week. Now, 6 pounds of fentanyl, as I do the math, is at least 20,000 doses—20,000 doses in 1 town in Ohio.

I want to thank Montgomery County Sheriff Plummer, the task force, and

all of our law enforcement for their hard work to get this poison off the street. But they need our help. They need some additional tools. They told me about a 14-year-old girl who had tried fentanyl for the first time. She had never tried, apparently, any other drug. She snorted it. The people she was with had snorted drugs before, but she had not, which is one reason she not only overdosed but she died immediately. At 14 years old, her promising life was cut short.

It was in the Dayton suburb of Enon, a little more than a week ago, that a 5-year-old boy was seen running down the streets yelling: “Mom and dad are dead. Mom and dad are dead.”

A driver saw the boy and called the police. They went to his house and found his parents. They weren’t dead, fortunately, but they were unconscious. Mom was on the kitchen floor. Dad was on the living room floor. His skin had already turned blue, which is a sign of someone who overdoses and is close to death.

The first responders heroically saved both of them using Narcan—naloxone—this miracle drug that reverses the effects of an overdose. By the way, it took six doses of naloxone to revive the boy’s father—a good sign, according to law enforcement, that this was not heroin but that it was heroin laced with fentanyl, something far stronger than the normal heroin—six doses.

We saw a 37-percent increase in drug overdose deaths last year in Dayton, OH, with victims as old as 87 and as young as 2 years old. Drug overdose deaths in Dayton are now on pace this year to be even more dramatic—54 deaths already in the last month and a half, which is more than any month and a half last year. Some 235 people have had their lives saved with naloxone. The Dayton Fire Department’s call volume went up 17 percent compared to last January already.

So, again, it is not getting better. It is getting worse.

It is not just Dayton. It is not just cities. This addiction knows no ZIP code. In suburbs, rural areas, and the inner city—it is everywhere, and, by the way, in all demographics. In Medina County, OH, in Northeast Ohio, their overdoses doubled from 2015 to 2016. In Darke County, OH, north of Dayton, a rural county, they are on pace to quadruple last year’s number of drug overdoses already this year.

So why are these increases happening? One of the reasons is because of the increasing potency of these drugs on the street, particularly, again, this move from heroin to synthetic heroin that is more powerful.

Dayton paramedic David Gerstner puts it this way:

I don’t want to say our overdose rate has increased dramatically—because that doesn’t even come close to covering it . . . The potency of the drugs has increased to the point that instead of patients needing 2 milligrams of naloxone or 4 milligrams of naloxone or Narcan, we have had patients who need 20 milligrams or more.

Again, it takes many, many doses of Narcan, also called naloxone, to be able to save these lives. In Darke County, which, again, is north of Dayton, Rescue Chief Brian Phillips said:

With the introduction of new illegally made synthetic opiates [like] fentanyl and Carfentanil, heroin users are overdosing at a more rapid rate. These derivatives are much more potent and deadlier. The majority of our overdoses are not breathing, and in some cases are in complete cardiac arrest. We are also finding ourselves using more Narcan to resuscitate these patients.

So this is the word from those who are in the trenches dealing with this every day. It is not good news. In just the first week of February, by the way, in his department in Darke County, OH, they had 12 overdose calls—in the first week of February. This is a town of 13,000 people.

So it is clear that these drugs are getting on the street, and they are stronger, more addictive, and more dangerous. Heroin is already addictive enough and relatively inexpensive compared to prescription drugs, which is why many people move from prescription drugs to heroin. Probably four out of five heroin addicts in Ohio started with prescription drugs, according to the experts.

But now it is being laced, this more powerful synthetic drug. The Ohio Bureau of Criminal Investigation tested 34 cases of fentanyl in 2010. In 2015, they tested 1,100—a thirtyfold increase. Last year that number doubled again to 2,400 cases. Again, they have already tested for a record breaking number this year in the last month and a half.

According to the Ohio Substance Abuse Monitoring Network, you can buy small doses of heroin and fentanyl for as little as \$5 to \$10 now in Southwest Ohio. A lot parents and family members of those struggling with addiction worried about this, and it is very easy to see why. As the coroner in Butler County said:

Buying heroin today is like playing Russian roulette . . . people don’t know what’s in the product they’re going to use, and it may not be the same [from] one use to the next.

The coroner in my home town of Cincinnati, Lakshmi Sammarco, put it like this. You buy heroin, and “you may be gambling with your life” because it is more dangerous than ever.

We have to get that message out there. We have not done a good job of communicating this basic message that you are gambling with your life.

Dr. Richard Marsh, Clark County coroner, says:

We’re seeing a lot more fentanyl than heroin now. It started about the middle of 2015 . . . there are all kinds of labs producing it now and a lot of people think they’re buying heroin when in fact they’re getting fentanyl, which is fifty times as powerful.

How powerful is that? Let me give you an example. According to the DEA, or the Drug Enforcement Administration, it takes only 2 milligrams of fentanyl, about the same as a pinch of salt—think about that—to kill you. That is how powerful it is.

So again, going back to this China Commission report, they say most of these synthetic drugs are being made in labs in China and being shipped to the Western Hemisphere—to our country, to our communities.

How is it coming in? People are surprised to learn that it is coming in through the mail system. These deadly poisons are coming in through the mail system.

So unlike heroin, which primarily goes over land, primarily from Mexico, these drugs are actually coming in from Asia, from China and India, through the mail system. Unlike the private mail carriers, such as UPS or FedEx, our mail system does not require that people say where the package is coming from, what is in it, or where it is going. I think people are kind of surprised to hear that too.

That, of course, makes it is easier for the traffickers and much harder for our law enforcement to be able to deal with this problem. They cannot scan these packages that are suspect for drugs like fentanyl or other smuggled products because there are just too many packages—millions of packages. But if they had that information, if that was required on every package—electronically, in advance, digitally; this data, where it is coming from, what is in it, where it is going—our law enforcement officials tell us they would have a better shot at being able to stop this poison and being able to identify those packages.

I applaud my colleagues because with the Cures Act last year—it passed at the end of last year—we provided much more funding to our communities, to our States. Half a billion—\$500 million—is going out to our States to be able to deal with the issue of drug treatment and recovery services. It is very important.

That \$500 million, by the way, is this year and next year. That is really important to fight the epidemic. I also, of course, applaud my colleagues with regard to the legislation called CARA, the Comprehensive Addiction and Recovery Act. This provides us with not just more funding but better practices with regard to prevention, education, treatment and recovery, and providing the police with Narcan training and providing more Narcan resources to our first responders, whom we talked about.

So again, in the last year, Congress has taken some important steps forward. I commend the House and Senate for that. By the way, it was bipartisan from the start. I think that is beginning to make a difference. I wish the programs in the Comprehensive Addiction and Recovery Act could be implemented more quickly.

Unfortunately, there are still five more CARA grant programs that have yet to be implemented. Many of us pushed the last administration. Now we are pushing this administration to move quickly on that because this crisis is out there in our communities

now. We need the help. But we are getting that in place, and that is important.

But we now need to build on those efforts because of this synthetic heroin that is coming in. An obvious step to me would be to simply say that the Postal Service has to require what the private carriers require so these traffickers are not favoring the Postal Service and so we can begin to stop some of these dangerous synthetic drugs from coming into our communities, but also so that we can give law enforcement a tool to be able to target this and so that, at a minimum, we can increase the cost of this poison coming into our communities. It seems common sense to me.

Last week, Senators KLOBUCHAR, HASSAN, RUBIO, and I introduced legislation called the Synthetic Trafficking and Overdose Prevention Act, or STOP Act, to simply close the loophole and require the Postal Service to obtain advance electronic data on packages before they cross our borders. We just introduced it 2 days ago. It simply closes the loophole and requires the Postal Service to obtain advanced electronic data along the lines I talked about: where it is from, what is in it, where it is going.

In the House, by the way, there is companion legislation, which makes it easier to get this done because the House also understands this problem. My colleague, Congressman PAT TIBERI from Ohio, is one of the people who are focused on this issue. He is one of the cosponsors. The other cosponsor is from Massachusetts, RICHIE NEAL. Their companion legislation will make it easier for us to get this job done.

This bill is totally bipartisan—in fact, I would call it nonpartisan. It is based on expert testimony we had before our Homeland Security Committee, where we heard directly from law enforcement. It is a simple change that would make it much easier for them to detect these packages, particularly those from these Chinese labs that the China Commission report talked about.

It is not a silver bullet. No one has that silver bullet. But our bill will take away a key tool of drug traffickers and help restrict the supply of these drugs, this poison in our community, making their price higher and making it harder to get.

With the threat of synthetic heroin growing worse and worse every day, there is an urgency to this, so today I urge my colleagues to join us in this legislation. Cosponsor it. Let's get this through the committees.

The Finance Committee will be taking up this legislation. I am on that committee. I hope we move very quickly to mark it up, get it to the floor, pass the legislation here in the Senate, combine it with the legislation that is working through the House, get it to the President's desk for signature, and begin to provide some relief to our communities from this influx of syn-

thetic heroin that is continuing to tear our families apart, devastate our communities, and ruin lives.

This is about ensuring that young people, like the young people who are with us today, the pages on the floor, have the opportunity to pursue their dream, whatever it is. This is about ensuring that we are stepping up as a Congress to deal with a global problem. It is coming in from overseas. It is an international problem. Certainly this is one where the Congress ought to act to ensure that our U.S. Postal Service does the right thing to help law enforcement be able to better protect our communities.

I yield the floor.

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

The PRESIDING OFFICER (Mr. CASSIDY). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REED. 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. REED. Mr. President, I rise in strong opposition to the nomination of Scott Pruitt to be the Administrator of the Environmental Protection Agency. President Trump has made it clear that he wants to savage environmental protections, and his administration has already started down this path of reversing some of our hard-fought progress to ensure we have a clean environment: clean water and fresh air. By nominating Mr. Pruitt, President Trump has chosen someone equally hostile to the very notion of defending our environment and our Nation's health.

Respected voices on both sides of the aisle have expressed similar alarm over Mr. Pruitt's nomination. President George W. Bush's former EPA Administrator, Christine Todd Whitman, who led the Agency from 2001 to 2003, stated in reference to Mr. Pruitt: "I don't recall ever having seen an appointment of someone who is so disdainful of the Agency and the science behind what the Agency does."

This is a sentiment I have heard from over a thousand Rhode Islanders—environmentalists, researchers, conservationists, community leaders, parents, concerned citizens—who agree that Mr. Pruitt is a troubling choice for this role. They have contacted my office to express how distressed they are that someone with Mr. Pruitt's record and background could be chosen to lead the EPA.

Last week I hosted a roundtable to hear these concerns directly from my constituents. These Rhode Islanders shared their worries about the state of our changing environment, anxiousness about Mr. Pruitt's nomination, and concerns over what they have seen so far, and fear is coming with respect to the Trump administration's approach to our environment. Nevertheless, they remain committed to ensuring that we

have clean air and clean water because these natural resources are so important to our economy, our health, and our quality of life.

I share that commitment. I have consistently voted for strong environmental policies that seek to limit pollution, promote renewable energy, and mitigate the effects of climate change.

The EPA oversees the Federal Government's role in protecting our health and environment. It needs a leader who fundamentally believes in its core mission. Scott Pruitt has a record of working against the Agency's goals to protect Americans from pollution. That is the goal of the Agency. He does not believe or respect the scientific findings regarding climate change, and his close ties to the oil and gas industry are a serious concern.

These kinds of beliefs and views should be of concern to everyone in this Chamber.

As Oklahoma's attorney general, Mr. Pruitt sued the EPA multiple times seeking to eliminate pollution regulations. He has a record of not only challenging the legal, scientific, and technical foundations of EPA rules, but he has also questioned the EPA's authority to issue them.

Mr. Pruitt filed as the plaintiff in these lawsuits, many of which are still pending. If confirmed as the EPA Administrator, he would be switching sides to become the defendant in these lawsuits. And yet, he has refused to recuse himself from any of these or related cases. He has also failed to provide records of his communications with fossil fuel companies during the years he served as attorney general.

It is abundantly clear that he cannot be impartial.

This lack of transparency regarding Mr. Pruitt's connections to the oil and gas industry raises serious questions about what influence these conflicts will have on his ability to enforce regulations that protect everyday Americans from pollution generated by fossil fuel use.

The EPA Administrator must be someone who will uphold and enforce Federal environmental laws impartially and honorably, with Americans' health in mind.

One issue in particular that comes to mind is one I have worked on for decades across multiple Federal agencies—lead poisoning prevention. I have long advocated for better Federal policies and more funding to protect children from lead hazards. While the Department of Housing and Urban Development and the Centers for Disease Control and Prevention do much of this work, the EPA plays an important role as well.

I think we saw that very clearly over the last year with the situation in Flint, MI.

I was deeply concerned that when asked about lead poisoning among children during his confirmation hearing, Mr. Pruitt told the committee that he, in his own words, "really wasn't familiar with the basic science surrounding

the health effects of lead poisoning.” For the sake of his education on this issue—and to make all my colleagues who might not be aware of the impact—lead poisoning in children can cause serious and irreversible developmental and health problems.

We need an EPA Administrator who is familiar with and committed to protecting the health of our children from these and other kinds of environmental health hazards. Unfortunately, I do not believe Mr. Pruitt is qualified to do so.

During his confirmation hearing, Mr. Pruitt also displayed a lack of understanding of the role human activity plays in climate change, as well as a disregard for the scientists who have spent their lives studying and carefully observing our Earth’s changing climate.

Our next EPA Administrator should understand the threat of climate change and base the Agency’s policies on scientific data and findings without ideological influence. Many people across the Nation were distressed and deeply concerned by the removal of climate change reports from the EPA’s website shortly after President Trump took office. I share that concern, and I am disturbed that the EPA has recently put a hold on issuing new grants and instituted a gag order on all communications.

This is alarming. The halting of Federal funds means that our investments in our water infrastructure, remediation of our watersheds, and support for numerous others environmental initiatives so vital to our local communities and States will be affected, and this will seriously harm environmental protection efforts. In Rhode Island, these cuts could have devastating effects, such as hindering the State’s ability to provide clean air and clean drinking water for all residents.

We need an EPA Administrator who is committed to safeguarding clean water and clean air and who is experienced in environmental protection. This role demands someone who is prepared to preserve and defend our environment from harm, who can make decisions based on scientific evidence, and whose financial ties will not impact his decisions when it comes to protecting the American public from pollution.

Scott Pruitt is not the EPA Administrator we need. The nature of the lawsuits he filed attempting to dismantle EPA regulations that protect clean air and water—the very regulations he would be charged with enforcing—demonstrates that he is not committed to defending our natural resources, our health, and our well-being. Mr. Pruitt, in my estimate, is unsuited and unqualified for this critical leadership position.

For these reasons, I cannot support his nomination, and I urge my colleagues to join me in voting no.

Mr. President, I respectfully ask unanimous consent that I be allowed to yield the remainder of my time on this

nomination to my colleague, Senator SHELDON WHITEHOUSE from Rhode Island.

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

The Senator from Washington.

Mrs. MURRAY. Mr. President, I come to the floor today to urge my colleagues to vote no on the nomination of Scott Pruitt to lead the Environmental Protection Agency, a nomination that marks yet another broken promise from the new President to put the needs of American families first over the wishes of big corporations and special interests. And just like we have seen with Betsy DeVos at the Department of Education or Steve Mnuchin at Treasury, we have yet another Trump nominee whose record demonstrates a direct conflict with the mission of the agency they wish to lead. On the EPA’s website, that mission is pretty clear—“to protect human health and the environment”—and EPA achieves that by enforcing regulations based on laws passed by Congress. So I will be voting no on this nomination.

I want to make two points on why Mr. Pruitt heading up the EPA would be wrong for our country and why it would be wrong for the families I represent in Washington State. It starts with his record and clear conflicts of interest.

During Mr. Pruitt’s term as the attorney general for Oklahoma, he filed no less than 19 cases to overturn environmental regulations, including one to topple the EPA’s Clean Power Plan. These regulations specifically seek to protect public health by reducing harmful air and water pollution and are projected to save tens of thousands of lives each year.

As if it wasn’t bad enough that Mr. Pruitt spent so much time filing lawsuits in court and fighting policies designed to protect the health of the environment as well as people, it is pretty shocking that at the same time, he was collecting millions of dollars from the very industries he will regulate if he is confirmed. This is no small conflict of interest between his former and potentially future position, and that he was still nominated to be EPA Administrator is mind-blowing to me.

I echo the sentiments of so many who have expressed serious concerns about Mr. Pruitt’s conflict of interest, that his ties to the fossil fuel industry make him more indebted to backing policies that loosen environmental regulations, benefitting big oil and gas companies, rather than backing policies that protect the American people.

Mr. President, I want to voice another concern my constituents have shared with me. It is unnerving to think the President would choose a climate change denier to set our national environmental policy. I don’t see how someone who has openly denied the existence of climate change—the devastating effects of which we are already beginning to see in Washington State and around the country—will ef-

fectively protect human health or the environment.

This is about more than just the environment. A report by the Congressional Budget Office last year found that climate change is a serious threat to our economic stability. As the occurrence of national disasters continues to rise, the cost of disaster assistance and rebuilding rises too.

If we want to be responsible about tackling our fiscal challenges—which I would think the President and Mr. Pruitt would agree on—we need to take the impacts of climate change seriously. At a time when we are already seeing the very real effects of climate change in my home State, from longer, more devastating wildfire seasons to ocean acidification and rising sea levels, it is more important than ever. This brings me to how Mr. Pruitt’s confirmation would be devastating for my home State of Washington.

As someone who personally spends a great deal of time fishing and hiking in my home State of Washington, I am committed to conservation and preservation efforts so generations to come can appreciate the high quality of life we enjoy and experience the splendor of America’s natural spaces, one of the most important being the restoration and recovery of salmon runs and habitat throughout the Pacific Northwest, which is a vital part of our Northwest economy and its heritage.

I am deeply concerned about whether this support would continue under an EPA Administrator like Mr. Pruitt. I have similar concerns about the Hanford cleanup, a critical part of our State’s history that EPA plays a very important role in to protect the health and safety of our Tri-Cities community, Columbia River, and Washington State.

I will fight against any EPA nominee or an Administrator who will not join us in the fight for a better future for generations to come. I sincerely hope the President and Mr. Pruitt truly understand the enormous responsibility of the Environmental Protection Agency, not only in protecting our environment for future generations but for the families we represent who rely on clean air and clean water right now.

For the sake of our children and grandchildren, we need to act now to avoid lasting, irreversible damage to our health, our environment, our economy, and our country’s future. I am not confident in putting that future in Scott Pruitt’s hands.

Thank you, Mr. President.

I yield the remainder of my postcloture debate time to Senator CARPER.

The PRESIDING OFFICER. Senator CARPER can receive 21 minutes of that time.

Mrs. MURRAY. Additionally, I yield the remainder of my time beyond that, of my postcloture debate time, to Senator SCHUMER.

The PRESIDING OFFICER. The Senator has that right.

Mrs. MURRAY. Thank you very much.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I ask unanimous consent to rescind my previous request and reclaim my time.

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

Mr. REED. Thank you, 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. CASEY. 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. CASEY. Mr. President, I rise this afternoon to speak in opposition to the nomination of the Oklahoma attorney general, Scott Pruitt, to be the next Administrator of the Environmental Protection Agency which we all know as the EPA.

My concern—I have a number of them, but the principal concern of Mr. Pruitt's nomination is rooted in his record, which I believe is totally inconsistent with the mission of the EPA. That mission is to protect human health and the environment. We know the EPA achieves this core goal through the development and enforcement of standards to protect children and families from exposure to dangerous pollutants in our air and water.

Protection of human health means ensuring that our children have clean air and clean water, tackling climate change, which leads to the kind of food insecurity that causes malnutrition in children throughout the world.

I have to say that as a Pennsylvanian, I think I have an obligation to not only speak about these issues but to fight on behalf of policies that will advance the knowledge and mission of the EPA but will be consistent with the directive I am obligated to follow in my State's constitution. In Pennsylvania, if you go back to the founding of Pennsylvania forward, we had many generations, especially through the beginning of the Industrial Revolution, throughout most of the 1800s and into the 1900s, until about the midcentury point, where we didn't do a very good job of protecting our air and water and human health because we let one or another industry pretty much do whatever they wanted until the modern era. Fortunately, since that time, Pennsylvania has made a lot of progress. One of the measures of that progress and something I am bound by is a provision of the State's constitution, article I, section 27, that says people shall "have a right to clean air, pure water, and to the preservation of the natural, scenic, historic, and esthetic values of the environment."

That constitutional provision goes on to talk about each of us as citizens of

the Commonwealth of Pennsylvania being trustees of the environment—especially and ever more so if you are a part of State government, and I would argue the Federal Government as well. To say I feel an obligation is a major understatement. I think I am bound by that, and that enters into my determination and analysis of Mr. Pruitt's record.

We know in recent years the EPA, acting under the authority it is granted through laws like the Clean Air Act and Clean Water Act, has developed a number of important standards to advance these priorities—rules like the mercury and air toxics standards, the cross-state air pollution rule, the ozone rule, the new source performance standards for the oil and natural gas industry, the Clean Power Plan, which is meant to obviously focus our policy on climate change, and other policies to reduce exposure to pollutants like methane, volatile organic compounds, mercury, and carbon pollution itself.

According to the American Lung Association's "State of the Air 2016" report, these rules reduce the likelihood of premature death, asthma attacks, lung cancer, and heart disease. I would hope that if you have a series of measures in place that reduce the likelihood of asthma attacks, lung cancer, heart disease, and premature death—I would hope we would not only advance those policies but make sure they are not destroyed, undermined, or compromised. It is just common sense to make sure we regulate pollutants like lead, mercury, arsenic, and acid gases, just by way of example.

Yet Mr. Pruitt, who is the attorney general of Oklahoma, filed 14 lawsuits against the EPA to halt the regulation of these pollutants that threaten our children's health. Mr. Pruitt has stood up for the interests of oil and gas companies but has failed to defend, in my judgment, the most vulnerable members of our society, or at least not defend them to the extent that I would hope he would, not only as attorney general of Oklahoma but as the EPA Administrator were he to be confirmed.

When asked during his confirmation to name one clean air or clean water regulation he supported, he couldn't name one.

I believe his record is clear. He fought to dismantle the Clean Air Act, the Clean Water Act, anti-pollution programs to target ozone and mercury in the air, the agreement to clean up the Chesapeake Bay—which I will get to in a moment—and has even denied the science of climate change. Suffice it to say, I have a number of basic concerns about his record and what he would do were he to be confirmed.

One example of the concerns I have involve the Chesapeake Bay with regard to impact in Pennsylvania. Although Pennsylvania doesn't border the Chesapeake, the Pennsylvania Susquehanna River is the bay's largest source of freshwater. Improving the health of the Chesapeake Bay requires

a sustained, coordinated commitment from all of the States in the watershed. I have repeatedly written to the U.S. Department of Agriculture for increased funding and technical assistance for farmers in Pennsylvania so Pennsylvania can continue to improve the health of the Susquehanna River and the bay.

Pennsylvania has made great strides in addressing the issue of nutrient and sediment runoff into the Chesapeake Bay, but there is more to be done, and Pennsylvania is far from meeting its 2005 Chesapeake Bay pollution reduction goals.

Ensuring that all States in the watershed are coordinated and meeting their commitments is exactly the type of role the EPA should be filling. Mr. Pruitt called the EPA's Chesapeake Bay TMDL standard "the culmination of the EPA's decade-long attempt to control exactly how States achieve federal water quality requirements under the Clean Water Act, and marks the beginning of the end of meaningful state participation in water pollution regulation."

Well, I disagree. We don't have time to outline all the reasons, but I strongly disagree with that assessment of the EPA's actions with regard to the Chesapeake Bay, but we do have a long way to go to make sure that we keep it clean. So on clean water, I think we have to insist that neither the EPA Administrator nor anyone in Congress does anything compromising when it comes to clean water.

Climate change. This fall I had an opportunity to spend time in Pennsylvania with Senator WHITEHOUSE of Rhode Island, one of the leaders in the Senate on the issue of climate change. We did a tour, and one of the places we went was the John Heinz National Wildlife Refuge. It is America's first urban refuge named after one of my predecessors, Senator Heinz, who tragically died in 1991, but his work on the environment is remembered in places like this wildlife refuge. This is a public space that allows us to enjoy wildlife, outdoor recreation, and environmental education opportunities right outside of a major city—in this case, Philadelphia. And this refuge also plays a vital role in climate change resiliency.

Marshes help to filter pollutants from water and can absorb water during heavy rain events, thus helping to reduce the magnitude of flooding. However, the refuge is facing a number of environmental stressors.

Sea level rise could have serious consequences for this fresh water marsh. Not only would rising sea levels lead to the loss of undeveloped dry land and habitat for wildlife, but increased salinity could change the plant makeup of this marsh at the wildlife refuge.

According to EPA, Pennsylvania's climate has warmed more than half a degree Fahrenheit in just the last century. Sea level has also risen nearly 1 foot over the past century, according

to NOAA, measured by the tidal gauge in Philadelphia. That means that significant portions of the city of Philadelphia could be underwater, including the Philadelphia International Airport, if we fail to act.

We know that 2016 was the warmest year on record for a third year in a row. Also, climate change is not some distant possibility in Pennsylvania or throughout the Nation; it is real, and we are already feeling the effects of climate change.

I will close with one story from one mother who talks about air quality, or the impact of bad air quality and the issue of climate change itself. Jacqueline Smith-Spade, a mother from Philadelphia, recently wrote to me about her 6-year-old son Jonas's struggle with asthma and the emotional and financial toll it takes on her family:

Every time there is an extreme or irregular climate shift, I can pretty much predict that my son is going to end up in the emergency room due to the effect of air quality.

She goes on to say later in the letter:

I routinely check the air quality to help predict what type of day my son and my family might have: With or without nebulizer?

The physical toll on Jonas also creates a financial burden on my family. The emergency visits cost \$100 each time we go; \$30 copays for each specialist visit; \$15 copays for each pediatrician visit.

She goes on to say:

This is not cheap; however, my insurance greatly helps to reduce the costs.

She worries, of course, about what might happen on healthcare, but I will not read all of those portions.

She concludes this part of the letter this way:

A reduction in air pollution and climate change will make life for my 7-year-old son, Jonas, much easier. His reactions to those changes will be reduced. It will also save my family countless dollars, stress, and panic attacks.

So said one mom about her son Jonas.

What we must do, and especially what Mr. Pruitt must do, were he to be confirmed, is to answer her questions—to answer her questions, Jacqueline's questions, and the concerns she has about her son Jonas. She is not only a taxpayer, but she is someone who will be impacted directly by the actions and the policies that come from this administration as well as the EPA itself.

So I believe that Mr. Pruitt, if he were to be confirmed, must meet the expectations of Jonas and his mother. He works for them, or will work for them, were he to be confirmed.

I know I am out of time. I will just conclude with this: There are a long series of reasons, some of which I wasn't able to get to today, that undergird and form the foundation of my decision not to support the nomination of Scott Pruitt as the next EPA Administrator.

With that, I yield the floor.

The PRESIDING OFFICER. The majority whip.

WORKING TOGETHER

Mr. CORNYN. Mr. President, today is February 16, 2017. President Trump was sworn in on January 20, 2017.

For the past several weeks now, we have come to the floor and talked about the slow pace at which the Senate has considered and voted on the President's nominees for his Cabinet. Well, there is good reason for that because one of our roles is to consider and vote on advisers selected by the President, regardless of political party, and to help this new administration lead the country.

President Obama, to his credit, after the election, sat down with President-Elect Trump and said he was committed to a peaceful transition of power from his administration to the Trump administration. But, apparently, some of our colleagues didn't get the memo. We continue to slog along at the slowest pace since George Washington to vote on nominees to the President's Cabinet.

The reason it has gone on so slowly is clear by now. It is because our friends across the aisle are still upset and have not yet reconciled themselves with the results of the election on November 8. They just kind of can't get over it. Yes, they are being encouraged by the radical elements of their party who don't want us to fulfill our responsibilities, who don't want a new President to have the Cabinet that he needs in order to govern the country. Yes, there are some who want to halt our work in this Chamber and perpetuate dysfunction. They don't want us to focus on legislating because they want to keep us tied up in the confirmation process.

I will just interject right here, as I have said before, that we know these nominees will be confirmed because, thanks to the nuclear option under Senator Reid, the previous Democratic leader, all it takes is 51 votes to confirm a nominee to a Cabinet post. But the fact is, the country needs a functioning Senate. We need a functioning executive branch.

So I hope our colleagues across the aisle will understand soon that if they want to be effective—if they want to actually move the needle and help those who have entrusted them with the future of this country—then we need to turn from gridlock to action.

Last Congress, even under President Obama in the White House, we did not let partisan dysfunction keep us from working together. There is a difference between elections and governing. But, for some reason, too many people want to keep relitigating the election and not allow us to actually govern.

Of course, during the Obama administration, Republicans had many points of departure from the Obama administration, and we used the tools available to us to provide the oversight and ask the critical questions that the American people demanded. But our friends across the aisle are now being tempted to shut down the government, to run away from policy debates, and point

fingers. Why? Because it is always easier to throw stones than it is to actually accomplish something—roll up your sleeves, focus on the task, and turn to legislating.

Yes, it may be easier just to criticize and to obstruct, but it is not the right thing for the American people. Our colleagues across the aisle know that, but, as I said earlier, they are being unduly influenced by some of the radical elements in their political base who will not let them do it or who say that if you do cooperate on a bipartisan basis and actually do your job, then we are going to recruit people to run against you in a primary.

Well, that is part of the risk we all take. We didn't come here to appease a portion of our political base and neglect our most basic duties as Members of the U.S. Senate. Again, I would point to last Congress and the work we did together on a bipartisan basis, I might add, as evidence of what you can accomplish when you try to do that.

The 114th Congress, after the 2014 election, saw a new majority, a new Republican leadership, and we did our best to help restore order to this Chamber and get it working again after years of dysfunction. Under the previous regime, Members of both the majority and minority parties were actually prevented from coming to the floor and offering legislative ideas in the form of amendments and getting votes on them, but that backfired when some of our colleagues who were running for reelection in 2014 realized that they had very little to show the voters by way of accomplishment—even those in the majority party, the Democratic Party, at that time. So one would have thought that there would be some lessons learned there.

In the last Congress—in the 114th Congress that began 2 years ago—we voted on legislative ideas from both sides of the aisle with more than 250 rollcall votes. That represented a sea change from the previous administration and the way Senator Reid ran things.

We were able to get the Senate functioning as the Founders intended, and that led to big results for the American people. We took care of big, intractable problems that had trouble getting anywhere during the previous Congresses. For example, we passed a transportation bill—the highway bill—to help Americans deal with safety on the roadway, to deal with concerns about pollution due to congestion and people in gridlock, and we helped our economy in the process. That was a big, important bill. That was the first time we had been able to pass a long-term highway bill in about 30 different, separate attempts where we had patched the funding mechanism for 6 months or a year, which made it nearly impossible for our highway departments across the country to actually plan. It actually ended up being more expensive and less effective than it would be with a multiyear highway bill, which we

passed. So that was a big bipartisan accomplishment.

We also made great progress in reforming our public education system by passing, again, on a bipartisan basis, the Every Student Succeeds Act, which went a long way to devolving power from here in Washington, DC, back to the States, back to local school districts, back to parents and teachers—something that, fortunately, we were able to agree upon on a bipartisan basis. That change was applauded by my constituents back home, and, I believe, people around the country.

We also made great headway in making our country safer and our government more just by taking up and passing legislation to support victims of abuse and violence and to craft laws to better equip our law enforcement to handle growing threats.

For example, we passed the Justice for Victims of Trafficking Act 99 to 0. Some people say that nothing ever gets done in Washington; well, 99 to 0—it is hard to beat that, except by maybe 100 to 0, but we will take it.

That law was signed into law by President Obama 2 years ago, and it is helping victims of human trafficking get the healing and recovery they need, while also providing help to law enforcement to help root out the people who patronize modern day slavery, which is what human trafficking amounts to.

We also, on a bipartisan basis, reauthorized the Justice for All Act to strengthen victims' rights in court and increase access to restitution and services that can help them recover. It helps reduce the national backlog in untested rape kits, forensic evidence collected after a sexual assault that is necessary to identify the assailant through the use of DNA testing. That was really important, after we heard the horror stories of as many as 400,000 untested rape kits in laboratories or evidence lockers—evidence which was critical to identifying the assailant; many times they were serial assailants. In other words, they didn't just attack one time, they attacked multiple times over the years—and to get them off the streets. That type of evidence is also very important in exonerating the innocent because if we can exclude someone from one of these terrible assaults, that means a person who is innocent of the crime will be free.

We also passed a bill called the POLICE Act, signed into law last summer, so our first responders and law enforcement officers can learn the latest techniques to deal with violence so they are ready to face the unimaginable or previously unimaginable threats in our communities.

I could go on and on, but I will just mention a few more. We passed bipartisan legislation to combat opioid abuse and heroin addiction, the Comprehensive Addiction and Recovery Act. We passed laws to make our government more transparent so it is more accountable to the public and to vot-

ers. We helped capitalize on our God-given natural resources by lifting the crude oil export ban, for example—something important not only to domestic producers and job creation here but also to our friends and allies around the world who frequently depend on a single source for their energy. Unfortunately, people like Vladimir Putin in Russia have discovered you can use that sole source of energy as a weapon by threatening to cut it off.

The reason I mention some of these accomplishments is to make the point that nothing happens in Congress, nothing happens in the Federal Government, unless it is bipartisan.

It is one thing to fight hard in an election and try to win the election so you can gain the privilege of actually being in the majority or having the White House, but after the election is over, our responsibilities shift to governing. Right now, our friends across the aisle are continuing to obstruct and drag their feet and make it impossible for the President to get the Cabinet he needs in order to get the government up and running.

We need to return to the pattern we established in the last Congress, to work together, to build consensus, to help make America stronger, our citizens safer, and our laws a better service to all the people. I would plead with our colleagues across the aisle to stop the dysfunction, stop wanting to relitigate the outcome of the election. You can't. It is over. We know what the outcome was. They need to move on, and we need to move on—not just for the political parties we are members of, not just for the benefit of those elected here in Washington but for the benefit of 320-some-odd million people whom we have the responsibility of representing. Instead of foot-dragging, obstruction, and dysfunction, let us fight, as we always have, for those people we represent and work together to find common ground where we can to put forward legislation that serves them well.

I hope our colleagues across the aisle would remember those lessons they learned in the 2014 election; that dysfunction is bad politics. It does not help their political cause. I understand the temptation of wanting to yield to the most radical elements in a political party, but we are elected to the Senate for 6-year terms to be that cooling saucer, to try to have debate and deliberation, to try to work out the hard problems. That is our responsibility, and just to blindly obstruct when you know you can't change the outcome—particularly when it comes to the President getting the Cabinet he has chosen and he deserves—makes no sense whatsoever.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

AGRICULTURE

Mr. GARDNER. Mr. President, there are few things that I enjoy more than

bragging about my hometown. I live in a little town called Yuma, CO, out in the Eastern Plains. It is a town of about 3,500 people. If maybe you over-exaggerate a little bit, it reaches 4,000. It is out in the middle of the High Plains of Colorado, 4,000 feet in elevation, 40 miles or so from the Kansas-Nebraska border. It is a farming community, 100 percent farming. Everything related to the town is farming. Even the clothing stores are related to farming because if you don't have a strong agriculture economy, nobody is buying blue jeans, nobody is going up to the car dealership to buy a pickup if the bushel of corn isn't priced right. So everything we do in that town is related to agriculture and farming.

My family comes from a background of farm equipment business and started a business—101 years old this year—by my great-grandfather. My time working in the dealership started roughly when I was in seventh, eighth grade. They let me do some very complicated tasks, high-skill tasks they let me perform: cleaning the bathroom, sweeping the floors. I did that throughout my time in eighth grade, high school, and college. If I go back today, I am sure they would let me do the same job, clean the bathrooms and sweep the floors. Part of that is because I was selling the wrong parts to a lot of farmers who would come into the dealership. Maybe they were just keeping me off the parts counter for the time being. In fact, maybe that is why people voted for me, to get me off the parts counter and quit selling the wrong parts.

Over my time working at the dealership, we witnessed a lot of good times in agriculture. I can remember one time going into my dad's and granddad's office and saying: You know what, the economy is really good. The price of corn is really high right now. We ought to order a whole bunch of farm equipment—a whole bunch of pieces of implements, tillage equipment, tractors, combines—and have them on the lot so we can take advantage of the good times in agriculture.

My granddad paused and looked at my dad and said: No, I don't think we should do that because I don't think times are going to be good next year.

They were right. This was back in probably the mid-1990s. They had seen it coming because of their experience in the business, the ebbs and flows of agriculture, the good times and the bad times. They were able to recognize, through their own experience, what different economic indicators meant to them and how they could forecast, using their experience, what was going to happen in the farm world the next year. So they decided not to order all that brandnew equipment. They decided not to order the tractors, the combines, and the tillage equipment. It was a good thing because the next year wasn't that great. If this 18-year-old, 19-year-old kid would have had his way, we would have had a whole lot of iron

we were paying interest on that year without being able to sell it.

Colorado is pretty blessed, with 4,000 companies involved in agriculture, 173,000 jobs in Colorado directly involved in agriculture. The State has more than 35,000 farms and 31 million acres used for farming and ranching. If we look at the Colorado business economic outlook, the net farm income of ranchers and farmers in 2016 is estimated this year to be the lowest it has been since 1986, and the projections for 2017 are even lower.

I grew up as a kid in the 1980s, watching perhaps the hardest times agriculture in the United States had faced in decades, watching a lot of people I knew my whole life going out of business, people having to sell the farm because of what was happening in the 1980s, leading to a banking crisis in agriculture in the 1980s, watching banks I had grown up with close.

I am concerned in this country that we are going to see the same thing again, beginning in 2016, into 2017, and then into 2018 next year. I am very worried that those tough times we saw in the 1980s, and some of the tough with the good times we saw in the 1990s, and some really good years a few years ago are going to seem like distant memories come later this summer and into next year if we don't do something.

I had the opportunity to visit with the Colorado commissioner of agriculture in my office last week, a gentleman by the name of Don Brown. Don Brown is from my hometown of Yuma, CO. It has done pretty well for itself, 3,000 people. The State commissioner of agriculture is from my hometown. The previous commissioner of agriculture, a gentleman by the name of John Stoltz, was from my hometown of Yuma. Both of them grew up in agriculture in that area, understanding what it is like on the High Plains, understanding what it is like to live through good times and bad times. Both of them today I think would tell you, they are very concerned as well about what happens over the next year, the next 2 years.

It wasn't that long ago when we saw some of the highest priced commodities this country has ever seen, at least in a very long time—the golden years of agriculture, some people said—where corn and wheat were priced high. People were able to pay their bills and buy new equipment. Commodity prices don't always stay that high though. The one thing a farmer will tell you is, the price of a piece of farm equipment stays high, the price of fertilizer seems to stay high. When prices come down on their commodities, the other prices—the inputs—stay high, and they find themselves in significant trouble.

The price of corn today is estimated to be about \$3.15 per bushel. That is what it was in 2016, less than half of the 10-year high price of corn of \$6.86 in 2012, just a few years ago. To put that in historical context, the price of corn in 2016 at \$3.15 is lower than the price

of corn in 1974, the year I was born, when it was \$3.20. The price of corn in 2016 was 5 cents lower than it was the year I was born, 1974. It is the same story across the board for Colorado. Wheat prices are down more than \$1 from 2015 to 2016 alone and down more than 50 percent since 2012. I can guarantee, even though I may have sold a lot of wrong parts at the implement dealership, those wrong parts didn't come down in price 50 percent.

The livestock industry has seen similar trends, with cattle prices at their lowest level since 2010. In farming and agriculture, a lot of times we might see a year where the price of corn is high, but the price of cattle is low or the price of other commodities are high where the price of cattle is low, but when cattle are high, maybe other commodities are low. Farmers who have a diverse operation are able to offset the lows and the highs with a diverse operation—but not this year, and it looks like that may be the case next year.

Declines in States' agriculture economy are not unique to Colorado. According to the U.S. Department of Agriculture's Economic Research Service, revenues have decreased for agriculture nationwide by more than 10 percent since 2014.

Recently, the Wall Street Journal wrote this, and I will show the headline of the Wall Street Journal piece just a couple of weeks ago. The Wall Street has an article entitled "The Next American Farm Bust Is Upon Us."

We have had a lot of debates on this floor. We have had debates about Cabinet members. We have had debates about resolutions of disapprovals. We are talking about a lot of things, but there is a lot of suffering beginning in the heartland of America right now. A lot of farmers and ranchers are suffering. They are worried about how they are going to survive, not just into the next year but how they are going to survive into the next couple of months. The telltale signs of difficult times are all around us in agriculture. This article, "The Next American Farm Bust Is Upon Us," begins to tell the story. Here is what the Wall Street Journal said:

The Farm Belt is hurtling toward a milestone: Soon there will be fewer than two million farms in America for the first time since pioneers moved westward after the Louisiana Purchase.

Across the heartland, a multiyear slump in prices for corn, wheat and other farm commodities brought on by a glut of grain worldwide is pushing many farmers further into debt. Some are shutting down, raising concerns that the next few years could bring the biggest wave of farm closures since the 1980s.

The article highlights the story of a fifth-generation farmer from Western Kansas. I mentioned my hometown is 40 miles away from Kansas. It looks very similar to the Eastern Plains of Colorado where I live. Here is his story:

From his father's porch, the 56-year-old can see the windswept spot where his grandparents' sod house stood in 1902 when

they planted the first of the 1,200 acres on which his family farms alfalfa, sorghum and wheat today. Even after harvesting one of their best wheat crops ever last year, thanks to plentiful rain and a mild winter, Mr. Scott isn't sure how long they can afford to keep farming that ground.

There is a lot of work we need to do to make sure Mr. Scott and farmers who live in my community around the Eastern and Western Slope of Colorado will be able to survive over the next year—steps so we can help to make sure we are addressing this crisis head-on, before it begins and develops into a full-blown farm crisis like we saw in the 1980s. We must have serious regulatory reform.

In a letter I received from the Colorado Farm Bureau, the letter read:

Colorado Farm Bureau recognizes that a major impediment to the success of American agricultural industries and the national economy is rampant federal regulation and the associated cost of compliance.

We have to allow U.S. agriculture to flow to markets around the world, so in addition to that regulatory reform—some of which we are undertaking now through resolutions of disapproval by peeling back the overreach of government, we have to allow farmers access to more markets. That is a concern we all should share: What is going to happen with our trade policy in this country? Because if we decide to shut off trade in this country, if we decide to close access and avenues to new markets, the first people who are going to be hurt are those farmers and ranchers in Colorado and Kansas and throughout the Midwest of the United States. We have to have the opportunity to be able to send that bushel of wheat to Asia, that bushel of corn around the globe to make sure we are providing value-added opportunities for the world's best farmers and ranchers. Opening up new markets for Colorado and American agriculture is a clear way we can support rural economies.

Let's be clear. What I said at the beginning of these comments—there are farm communities that have diversity in their economic opportunities. A farm economy may not be 100 percent dependent on farms or ranches. Maybe they have tourism. Maybe they have some recreational opportunities. Maybe they are close to a big city where people can live there and commute. But there are a lot of towns across the United States that are solely, 100 percent committed to agriculture. They don't have access to anything but farming and ranching. When the price is down, the town is down. When the town is down, Main Street erodes. When Main Street erodes, it affects our schools and our hospitals and our relationships and our families. And somebody has to be looking out for our farmers and ranchers because the next American farm bust is upon us.

We have to take the necessary steps to pass a farm bill that gets our policies right when the new one expires. The current one expires in 2016, and these discussions are just now underway. If we have regulatory reform, if

we open up new trade opportunities for agriculture and we give farmers certainty—those are three things we can do to help address this crisis before it becomes a full-blown crisis.

We have to make sure that we support our farmers and ranchers, that we have their backs in good times and in bad times. Giving farmers certainty through a farm bill, through a regulatory landscape that provides certainty and relief, is important.

I talked to a family member of mine the other day who talks about his fear that he sees conditions similar to what we saw in the 1980s. The final relief we can provide is relief from financial regulations that are stifling the ability of banks to provide workout opportunities for farmers and ranchers when they need it.

Four things we ought to be doing for our farmers and ranchers: provide them certainty, regulatory relief, new trade opportunities, and targeted financial relief on regulations that are preventing workouts through our banks and our communities.

We have the opportunity now to prevent this country from seeing what it saw in the 1980s, but let's not be reactionary. Let's do what we can to get ahead of this before we start seeing what Secretary-designee Perdue told me the other day. One of the customers of his agricultural business took his life because he didn't know what was going to happen to his farm, and his three kids are now left wondering what they are going to do.

I hope this country understands how supportive we are of American agriculture and the actions we need to take to stand with them when times get tough.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I take this time to explain to my colleagues why I will be opposing the nomination of Scott Pruitt, the attorney general of Oklahoma, to be the next Administrator of the Environmental Protection Agency.

I first want to start by saying I had an opportunity to visit with Attorney General Pruitt. He is a person who wants to serve our country, and we very much appreciate that. He has a distinguished career in public service, and we appreciate his willingness to continue to serve at the national level.

My reason for opposing his nomination is that he has opposed most of the missions of the Environmental Protection Agency as the attorney general of Oklahoma. He has filed numerous lawsuits that would compromise the ability of the Environmental Protection Agency to protect our environment.

I come to this debate acknowledging that there are national responsibilities to protect our environment. The United States must also be engaged in global leadership as it relates to our environment. The people of Maryland want clean air. The people of Maryland

want clean water. No State can guarantee to its citizens that its air will be clean or that its water will be safe. These issues go well beyond State boundaries. They go beyond national boundaries. It is for that reason that we need an Administrator of the Environmental Protection Agency who will lead our Nation both in the appropriate controls and regulations to protect our air and water but also work for our country in regard to the global efforts to protect our environment for future generations.

Let me talk about the issue of climate change. Climate change is one of the greatest threats of our times. We know that this year, according to NASA—they looked at the temperature rise in 2016 and found it to be the hottest year ever recorded. We know something is happening in regard to global climate change. It is affecting so many different areas. We have eroding shorelines that our constituents see. We have major military installations located along our coast that are at risk as a result of rising sea levels from ice melt. We have populations that are at risk in the United States.

Let me give one example, if I might. Smith Island, MD, is a very proud community. It is a community that historically has been one of the strongest in regard to watermen and dealing with the fruits of the Chesapeake Bay. It is a proud community, and it is in danger of disappearing because we have sea level rises resulting from ice melting from climate change. We know there is a problem developing that we need to deal with. It is affecting our economy.

In my State of Maryland, the seafood industry is concerned about the future of the blue crab crop. They know that juvenile crabs need sea grass in order to be able to be protected and mature into full-blown blue crabs. With water becoming warmer, the future of sea grass is challenged, putting the blue crab at risk.

That is just one example. There are many more examples I can give about how it is affecting the economy of my State. It is affecting our ability to enjoy our environment, the recreation itself, and it is certainly providing a real risk in regard to the real estate. We have some very nice real estate located right on the coast or on barrier islands that is at risk of being lost as a result of climate change. We see more and more major weather events occur on a much more regular basis, causing billions of dollars of damage and putting lives at risk.

We know climate change is here. It is happening. The science is pretty clear. When we asked Attorney General Pruitt his view about the science of climate change, his answer was “far from settled.”

The science is well understood. What we do here on Earth—the release of carbon emissions—is causing an abnormal warming of our climate. There are activities that we can do to reduce that effect on our climate. We know that.

That is what science tells us. We know we can affect the adverse impacts of climate change if we take action. That is what scientists are telling us.

The world came together on this issue in COP21. I was proud to head a delegation of 10 Members of the U.S. Senate as we went to Paris to make it clear to the international community that the United States wanted to be part of a global solution to climate change. Not any one country can reverse the trendline that we are on that is catastrophic; we need all nations to do everything they can to reduce the impact of climate change by reducing their carbon and greenhouse emissions. That is what the global community needs to do, but we have been unable to get the global community for all countries to live up to their responsibilities.

Under President Obama and our leadership, we were able to get the world community—over 190 nations—to come together in Paris, in COP21, for every nation to take responsibility to reduce their carbon emissions so that we all can benefit from that effort.

I am concerned as to whether Mr. Pruitt, if confirmed as the EPA Administrator, will continue that U.S. leadership. He has not been at all committed to U.S. programs on dealing with climate change, let alone our international responsibilities to lead other countries to do what they need to do. I will give one example. Part of our way of showing the international community that we are serious about the climate issue was the powerplant rule issued under the Obama administration. Attorney General Pruitt joined a group in opposing that powerplant rule through filing suit against the implementation of that particular law.

We need someone who is going to lead on this effort in America and understand that we have responsibilities to lead the international community. We are at great risk from the impact of climate change, and that needs to be understood and recognized by the leader of the Environmental Protection Agency. I am not convinced Attorney General Pruitt would do that.

I want to talk a little bit about clean air. Maryland has taken pretty aggressive steps to improve the air quality from emissions within the geographical boundary of the State of Maryland. That is what every State should do. But here is the challenge: Maryland is downwind from many other States' emissions, so we are seeing days in which our air quality is below what it should be, not because we haven't taken action but because we don't have a national policy to protect our clean air.

The health of Marylanders depends on the Federal Government being aggressive in guaranteeing that all citizens of this country—that steps are taken to protect the air they breathe. I can tell you the number of children who have asthma who suffer when the air quality is not what it should be. It is not only wrong from the point of

view that we have an obligation to our children to make sure we give them the healthiest air to breathe, it is also costing our economy because every day that child stays home, a parent cannot go to work. The child loses their time in school; they are being disadvantaged. If they have to take a day off from summer camp, the parent has to stay home, and it is wasting resources in this country.

For many reasons, we need an Administrator of the EPA who is committed to a national effort to make sure the air we breathe is clean and healthy.

Likewise with clean water. Some of us remember when the Cuyahoga River caught fire in 1969. We know that pollution was so bad, you literally could set our rivers afire. We took steps. And it was not partisan—Democrats and Republicans came together with the Clean Water Act. We recognized that the Federal Government has the responsibility to protect the quality of our water so that we have safe, clean water in America.

I think we have been working to improve the Clean Water Act consistently on a nonpartisan basis, but now we have Supreme Court decisions that challenge what water the Federal Government can regulate. Congress has not taken steps to clarify that. The administration took efforts to try to clarify that under the waters of the United States, only to see a Court action to put that on hold in which Mr. Pruitt joined as the attorney general of Oklahoma, once again slowing down our effort to protect the clean waters of America.

I have spoken numerous times on the floor of the Congress about the Chesapeake Bay and how proud I am to be a Senator from Maryland, one of the six States that are in the Chesapeake Bay watershed, along with the District of Columbia.

We know that the Chesapeake Bay is a national treasure. It has been so designated by many Presidents of the United States. It is the latest estuary in our hemisphere. The watershed contains 64,000 square miles, has over 11,000 miles of shoreline, and 17 million people live in the Chesapeake Bay watershed—150 major rivers, \$1 trillion to our economy. It is part of the heritage of my State and our region. We are proud that it is part of our life. It is part of why people like to live in this region. They know the Chesapeake Bay makes their life so much more enriched and so much more valuable.

The Chesapeake Bay is in trouble. I could talk about it from a technical point of view. It doesn't flush itself as quickly as other water bodies. The historic oyster population is not what it has been. We have to, therefore, make special efforts to clean up the Chesapeake Bay. Over 30 years ago, almost 40 years now, while I was in the State legislature, when I was speaker of the house, I worked with Governor Harry Hughes, and we developed a State program to deal with the Chesapeake Bay.

We did it the right way. We started at the local levels. We got all the stakeholders together: the farmers, the developers, the local governments, the private sector, our local governments, the State government. We worked with Pennsylvania because Pennsylvania is where the Susquehanna River flows, and that produces most of the fresh water that goes into the Chesapeake Bay. We worked with Delaware, Virginia, New York, and West Virginia, and we developed the Chesapeake Bay Program that is worked from the local level up. We get together to determine what is reasonable: What does science tell us we can do?

We have all the stakeholders sitting around the table as we develop these plans. They all sign up. Our farmers recognize that clean water will make their agriculture more profitable. They recognize that. Developers understand that we need a clean Chesapeake Bay as part of our ability to develop profitable real estate in our community. These are not inconsistent. A serene environment, clean agriculture, a strong agriculture, a strong economy are all hand in hand together.

It is not a choice between one or the other. We recognize that. That is why the Chesapeake Bay Program has never been partisan in Maryland. We have had Democratic and Republican Governors who supported the Chesapeake Bay Program. We have had legislators lead this effort from both parties. Senator Mac Mathias, who served as the U.S. Senator from Maryland, was the champion of bringing the Federal Government into the Chesapeake Bay Program. The program is working. It is making the bay safer today, but we still have a long way to go.

We enforce it through the TMDL, the Total Maximum Daily Loads, so we can monitor that we are making the progress we said we could make, based upon best science. And that is what the local stakeholders have signed up for.

When we did our TMDL's, it was challenged. It was challenged in the courts. Mr. Pruitt was one of those who brought a challenge against the TMDL Program in Maryland. I am thankful that the Third Circuit upheld the legal right of the TMDL, and the Supreme Court affirmed that decision by the Third Circuit. So we won the legal case.

But it troubles me that a program that is from the ground up, from the local governments up, in which the Federal government is a partner—why it would be challenged when it was supported by the local communities. To me, that case should never have been challenged.

We need the Federal Government to continue to participate with us. The Chesapeake Bay Program is supported through the farm bill, through the Water Resources Development Act, through the Clean Water Act, and through annual appropriations. So we need continued support at the Federal level for the Chesapeake Bay Program.

And we need a champion in the Environmental Protection Agency that will help us in that regard.

I want to talk briefly about the Safe Drinking Water Act. Safe drinking water is critically important. We know that in recent years, we have found too much lead in drinking water. We all know, of course, the story of Flint, MI. I could take you to Baltimore where our schools have to cut off their water fountains because of the unsafe levels of lead in the drinking water, if they were permitted to drink from the water fountains.

We can tell you about so many communities in the Nation that have a desperate need to clean up their safe drinking water so that we can protect our children from lead poisoning. I hope my colleagues understand that there is no safe level of lead in the blood. It robs children of their future. It poisons them. I think most people are familiar with the Freddie Gray tragedy in Baltimore. Freddie Gray was a victim of lead poisoning when he was young.

We owe it to our children to make sure we do everything we can so they are not exposed to lead. I asked questions about that during the confirmation hearing of Mr. Pruitt. The answers were less than acceptable and showed his lack of real information about the dangers of lead.

Every Congress should look at their responsibility to build on the record, to leave a cleaner and safer environment for the next generation. The EPA Administrator should be committed to that goal. I do not believe Mr. Pruitt will be that type of leader. For that reason, I will vote against his confirmation.

With that, 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.

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

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

IMMIGRATION

Ms. HARRIS. Mr. President, I rise today, humbled to offer my first official speech as the junior U.S. Senator from the great State of California. I rise with a deep sense of reverence for this institution, for its history, and for its unique role as the defender of our Nation's ideals.

Above all, I rise today with a sense of gratitude for all those upon whose shoulders we stand. For me, it starts with my mother Shyamala Harris. She arrived at the University of California, Berkeley, from India in 1959 with dreams of becoming a scientist. The plan, when she finished school, was to go back home to a traditional Indian marriage. But when she met my father Donald Harris, she made a different plan. She went against a practice reaching back thousands of years, and

instead of an arranged marriage, she chose a love marriage. This act of self-determination made my sister Maya and me, and it made us Americans, like millions of children of immigrants before and since.

I know she is looking down on us today, and knowing my mother, she is probably saying: Kamala, what on Earth is going on down there? We have to stand up for our values.

So in the spirit of my mother, who was always direct, I cannot mince words. In the early weeks of this administration, we have seen an unprecedented series of Executive actions that have hit our immigrant and religious communities like a cold front, striking a chilling fear in the hearts of millions of good, hard-working people, all by Executive fiat.

By fiat, we have seen the President stick taxpayers with a bill for a multi-billion-dollar border wall, without regard to the role of the U.S. Congress under article 1 of the Constitution. By fiat, we have seen a President mandate the detention of immigrants, both documented and undocumented, creating a dragnet that could ensnare 8 million people. By fiat, the President has ordered the creation of what essentially will be a 15,000-member deportation force. By fiat, he wants to take away State and local authority by making local police officers act as Federal immigration officials. By fiat, the President wants to slam the gates of freedom by instituting a Muslim ban—a ban which was as carelessly written as it has been incompetently enforced.

In recent days, we have seen an increased severity in immigration raids sweeping across this country, including the arrest of a DREAMer in Seattle and a domestic violence victim in Texas. And we have seen an administration violate court orders, attack the First Amendment, bully Federal judges, and mock Americans exercising their right to freely assemble.

I rise today to discuss how these actions impact my State of California and our country. In particular, the State of California, I believe, is a microcosm of who we are as America. In California, we have farmers and environmentalists, welders and technologists, Republicans, Democrats, Independents, and the largest number of immigrants, documented and undocumented, of any State in the Nation.

I rise because the President's actions have created deep uncertainty and pain for our refugee and immigrant communities. I rise on behalf of California's more than 250,000 DREAMers, who were told by the Federal Government: If you sign up, we will not use your personal information against you. I rise to say the United States of America cannot go back on our promise to these kids and their families.

I rise today as a lifelong prosecutor and as the former top cop of the biggest State in this country to say that these Executive actions present a real

threat to our public safety. Let me repeat that: The President's immigration actions and Muslim ban will make America less safe.

As a prosecutor, I can tell you it is a serious mistake to conflate criminal justice policy with immigration policy, as if they are the same thing. They are not. I have personally prosecuted everything from low-level offenses to homicides. I know what a crime looks like, and I will tell you, an undocumented immigrant is not a criminal. But that is what these actions do; they suggest all immigrants are criminals and treat immigrants like criminals.

There is no question, those who commit crimes must face severe and serious and swift consequence and accountability. But the truth is, the vast majority of the immigrants in this country are hard-working people who deserve a pathway to citizenship.

Instead of making us safer, these increased raids and Executive orders instill fear in immigrants who are terrified they will be deported or have to give up information resulting in the deportation of their family members. For this reason, studies have shown Latinos are more than 40 percent less likely to call 9-1-1 when they have been a victim of crime. This climate of fear drives people underground and into the shadows, making them less likely to report crimes against themselves or others—fewer victims reporting crime and fewer witnesses coming forward.

These Executive actions create a strain on local law enforcement. Any police chief in this country will tell you that they barely have enough resources to get their job done. So when you make local law enforcement do the job of the Federal Government, you strain the resources for local law enforcement and that hurts everybody's safety.

Let's consider the economic harm this order will cause. Immigrants make up 10 percent of California's workforce and contribute \$130 billion to our State's gross domestic product. Immigrants own small businesses, they till the land, they care for children and the elderly, they work in our labs, they attend our universities, and they serve in our military. So these actions are not only cruel, but they cause ripple effects that harm our public safety and our economy.

The same is true of this Muslim ban. This ban may as well have been hatched in the basement headquarters of ISIS. We handed them a tool of recruitment to use against us. Policies that demonize entire groups of people based on the God they worship have a way of conjuring real-life demons. Policies that isolate our Muslim-American communities take away one of the greatest weapons we have in the fight against homegrown extremism.

Here is the truth. Imperfect though we may be, I believe we are a great country. I believe we are a great country. Part of what makes us great are our democratic institutions that pro-

tect our fundamental ideals: freedom of religion and the rule of law, protection from discrimination based on national origin, freedom of the press, and a 200-year history as a nation built by immigrants.

So this brings me to my message today. We have a responsibility to draw a line with these administrative actions and say no. This is not a question of party. This is about the government of coequal branches, with its inherent checks and balances. This is about the role of the Senate, the greatest deliberative body in the world. I know, having spent now a few weeks in this Chamber, that we have good men and women on both sides of the aisle—men and women who believe deeply in our immigrant communities and who understand that nationalism and patriotism are not the same thing.

I know that it was the junior Senator from the State of Texas who said: "It is an enormous blessing to be the child of an immigrant who fled oppression, because you realize how fragile liberty is and how easily it can be taken away."

It was the junior Senator from the great State of Kentucky who said: "We must always embrace individual liberty and enforce the constitutional rights of all Americans, rich and poor, immigrants and natives, black and white."

It was the senior Senator from the great State of Arizona who said: Undocumented immigrants should not be "condemned forever" to a twilight status.

So, yes, we have good people on both sides of the aisle. I say that we must measure up to our words and fight for our ideals because the critical hour is upon us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma

CONGRATULATING SENATOR HARRIS

Mr. INHOFE. Mr. President, let me say that that was an excellent presentation by Senator HARRIS. I can recall when she first came here, and I sat down with her and we talked about her predecessor and about how people with diverse philosophies can get along and actually love each other.

I would expect the same thing to happen in this case—because it does. I listened to some of the things that were said by the new Senator from California, talking about the rule of law, about freedom of religion, freedom of speech, and the First Amendment. I agree. I am hoping that we end up with more things in common than things that would keep us apart because we have a lot to do. We need to get busy doing it. I appreciate very much hearing the opening speech by Senator Harris.

Mr. President, I wanted to get to the floor because it won't be long until we will be voting on my Oklahoma attorney general, Scott Pruitt. I am looking forward to it. He and I go back a long way. I know that he has been through the ringer, as a lot of them have. I look

at Jeff Sessions and some of the abusive things that were said about him during the time that he was going through this process. Of course, the same thing has been true with Scott Pruitt.

Scott Pruitt just happens to be not only a candidate who is going to make an excellent Administrator of the EPA, but he is also one who knows the job. He has been there. He has been attorney general for Oklahoma, my State. He lives in my home town of Tulsa, OK. So I know him quite well. In fact, I am in aviation, and I remember flying him around the State in some areas, introducing him when he was just starting out in the statewide race.

I think he is going to do a really good job. It is my understanding that my colleagues on the other side are determined to run the clock before we vote on Attorney General Pruitt, and they are using the opportunity to make the case that he will destroy the environment and return pollution to the air and water.

Yet they know that he will do nothing of the sort. Attorney General Pruitt is highly qualified. Yes, it is true that he has had the occasion to file lawsuits on behalf of the State of Oklahoma against the Environmental Protection Agency. I can assure you that he knows that he has represented the State of Oklahoma. There are many other States that were doing the same thing.

He is a believer in the rule of law and will uphold the laws as passed by Congress within constitutional bounds. He has built a career defending the law, and I see no cause for concern that he will ever stop. He has been practicing law in Oklahoma since 1993, when he graduated from law school at the University of Tulsa. In 1998, he ran and was elected to the Oklahoma State Senate, where he served for 6 years. During that time in the Oklahoma State Senate, he was seen as a leader, someone who could be counted upon, and someone who should be in higher office in the State.

Of course, that is what happened. Since 2010, he has been the Attorney General for Oklahoma. He became a respected defender of the State's role in our Federal system of government. As EPA Administrator, Pruitt will continue to uphold core constitutional principles and won't be engaged in the same Federal overreach that we have seen over the last 8 years.

I know there are varying philosophies in this body. I know there are people who want to concentrate the power in Washington. They see nothing wrong with what we refer to as governmental overreach. I have experienced this because it happens that I was the chairman, as well as the ranking member, of the Environment and Public Works Committee, which has the jurisdiction over the Environmental Protection Agency. So I have watched this take place.

I know that there are members of the Environment and Public Works Com-

mittee who have differing philosophies as to what the EPA should be doing. They see outsiders. They see the State, sometimes, as someone who is opposed to the things they are trying to do. But we have watched this happen over the last 8 years.

Attorney General Pruitt has said again and again that he will uphold the laws that we pass right here in Congress—no more and no less. So it is up to us as lawmakers to provide him with effective bipartisan legislation that will make a positive difference for the environment and for our future, while balancing State and private interests. This balance is possible and Scott Pruitt is a testament to this balance.

Oklahoma is an energy State. Oklahoma is an agricultural State. We care a great deal about the land we live on and the air we breathe, and we want to be sure it is safe for our families and for generations to come. I think about the Administrator that was there during the years of the Obama administration, and he was actually in a hearing just a few hours ago. He talked about how comforting it was to come to our State of Oklahoma—which he did twice. He learned that landowners are on the side of the environment. They are the ones who want to care for the land. They are the ones who want to exert whatever energies are necessary to take care of the problems with pollution that are present in this world.

As attorney general, Mr. Pruitt has worked closely with the Oklahoma Department of Environmental Quality and the Oklahoma Water Resources Board to protect Oklahoma's scenic rivers from upstream pollution. As a matter of fact, as to his reputation, he is "Mr. Scenic Rivers" back in Oklahoma. I don't understand how people concerned with the environment are opposing him and saying things about him that are detrimental.

He was able to use unbiased logic and science to reach an agreement with the State of Arkansas to protect our water in Oklahoma. He has also been instrumental in negotiating a historic water settlement agreement. This agreement was between the State of Oklahoma, the Choctaw Nation, and the Chickasaw Nation.

This thing, I say to the Presiding Officer, has been in litigation for 100 years. He walked in, and he resolved the problem. It was a battle that had gone on for 100 years. One of the chief concerns of the Chickasaw and the Choctaw Nations was to ensure that conservation guidelines were preserved. The agreement not only provides Oklahoma City with its long-term water needs but also protects our two Indian nations with their conservation goals. Again, this was tried by a lot of people over a period of 100 years until Scott Pruitt came along. He is the one who did it.

He has sued the EPA and fought against the Fish and Wildlife Service at times. It has all been in Oklahoma's best interest. Now he will have the en-

tire Nation's best interest in mind when making decisions as the EPA Administrator. I have no doubt that he will continue to protect our State's interests from overreach and unnecessary harmful regulations.

It is no secret that Attorney General Pruitt's confirmation process has been unusually lengthy. It is time we vote to confirm him in this position. We had his nomination hearing in the Environment and Public Works Committee. That was back on January 18, almost a month ago. That hearing was one to be remembered because we broke a record by asking 4 rounds of questions. I suggest that no one in this confirmation process this year or in the last three generations has had to undergo four rounds of questions.

During the course of this day-long, 8-hour hearing, he answered more than 200 questions. Now, after this, he responded to more than 1,000 questions for the record, including the extra questions Senator CARPER asked him in a December 28 letter, as Attorney General Pruitt promised he would.

Now, this means that he answered—these are questions for the record—1,600 questions. The average director, during confirmation over the last 3 Presidential years, had 200. So it is 200 questions, as opposed to 1,600 questions that he was subjected to. He never complained about it and actually did a great job.

Now, despite the Democrats' efforts to delay his confirmation vote, we need to be responsible and move forward to confirm Attorney General Pruitt. The longer we postpone this vote, the longer it is going to take for things to get done at the EPA. Right now nothing can get done. Everyone knows that. That is wrong. I know that Attorney General Pruitt will continue to be a champion for economic development and environmental responsibility by upholding the law and restoring the Environmental Protection Agency to its role as a regulatory agency, not an activist organization.

You know, this is all for show because everybody knows the votes are there. He is going to be approved. I look forward to working with him. I think he is ready now to move in and do the job. It is going to be a while before he is able to get the other positions confirmed. That is why it is important to go ahead and do it, and I understand we are going to be doing it when this time runs out.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I yield the remaining time I have to Senator SCHUMER.

The PRESIDING OFFICER. The Senator has that right.

The Senator from Minnesota.

Mr. FRANKEN. Mr. President, I rise today in opposition to the nomination of Scott Pruitt to serve as the Administrator of the Environmental Protection Agency. The Environmental Protection Agency, or EPA, is tasked with

protecting human health and the environment, including our precious air, land, and water. This is clearly one of the most critical missions in the Federal Government.

Americans believe that a great country deserves safe drinking water, clean air, and to know that the products we use are safe. And Americans care about continuing this legacy for future generations, believing that we should leave the environment in good shape or better than we found it, and that is where the EPA comes in.

Before the Agency was created in 1970, a hodgepodge of inconsistent State and city regulations proved to be inadequate for protecting the right of Americans to have a clean, safe environment. Before the EPA, in some cities in this country, the air was so polluted that during the day, drivers could barely see the car in front of them. Studies indicate that the air in the 1950s in Los Angeles, as measured by particulate matter and ozone pollution, was worse than it is in Beijing today. Our rivers, including the Cuyahoga River in Cleveland, caught fire. Schools were built on toxic chemical dumps. I know the thought of public health risks like these sound preposterous today, but this was all the case back before the EPA. It took parents and regular citizens standing up and demanding better to finally force action. In 1970, President Richard Nixon and a Democratic Congress worked in a bipartisan manner to create the EPA.

Let me be clear. The EPA is not perfect. There are many instances when I have stood up to the Agency because I felt its actions were not in the best interests of Minnesotans. That said, since the creation of the Agency, the EPA has significantly improved our public health and our environment by cleaning up our air and cleaning up our water.

We still have a lot of work left to do. Yet we are now faced with a President and an EPA nominee who want to gut the Agency and reverse the progress we have made. President Trump has repeatedly attacked environmental protections and the EPA. He has called to "get rid of" the Agency. And during an interview with FOX News, Candidate Trump said of the EPA: "What they do is a disgrace." And now he is in a position to try to implement his stated goal of gutting the EPA—gutting the EPA, that is right. He wants to slash critical public health and environmental safeguards, and to do this, he handpicked Mr. Pruitt.

Mr. Pruitt intends to prevent the EPA from protecting public health and the environment by reducing the budget by two-thirds. Trump transition team member Myron Ebell made these plans clear. Mr. Pruitt will cut and then cut some more and then cut some more, until the Agency we trust to keep us safe is no bigger than it was when Richard Nixon was President.

So what exactly should we cut? Which aspect of public health and our

environment is in need of less protection and research? Well, let me tell you about some of the things the EPA has accomplished since its creation.

The EPA helps protect us from toxins. From 1948 to 1988, 30 million homes were treated for termite infestation with two related, very longlasting chemicals: heptachlor and chlordane. These chemicals are among the 12 worst known persistent organic pollutants—a rogues' gallery called the dirty dozen. A long-term study found that millions of Americans have these chemicals in their blood and in their fat and that the higher the levels, the more likely a person is to suffer from dementia, type 2 diabetes, prostate cancer, testicular cancer, breast cancer, or lymphoma.

The problems arising from heptachlor and chlordane are still with us, but at least they are not getting worse. Why? Because hard work by EPA scientists helped expose the risks of these chemicals and led them to be banned in the United States in 1988. The world didn't catch up to the protection offered to the American people by our EPA until an international ban came into effect in 2001.

The Agency also determined that lead in our paint and lead in our gas caused terrible public health problems, and they got the lead out. In the 1970s, 88 percent of American children had elevated levels of lead in their blood. Now the number is less than 1 percent.

However, we know that the battle against old toxins is far from over, as the disastrous lead poisoning in Flint, MI, tragically reminds us. We also know that new risks appear every year. That is why Congress recently passed bipartisan legislation to allow the EPA to take action on the most concerning toxic chemicals, including asbestos. Slashing the EPA budget endangers future progress and will not make us better off, will not make us safer, will not make our children safer.

The EPA has also made our air cleaner. Thanks to the EPA, we have reduced air pollution—like smog and ozone and particulate matter—by more than 70 percent since 1970, thus preventing millions of asthma attacks, hospital visits, lost workdays, and more than 100,000 premature deaths every year. At the same time, the American economy has grown 240 percent.

The Agency was also instrumental in the phaseout of harmful substances responsible for depleting the ozone layer. The ozone layer shields us from harmful ultraviolet radiation that leads to sunburns or, worse, skin cancer. Thanks to the work of the EPA and other Federal agencies in cooperation with the international community, ozone depletion has now stopped and the layer has begun to regenerate.

The EPA has also made our water cleaner. The Agency invests billions in drinking and wastewater infrastructure every year through the Clean Water and Drinking Water State Re-

volving Funds. These funds are particularly important to rural communities.

What is more, the EPA is actually saving consumers money. Take the fuel efficiency standards that require car companies to manufacture vehicles that go farther on a gallon of gas. These standards both reduce air pollution and save people money. Thanks in part to the EPA, from 1975 to 2013, the average fuel economy of a car sold in the United States more than doubled. Further increases in fuel economy standards under the Obama administration mean that if you buy a new car, you can expect to save an average of \$7,300 on gas during the lifetime of that vehicle. As a whole, Americans will save \$1.7 trillion at the pump.

This is just a small subset of what the EPA has accomplished over the years to protect public health and the environment. And I didn't even mention cleaning up toxic waste sites or testing foreign products for lead and mercury. But if Mr. Pruitt is confirmed to lead the EPA, all this progress and continued work is at risk.

As the attorney general of Oklahoma, Mr. Pruitt put the will of his corporate donors above the public interest time and time again, suing the Agency 18 times—suing the EPA 18 times—to block clean air and clean water protections. Now Mr. Pruitt wants to run the EPA, but he refuses to say that he will permanently recuse himself from those lawsuits that are still pending. Thus, he would be both the defendant and plaintiff in those cases. This is a bizarre world nomination. We cannot allow this type of conflict of interest at the EPA.

As attorney general, he failed to take environmental protections seriously. He dismantled the environmental protection unit within the AG's office, and in particular Mr. Pruitt's record shows a disdain for protecting the air we breathe. He filed three lawsuits to block EPA health standards for smog, soot, mercury, arsenic, lead, and other air pollutants. His actions directly threaten those who suffer from asthma and other lung conditions. We can't go back to the air we had in the 1970s. We can't afford the air Beijing has today.

Mr. Pruitt is so ideologically driven to protect the interests of oil, gas, and other polluters that he even gets in the way of clean energy projects that would create jobs. Take for example the Plains & Eastern Clean Line, a high-voltage transmission project that President Trump has identified as an infrastructure priority. It will bring clean wind power from the heartland to power-hungry cities. As Oklahoma attorney general, Mr. Pruitt did everything he could to kill that very same project.

Even more concerning to me is Mr. Pruitt's years of opposition to the renewable fuel standard, the RFS. This program is vital in our fight against dirty air, and it also greatly benefits Minnesota's rural economy. It is certainly better to drive our cars on

biofuels from the Midwest than on oil from the Middle East. I know that Mr. Pruitt pledged during his hearing to honor the RFS, but this same law provides him with an important loophole: The RFS permits the head of the EPA to reduce the congressionally mandated levels of biofuel production. I, for one, do not trust an avid opponent of the RFS to now be responsible for its implementation.

During the confirmation hearings, my Democratic colleagues pushed Mr. Pruitt on climate change. His answers were not reassuring. Unlike our new President, Mr. Pruitt did not call climate change a “hoax.” Instead, he was more subtle, repeatedly saying: “The climate is changing, and human activity impacts are changing climate in some manner.” Those words are intentionally deceptive. They are meant to sound reasonable but also to excuse inaction. If we look at Mr. Pruitt’s record, it shows that he has been steadfastly against action on climate change, including a suit to block the first requirements for powerplants to reduce their carbon emissions. Let me remind you that these requirements are based on Supreme Court rulings from a conservative majority Court at that.

In a 2007 decision, *Massachusetts v. the EPA*, the Supreme Court found that the EPA had authority to regulate greenhouse gases under the Clean Air Act. It also directed the EPA to assess whether climate change endangers public health, which the Agency correctly determined it does. The Court further ruled that because of this hazard, the EPA is obligated to regulate greenhouse gases.

During his hearing, Mr. Pruitt made clear that all he wants to do is transfer more environmental protection duties to the States, but there are two major problems with that. First, 50 States each implementing different requirements is both inefficient and likely to lead to a race to the bottom. There are many States that will be tempted to trade away the long-term public health of their citizens for the quick financial rewards that will come if they are able to lure businesses from other States with the promise of lax environmental regulations.

All Americans deserve a clean environment. If States want to innovate, free them to do better than our national standards, but there needs to be an EPA that can make sure they don’t do worse than our national standards.

While my State of Minnesota has been a leader in environmental protection, the second problem with the State-by-State approach is that pollution doesn’t respect State boundaries. The people of my State should not suffer ill effects of pollution from States upwind.

Mr. Pruitt also implied during his hearing that the EPA’s regulations are killing jobs, suggesting we must either choose employment and economic prosperity or public health and environ-

mental protection, but this is a false choice. We know we can and must in fact have both. Addressing environmental challenges like climate change will not only help prevent unprecedented damage to our economy but will also spur economic growth and innovation.

My home State of Minnesota has shown how we can do this. In 2007, under a Republican Governor, we established a renewable energy standard that produced 25 percent of our power from renewable sources by 2025. We established an energy efficiency resource standard requiring utilities to become a little more efficient every year. We established an aggressive target to reduce greenhouse gases by 80 percent by 2050, and we are national leaders in biodiesel blending requirements. These policies have not led to economic ruin in Minnesota. They have led to economic development—rural economic development—as we harvest the wind and Sun and convert our biomass into energy. We are investing in clean energy technology not only because it cleans up the air but because it creates thousands of jobs. In fact, a clean energy economy now employs more than 50,000 people in Minnesota, and it will continue to grow.

In 2005, 6 percent of Minnesota’s electricity came from renewable sources. Today it is almost 25 percent, and we continue to go higher. In addition to good jobs for Minnesotans, this transition brought a 17-percent decline in power sector greenhouse gas emissions during a decade when the population of Minnesota increased 7 percent. It is clear that an EPA led by Mr. Pruitt will not move us in the direction Minnesota is going.

Americans expect and deserve clean water, clean air, and a hospitable environment. Although EPA is far from perfect, the Agency has shown that a cleaner environment is compatible with economic growth. In fact, cleaning the environment helps drive economic growth. We cannot afford to entrust the EPA to Mr. Pruitt or anyone else who has a history of putting polluters’ interests above the public’s and above the economy as a whole. We cannot afford to entrust this Agency to someone the President has handpicked to slash its budget and to prevent it from carrying out its mission. Mr. Pruitt represents a step backward, not a step forward. He is maybe the last person who should be the next leader of the EPA. I will oppose this nomination, and I call on my colleagues to do the same.

Mr. President, I yield the remainder of my postcloture debate time to Senator SCHUMER.

But first, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BLUNT). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. LEE. 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. LEE. Mr. President, I am proud to stand today and support Scott Pruitt, President Trump’s nominee to head the Environmental Protection Agency.

I can think of no one who is better suited or more fully qualified to lead this Agency and to advance within it the reforms it so desperately needs. I look forward to voting to confirm Mr. Pruitt as EPA Administrator, and I encourage my colleagues to do the same.

In many ways, the EPA epitomizes the broken status quo in Washington—a status quo that is increasingly and rightfully viewed with suspicion and a certain amount of contempt by the American people. That broken and discredited status quo has been described in various ways: out of touch, arbitrary, inflexible, unreasonable, heavy-handed, unaccountable. These words could apply to any number of institutions or offices here in Washington, DC, but they are the hallmarks of the rule-writing departments that make up our Federal bureaucracy.

Technically, these bureaucratic agencies are creatures of the executive branch—creatures that exist to assist the President in fulfilling his constitutional duty to take care that the laws, written by the legislative branch, are to be faithfully executed. But over the past several decades, they have been recast as the Federal Government’s center of gravity, both writing and enforcing and, in many cases, even interpreting, the vast majority of laws governing America’s society and America’s economy.

Elevating the unelected, unaccountable bureaucracy to the driver’s seat of the Federal Government—to the driver’s seat, specifically, of Federal policymaking—is mostly the work of Members of Congress, of both Chambers and of both political parties, who understand that the best way to avoid being blamed by voters for unpopular laws is not to make them—at least not to make them completely—but rather to empower unelected bureaucrats to make the laws for them. But the regulatory agencies themselves sometimes deserve some of the blame as well.

Congress is guilty of writing laws that are couched in vague terms, centered around gauzy goals, instead of strictly defined as understandable rules. But Federal regulators are guilty of interpreting—and repeatedly reinterpreting—those laws in order to accommodate their ever-expanding conception of their own power, of their own authority to work their own will on the American people.

For instance, in the years since Congress passed the Clean Air Act amendments in 1977, Federal bureaucrats have used the law to enact more than 13,500 pages of regulations, which works out to roughly 30 pages of regulations for every 1 page of underlying legislative text.

The fundamental problem with this expansion and centralization of regulatory authority is the tendency of

Washington, DC, bureaucrats to be ignorant of—and often very indifferent to—the interests of the people who live in the various communities who are affected by the rules they make and the rules they also enforce.

This isn't a knock on the individual men and women who work within the Federal bureaucracy, most of whom are well-educated, well-intentioned, and highly specialized. But there is no doubt that a regulator in Washington, DC, knows a whole lot less about a melon farm in Emery County, UT, and cares a lot less about the fate of the people who work at that melon farm in Emery County, UT, than what the regulators say in Salt Lake City.

The Environmental Protection Agency, in particular, is notorious for its top-down, Washington-knows-best approach to regulation, which often runs roughshod over the immense diversity of local circumstances in our large country.

Too often, the EPA treats States and State regulators not as partners but as adversaries. It treats the States themselves not as laboratories of republican democracy but, rather, as lab rats to be tested upon for their own amusement and for the exertion of their own political power.

Scott Pruitt understands this well because he has seen it firsthand as attorney general of Oklahoma. Mr. Pruitt has spent many years being ignored and pushed around by Washington, an experience that has taught him the need for the EPA to work with and not condescend to the States.

In his Senate confirmation hearing, Mr. Pruitt explained why improving the relationship between the EPA and State-level regulators is the best way to protect our environment and uphold the separation of powers that is the cornerstone of our constitutional system. He said: "Cooperative Federalism is at the heart of many of the environmental statutes that involve the Environmental Protection Agency."

The reason for that is that it is the States that many times have the resources, the expertise, and an understanding of the unique challenges of protecting our environment and improving our water and our air. We need a true partnership between the EPA in performing its roll, along with the States in performing theirs. If we have that partnership, as opposed to punishment, as opposed to the uncertainty and duress that we currently see in the marketplace, I think we will have better air and better water quality as a result.

For many Americans—and certainly for many of my fellow Utahns—the EPA is pejorative. It is synonymous with an out-of-touch and out-of-control government.

This is a shame. Americans want—and Americans certainly deserve—clean air and clean water. The EPA has the potential to help them achieve these goals, but only if the EPA itself returns to its core mission and works

well, works wisely to accomplish that mission, and works within our constitutional system.

That is why I am so pleased that Scott Pruitt is on his way to lead the EPA. The Agency exists to protect the American people, not advance the narrow agenda of some special interests while punishing others.

I am confident that Mr. Pruitt is the right man for the job and that he will remain independent while correcting the troubling course that the EPA has taken in recent decades.

I thank the Chair.

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

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

CALLING FOR A SPECIAL COUNSEL

Mr. BLUMENTHAL. Mr. President, we are in a day—in fact, yet another day—of fast-developing, dramatic events. The news today that LTG Michael Flynn, who served until recently as National Security Advisor, may be culpable of lying to the FBI and therefore prosecutable for a Federal criminal violation adds urgency to the need for a special independent counsel to investigate all of the events surrounding his conversation with the Russian Ambassador and who knew what about it when and what was done.

The severity of this potential constitutional crisis—and we are careening toward a constitutional crisis—makes it all the more necessary that we have an objective and independent investigation, that Attorney General Jeff Sessions recuse himself, and the White House guarantee that documents are preserved—as we have requested in a letter sent by Members of the Judiciary Committee, including myself—today.

The severity of this potential constitutional crisis cannot be exaggerated. Still we are in the early days of a new administration but already the turmoil and turbulence throw into question almost all of the proceedings here on other issues, urgent and important issues—whether infrastructure, trade policy, job creation, economic growth, all of the pressing issues of our day. They also raise potential conflicts of interest on the part of other officials before us now, including the nomination of Scott Pruitt. News that we have also learned very recently, in this day of fast-developing events, increases the importance of deliberate and thoughtful consideration of this nomination.

Just within the last hour, a judge in Oklahoma has ordered the release of thousands of emails sent by this nominee, Scott Pruitt, the attorney general of Oklahoma, relevant to his dealings with oil and gas interests in his State and elsewhere on relevant legislative

and litigation issues. This development really requires a delay in this vote so we can review those emails and know what those conflicts of interest were, what they may continue to be, and whether his answers to our colleagues in his testimony at his confirmation hearing were completely accurate and truthful. We need to delve into those emails, know their contents, examine the contents, in fairness to him and in fairness to an administration that may be appointing for confirmation yet another official like General Flynn, who was forced to resign just days after his appointment.

The interests of the Trump administration, as well as this body, would be well served by delaying this vote so we can review those emails. I call upon the Republican leadership to delay this vote, give us a chance to review the emails, and give the American public a chance to understand how those emails reflect on the qualifications of Scott Pruitt and the potential conflicts of interest that may disqualify him from serving in this all-important role.

I am here to oppose the nomination of Scott Pruitt, but whether we oppose or approve of this nomination, we owe it to ourselves—I say to my colleagues—we owe it to the United States Senate to delay this vote so the potentially explosive material and contents of these emails can be fully considered. If we fail to delay, we are, in effect, potentially confirming a nominee who may be compelled to resign after his disqualifying conflicts of interest are exposed to public view. We have an obligation in advising and consenting to be as fully informed as possible. If there were no such emails, if there were no such court order, there might be an excuse for rushing to judgment as we are on track to do now. There is no excuse for a rush to confirmation. Our obligation to advise and consent implies also an obligation to review these emails as comprehensively and fully and fairly as possible before we make this decision.

The President has nominated Scott Pruitt as the next Administrator of the Environmental Protection Agency to serve a mission, which is to protect human health and safeguard the environment. Even before disclosure of these emails, which involve his contacts with oil and gas interests, he came before us as perhaps one of the least-qualified people in the United States of America to serve in this position. I don't make this statement lightly. It may sound like hyperbole or exaggeration, but the fact is, anyone who studies Scott Pruitt's record as attorney general of his State—and I served as attorney general of mine so I know his position pretty well—can see that his record is antithetical and hostile to the mission and purpose of this Agency.

He is a potential Administrator who will take office at a critical juncture for our planet. Sea levels continue to rise, long-established weather patterns

have begun shifting, and the average global temperature is rapidly approaching 2 centigrades Celsius above preindustrial levels. That is an increase which many climate scientists believe may be a point of no return—no return for the planet, no return for us, no return for generations to come. We are at a historic moment.

The question will be whether Scott Pruitt will be dedicated to doing something about climate change, about the pollution of our air, streams, rivers, and oceans, whether he will be committed to enforcing the rules and laws that protect us against those dangers of degradation of our environment—degradation of the air we breathe, the water we drink, the open spaces we enjoy.

That is the same Scott Pruitt who was pressed by our colleagues during his confirmation hearing and could not name a single regulation designed to protect clean air or water that he supports—the very same Scott Pruitt, who was asked by our colleague JEFF MERKLEY whether he agreed with the statement, “Warming of the climate system is unequivocal,” and he dodged and equivocated. When he was questioned about hundreds of thousands of dollars he has received in campaign contributions from energy companies, he basically refused to answer. He dodged the question. That is the Scott Pruitt who would become Administrator of the EPA, and it is the same Scott Pruitt who, as attorney general of Oklahoma, fought the tremendous progress made by the Obama administration at every turn, taking legal action against the EPA no fewer than 14 times.

While he was in office, he worked hand in hand with Oklahoma’s largest energy companies to roll back regulations that are vital to the health and well-being of the American people, not just the people of Oklahoma, as bad as that would be, but of all Americans, all of our planet.

When he worked hand in hand with the Oklahoma energy industry, those common bonds of purpose and work would be well illuminated by these emails that today will be disclosed. In fact, maybe some of those conflicts of interest will be revealed and dramatized by those emails. That is why we must wait to have this confirmation vote.

He sued to try and block efforts to reduce nationwide emissions of methane, a greenhouse gas roughly 30 times more effective at trapping even carbon dioxide. He block the Clean Power Plan. He took three separate actions against the EPA’s mercury and air toxic rule, targeting standards that the EPA estimates will save 45,000 lives. Those are three more actions, it should be noted, than he took to proactively promote clean air and clean water on behalf of the people of Oklahoma in his entire time in office. Why did he take those actions? Who helped him do it? How and why? The emails will help tell that story and answer those questions.

Taken alone, even without the emails, these actions hardly show a record of someone dedicated to promoting and protecting the environment. Not once during his confirmation process did Mr. Pruitt demonstrate to me a convincing willingness, let alone eagerness, to uphold the mission of the Agency he now hopes to run, nor has he shown an intent to be open and responsive with Members of this body. Most troubling of all, he has, in no uncertain terms, failed to give any indication that he will be a champion for our environment and that he will advance scientifically sound policies to protect the public’s health.

The only thing Attorney General Pruitt has made abundantly clear is that he holds a derisively dismissive attitude toward the Agency he now seeks confirmation to lead. His nomination is an affront to the EPA, but even more, it is a threat to our health, a threat to our environment, a threat to the quality of our air and water, and a risky gamble on the world we will leave to our children and our grandchildren.

There is a very real concern about whose side Scott Pruitt will be on. The question is, Whose side will he be on when and if he is Administrator of the EPA? He has already shown a willingness to use the power of whatever office he holds to advance an extreme agenda and to malign opponents. Polluters do not need another champion in this administration, and our environment does not need another foe. We have enough foxes guarding henhouses as it is in this administration.

Mr. Pruitt’s coziness with the firms that he will be required to regulate—again the emails will tell the story about his relationships with special interests. That is critically important, and, in fact, even on the record we have now, it should disqualify him from this position.

He doubts the effects of climate change and the extent to which our rapidly warming climate is as a result of human activity, calling this debate “far from settled” and placing himself well outside mainstream opinion. His denials are rooted in the promise of funds from corporations and interest groups that think it is far better for their bottom line to pretend that incontrovertible climate change simply doesn’t exist.

He is a beneficiary of the denying corporations and special interests, and those contentions are not only regressive and fallacious but dangerous. If he is a prisoner of those special interests, as these emails may show him to be, my colleagues will regret voting for him—another reason that delaying his confirmation vote is appropriate and necessary now.

The scientific evidence of climate change and human involvement is overwhelming. You don’t have to look hard to see it. Most of us in this Chamber would need to speak only with a handful of our constituents—the men

and women who sent us here—to see the real impact this crisis is having.

My home State of Connecticut has experienced a major rise in storms that have cost hundreds of millions of dollars in damage as well as several lives. It seems that as soon as our State begins to rebuild from one storm, another wreaks havoc on many of the same devastated communities. These monster storms have become the new normal.

In Connecticut and around the country, weather disasters are rapidly becoming part of a way of life, tragically, for innocent people caught in their wake. In just 6 years, Connecticut has weathered the damage and destruction of a freak October snowstorm, Superstorm Sandy, and the force of numerous nor’easters. Severe storms like these, as well as other disasters—floods, tornadoes, droughts—are happening at a rate four times greater than just 30 years ago.

I am not here to argue climate change. I am here to argue that Scott Pruitt is unqualified to fight climate change because he denies it is a problem, and he denies the mission and purpose of the EPA as a vital purpose and mission of our Federal Government.

The people of Connecticut understand climate change, and they get it. They understand that it is happening and that it is happening in their everyday lives. They see its effects. They know its causes, and they know the truth. It will get worse. We need to take action.

This body is on the verge of action that should be postponed so that we can consider vitally important information in those emails that reflects on conflicts of interest, ties to special interests, influence on Scott Pruitt, benefits to him in the past, and debts that he may owe, literally and figuratively, to those special interests that may impact his performance as Administrator of the EPA.

As attorney general of my State, environmental protection was a priority to me. I will be honest; I sued the Federal Government, just as Scott Pruitt did. I sued the Federal Government so that environmental protection would be made more rigorous and stringent and people would be protected, not to slow down the EPA but to speed it up to provide impetus for its action and, in fact, to compel it to carry out its mission and purpose.

Scott Pruitt has acted in exactly the opposite way, and the reasons for his antipathy and hostility to the EPA may well be illustrated even more dramatically and directly by these emails that we should consider.

I urge the Republican leadership to postpone and delay this vote so that we may, in fact, consider those emails.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I want to first thank Senator CARPER for his leadership today, and I rise today

to join him in speaking about the nomination of Scott Pruitt to be Administrator of the Environmental Protection Agency.

I will not be voting in favor of Mr. Pruitt's nomination for EPA Administrator because of his record and views on issues that are very important to the people of my State—issues like climate change, which matters in Minnesota, and issues like the Renewable Fuel Standard. I am not sure everyone has focused on that today, but I think it is important, especially for States in the Midwest, to focus on what his record has been on this issue.

Mr. Pruitt has written that the climate change debate is “far from settled” and has made other troubling comments about climate change. I could not disagree more. I believe that the debate on whether climate change is happening is over. The facts are in, and the science is clear.

The “2014 National Climate Assessment” stated the most recent decade was the Nation’s warmest on record. U.S. temperatures are expected to continue to rise. It was drafted by over 300 authors and extensively reviewed by the National Academy of Sciences and a Federal advisory committee of 60 members.

The “Quadrennial Defense Review 2014” of the Department of Defense of the United States stated: “The pressures caused by climate change will influence resource competition while placing additional burdens on economies, societies, and governance institutions around the world.”

Climate change isn’t just about melting glaciers and rising ocean levels, although it is certainly about that. It is also about what we have experienced in the Midwest. When I first got to the Senate, I remember hearing from experts, including people in our own Defense Department and major military leaders who talked about the fact that one of the consequences of climate change will be, first of all, all over the world in economies that are already struggling. We are going to see some of those developing nations encounter unpredictable weather—hurricanes, tsunamis.

In the Midwest, while we may not have tsunamis, what we see is major, unpredictable weather, which is just as dangerous. We have seen the devastating impacts of natural disasters like Hurricane Matthew, and we have seen flooding from Cedar Rapids and Duluth.

We now know the risk of climate change to Minnesota, to our country, and to our planet. We must reduce greenhouse gas and tackle the challenge of global climate change head-on. If we don’t tackle this issue, we are going to continue to struggle with the far-reaching economic and environmental consequences.

Shifting global trends have the potential to wreak more long-term havoc on our businesses and our industries. That is why businesses in my State—

major companies like Cargill and General Mills—have been willing to take this on, have been willing to talk about this as a problem. They see this as a moral obligation to their employees and their customers, but they also see it as part of their business. They can’t simply continue in business and serve people all over the world if major economies could be ruined by one storm or if we see areas flooded that are on our coast or the kind of weather we have seen in the Midwest. It is bad for business, and they are willing to admit that.

As a Senator from Minnesota with a strong ag industry and also a tradition of hunting and fishing, I see climate change as a direct threat to my State’s economy for recreation. It is also a threat to our State’s heritage of enjoying the outdoors, whether that is snowmobiling or whether that is our wildlife. We have seen some major changes to the wildlife in our State.

I have always believed that an “all of the above” plan is necessary to build a new energy agenda for America, but it must be an agenda that recognizes the challenges of climate change. Someone who heads up the EPA must believe in science. It is an Agency grounded in science.

Mr. Pruitt has also been quoted as saying “the ethanol fuel mandate is unworkable.” I know he has changed some of his views since he was nominated, but I, as a Senator from a State that relies on renewable fuels as one of our major industries in the ag part of our State, must look at his entire record and what he has actually said when he has been in positions of power.

How do I see the Renewable Fuel Standard? The Renewable Fuel Standard has led to important advancements in clean energy, and the standard has provided stability and predictability that have and will continue to drive long-term investments in the renewable space.

Every time a new study is released on the subject, I become even more convinced that investments in renewable fuels are investments in the future health of our economy and our environment. A recent study by ABF Economics showed that the ethanol industry generated \$7.37 billion in gross sales in 2015 for Minnesota businesses and \$1.6 billion in income for Minnesota households. Here is a big one: The ethanol industry also supports over 18,000 full-time jobs in Minnesota.

Senators on both sides of the aisle understand that renewable fuels are important as a home-grown economic generator. They also are about 10 percent of our fuel supply in the United States. That is a competitor for oil. When we have that kind of competition, that allows us to have everything from electric cars to other kinds of renewables, and we should not simply rely on the oil industry to fuel our vehicles. Renewable fuels are an important competitor.

As I mentioned, there is strong bipartisan support for renewable fuels. I

have worked closely with many friends across the aisle for many years on this issue. And, of course, the further ethanol and renewable fuels take us, the less dependent we will be on foreign oil. We need and want a mixed fuel supply.

Now is not the time to waiver on support for renewable fuels. The EPA Administrator has many flexibilities under the law to slow or make changes to the Renewable Fuel Standard, and that is why I am concerned about the past record of this nominee on this important issue.

Another reason we need consistent and effective leadership at the EPA is in the fight to maintain and restore the Great Lakes. Our Great Lakes contain 90 percent of our Nation’s supply of fresh surface water and supply drinking water to 30 million Americans. And our economy? The Great Lakes’ combined economic impact is so enormous that restoration alone is estimated to provide \$50 billion in long-term economic benefits. That is why last year’s Water Infrastructure Improvements for the Nation Act reauthorized the Great Lakes Restoration Initiative. These projects have helped eliminate toxins from our waters, combat invasive species—something very critical in my State with invasive carp—protect against pollution, restore habitats for fish and wildlife, and promote the overall health.

The Administrator of the EPA is responsible for leading efforts to implement, administer, and distribute grant funding across agencies that undertake restoration activities. As I noted, Minnesota is home to a thriving outdoor economy that relies on clean water, free of invasive species. It is vital that our next EPA Administrator continue to take action to stop the spread of invasive carp before they reach the Great Lakes and many of our most important northern waters.

My background? My grandpa was an iron ore miner. He worked 1,500 feet underground in the mines most of his life. Every day when he went down in that cage, he would always think about what he would like to do in the outdoors. He loved to hunt. About once a year, they would borrow a car from my uncle. They would go to see Lake Superior, and he would bring his sons to see Lake Superior.

I want an EPA Administrator that sees that, yes, you want a strong economy, and yes, those things can work together with the environment, but you also need to preserve that outdoors and wildlife and those Great Lakes my grandpa and my family hold so dear.

Mr. Pruitt has articulated extreme views about the role of the EPA, but there is a bigger problem here. We still don’t know his full views and record. My colleagues who sat on the Environment and Public Works Committee have asked Mr. Pruitt to produce critical documents that will clarify his record and vision for the EPA, and 19 times, Mr. Pruitt told Senators they should get the information from his attorney general’s office. Well, they tried

and they have not succeeded. The Oklahoma attorney general's office told them that they have a 2-year backlog for such requests. In committee questions for the record, my colleagues asked Mr. Pruitt to clear the backlog and provide the committee with these communications. Once again, he declined. Mr. Pruitt has not provided the Senate with the information we need to make an informed decision about his nomination.

The EPA Administrator will be entrusted with protecting the health and well-being of Americans. This is a tremendous responsibility. That is why Americans deserve a clear picture of Mr. Pruitt's record on protecting public health, clean air, and clean water, including a review of the emails that were ordered to be released today.

RUSSIA

Now, Mr. President, I would like to turn to another topic. Actually, after watching parts of the President's lengthy and unpredictable news conference today, I came upon some of the parts dealing with Russia. I thought it was important that I come down to the floor and address them.

The part of the press conference that I saw was where the President referred to the reporting that has been done on Russia as fake news. The reporting that has been done about all of the contacts between members of his campaign and the Russian intelligence agencies—I assume he includes the reporting that has been done on the phone call that was made to the Russian Ambassador—and the various other reporting that we have seen—that is very troubling about this administration's dealing with Russia from the campaign time, to the transition, to the present.

I would just like to say that this is far from fake news; this is fact. And if you don't believe it is fact, then that means you don't believe 17 U.S. intelligence agencies and that instead you take the word of Russians, Russian intelligence and Putin's word. I go with our 17 U.S. intelligence agencies that have made it very clear that Russia had been attempting to influence our election.

This was borne out to me when Senator McCain, Senator Graham, and I visited the Baltics, Ukraine, and Georgia at the end of last year in December. What we saw there and what we heard there makes us know that this is not just one single incident of Russia trying to influence one candidate's campaign or even one election or even one country's election, but that this is a modus operandi, that they have done this before. They did it in Estonia when they were mad that they moved a statue. What did they do? They shut down their internet. They did it in Lithuania when the Lithuanians had the audacity to invite members of the Ukrainian Parliament who were in exile because they were part of the legally annexed Crimea. Lithuania invites them to their 25th anniversary

celebration of their independence from Russia. What happens? Russia attacks the accounts of members of the Lithuanian Parliament.

I have already expressed deep concern about this administration's lack of transparency on a variety of critical issues, but nowhere is this more true than when it comes to this administration's interactions with the Russian Government. For months, U.S. intelligence agencies have said that Russia used covert cyber attacks, espionage, and harmful propaganda—\$200 million worth—to try to undermine our democracy. Reports show it and the facts prove it.

Unlike what the President said today at the press conference, this is not fake news. Last week, in fact, we learned that the very day President Obama imposed sanctions on Russia for their unprecedented attacks on our democracy, a member of the Trump transition team spoke to a senior Russian official regarding those sanctions and then did not tell the truth about it. The National Security Advisor—the person charged with the most sensitive matters of U.S. national security—misled the Vice President and, in turn, the American people. We have now seen two people resign: the campaign manager for Trump's campaign and the National Security Advisor. And one of the things they have in common is Russia and a relationship with Russia.

So, no, this is not what the President said at his press conference today or earlier in a tweet. This is not about some kind of sour grapes—those were not his words but his implication about the loss of Hillary Clinton. That is not what this is. This is not about her loss in the last campaign. No. These are facts that have emerged since that time that I think are important to everyone.

I appreciated the words a few months ago from Senator Rubio, who said that this is not about one campaign, this is not about one election, because it could quickly turn on the other party. We have an obligation as Senators to protect our democracy. That is what this is about—to make sure we have fair and free elections that are not influenced by foreign governments.

Today, Secretary Mattis said that Russia's behavior is aggressive and destabilizing. I thought that was a good caricature of not only what we have seen in our own country but also what we have seen overseas. And then he went on to say that right now we are not negotiating from a position of strength. Well, that is certainly true when our own President then, a few hours later, takes to the stage and says that this is simply fake news and that we are talking about Russia's aggression as some kind of response to the loss in the last campaign.

We need to know the full extent of the administration's contact with the Russian Government during the campaign and transition, including what was said, what was done, and who knew

about it. Only then will we answer that fourth “w.” Who, what, where—it is the only way we are going to answer why. Why is this administration so focused on trying to placate Russia?

I recently joined Senators CARDIN, LEAHY, FEINSTEIN, and CARPER—this was early January—to introduce legislation that would create an independent, nonpartisan commission to look at the facts and to make recommendations about how we can handle future elections so they will be free and safeguarded from foreign interference. This would, of course, be in addition to the thorough investigation that I have been ensured will occur with the Intelligence Committee under the leadership of Senators BURR and WARNER.

In the last few weeks, we have heard a lot about the three branches of government and our system of checks and balances. One of the fundamental jobs of Congress is to closely oversee the executive branch to ensure that the law is being properly followed and enforced. I think my colleagues on both sides of the aisle understand how important that is.

I am the ranking member of the Senate Rules Committee, and one of our jobs is to oversee our election system. A big part of my job as the Democratic leader of this committee will be to ensure that our election system is safe from foreign interference in the future.

Intelligence experts have been clear: Russian interference in our 2016 election was not an anomaly. The threat of future tampering is real and immediate. As Senator Rubio said and I just noted, this time it was the Democrats who were attacked. Next time it could be a Republican. And it is not something that is limited to one party. Future threats could come in the form of more misinformation. They could range from using social media to disrupt the voting process to even hacking into State reporting websites to alter vote totals. Russia's goal is to create confusion and undermine people's trust in our democratic institutions. That is why they spent \$200 million last year to fund the spread of fake news.

We need solutions and not more problems. Just last week, the House voted to eliminate the Election Assistance Commission, the only Federal agency charged with protecting American elections from hacking. As ranking member of the Rules Committee, I find this unconscionable. We have to do more, not less, to protect American elections from foreign interference.

The EAC and the Department of Homeland Security were in communication with State election officials prior to election day promoting cyber security best practices. Our agencies have ensured that safeguards, like provisional ballots, would allow people to cast ballots even if their systems were hacked. We have to do more, not less, to support this effort. That is why I am currently developing legislation that

will protect our elections from foreign interference. We are going to work with the EAC, DHS, and all 50 States to protect voting systems and registration data bases from cyber security threats. We will also make sure State and local election officials have the resources they need to make these critical cyber security upgrades.

Recent news events show us just how severe the problem is. Now we have to come up with the solutions. My Republican colleague, Senator MCCAIN, got it right yesterday when he said this. This gets to the security issue that goes even beyond our elections:

General Flynn's resignation also raises further questions about the Trump administration's intentions toward Vladimir Putin's Russia, including statements by the president suggesting moral equivalence between the United States and Russia despite its invasion of Ukraine, annexation of Crimea, and threats to our NATO allies.

The day that the Obama administration was imposing sanctions on Russia—and the Trump campaign was allegedly undermining those sanctions—I was with Senators MCCAIN and GRAHAM in Eastern Europe. The goal of our trip was to reenforce support for NATO and our allies in the face of increased Russian aggression. We visited the Baltics, Ukraine, and Georgia—countries on the frontlines of this fight, and they know Russia's playbook well.

In our meetings with Presidents and Prime Ministers of those countries, it was increasingly evident that if we don't stop Russia now, cyber attacking against governments, political parties, newspapers, and companies will only get worse.

This is a pattern of waging cyber attacks and military invasions against democratic governments across the world. Ukraine itself has been targeted by Russian hackers more than 6,500 times in just the past 2 months—earlier I used the examples of Estonia and Lithuania, but 6,500 times in just the past 2 months. Now we have evidence that Russia is working to undermine the elections in France and Germany.

This is not just about defending our own democracy; it is about defending the democratic way of life and democracies across the world. We must be a united front in fighting Russian aggression, and we must make it clear to Russia that there are consequences to their actions. That is why I joined a bipartisan group of my colleagues to introduce the Countering Russian Hostilities Act, legislation that would impose strong actions against Russia. These sanctions would address cyber attacks, human rights violations, and the illegal annexation of land in Ukraine and Georgia.

The world continues to look to America for its steadfast, steady leadership. The United States, a beacon for freedom and democracy, must continue to stand up against Russian aggression. The leader of our country should not be calling those reports that have been substantiated by 17 U.S. intelligence

agencies “fake news.” That is what happened today.

On New Years' Eve, together with Ukrainian President Poroshenko and Senators McCain and Graham, we stood at the border of eastern Ukraine, 2 years after Russia's illegal annexation of Crimea, 2 years after the invasion of eastern Ukraine, 10,000 lives lost.

Ukrainian soldiers stood, and they have continued to stand, protecting their homeland and defending their democracy. For years, our allies have been subject to aggression and invasions, but they are undeterred, unwilling to give up what they fought so hard for: independence, freedom, and democracy. If we are committed to ensuring that Russia's hacking invasions and blackmail do not go unchecked, we must do everything in our power to uncover the full extent of this interference in our own political system. As our allies stand there every day losing people on the frontlines, looking to us for support, looking to us, we cannot turn our own backs on an invasion—a cyber invasion on our own democracy. We must also stand up for independence, freedom, and democracy.

I yield the floor.

THE PRESIDING OFFICER (Mr. YOUNG). The Senator from Delaware.

Mr. COONS. Mr. President, I want to initially begin by thanking my colleague from Oklahoma for graciously allowing me to proceed first ahead of him. He is, as ever, a terrific colleague. I would like to associate myself with the remarks of my colleague from Minnesota. I, too, led a bipartisan delegation—two Republican House Members and two Senate Democrats—to Eastern Europe in August and observed many of the same issues and concerns that she just raised and have joined her, along with 10 Republican Senators and 8 other Democratic Senators, in the legislation she mentioned. I think this is an important issue on which all of us should focus.

Mr. President, let me turn to the matter at hand, the nomination of Scott Pruitt to serve as the director of the EPA. I thank my colleagues, many of whom have come to the floor to speak about the nomination of Scott Pruitt to lead the EPA, and most essentially, my senior Senator and friend from my home State of Delaware, TOM CARPER, ranking member of the Environment and Public Works Committee, who has ably led this fight.

I am glad to be able to join my colleagues to make clear why, in my view, someone who does not believe in a core Federal role in protecting the environment is not the right person to lead the Federal Agency charged with just that mission. It is possible that we in this Chamber have now forgotten why the Environmental Protection Agency was created in the first place. The idea of Federal protection of our environment really started to take hold when the Cuyahoga River caught fire, again, in June of 1969. The public outrage that

rightfully followed this near-spontaneous combustion of a river helped lead to the EPA's creation in 1970 and the passage of the Clean Air Act the same year and the Clean Water Act in 1972.

Now, nearly a half century later, it is precisely because these laws and others like them have been successful in making us healthier and safer that it is easy to forget why we need them.

Institutions like the EPA don't run themselves. The environment does not protect itself, and big oil and gas and coal companies certainly don't police themselves. That is why the EPA exists. You would certainly hope that at the very least the Administrator of that Agency would support that core mission. Yet this evening we are considering the nomination of someone whose main experience with environmental protection at the Federal level is filing lawsuits against the Federal Environmental Protection Agency.

In fact, he has filed 14 of those lawsuits in just 6 years as attorney general of the State of Oklahoma. That is not all he has done. Scott Pruitt, in his confirmation hearing, refused to recuse himself from consideration of future cases which he brought against the EPA if confirmed.

Mr. Pruitt has also suggested that Senators who want more information about the details of his record should file FOIA requests rather than providing that information voluntarily. He has described himself as “a leading advocate against the Federal EPA's activist agenda.” Scott Pruitt has not been able to name in confirmation hearings one single environmental protection statute he supports. In my view, that is unacceptable for a State attorney general let alone someone nominated to be our Nation's highest ranking environmental protection official.

Mr. Pruitt's disdain for the core mission of the EPA leaves me without a doubt that he is unfit to take on this important role, but that is not all. Scott Pruitt either ignores or is ignorant of the core and important science of climate change, mercury, lead exposure, ocean acidification, to name just a few of many topics uncovered in his confirmation hearing.

Mr. Pruitt acknowledges the climate is changing but says the role, the influence of human activity is “subject to debate.” I am here to say this evening, that is simply not true. Only in an alternative universe, based on alternative facts, is the human impact on climate change still subject to debate. That is like saying that Scott Pruitt is fit to lead the EPA is subject to debate. I think after an exhaustive confirmation hearing and a review on the floor of the facts, it is not. It is simply not true.

Scott Pruitt also led a lawsuit against EPA rules that would reduce mercury emissions from coal-fired powerplants. He argued it was too expensive, too burdensome, but he also questioned whether mercury itself was

harmful to health. On that issue, the science is clear. Mercury has devastating effects on the development of the human nervous system.

Does Mr. Pruitt not get that or does he not care? Those are pressing questions for me. During his confirmation process, Mr. Pruitt was confused about ocean acidification, a process explained by very basic science. A question I was left with was whether Mr. Pruitt just did not get it or just did not care.

In that same hearing, he made statements that indicated he was unfamiliar with the Federal standards regarding lead in drinking water. I had to ask myself whether he simply has not heard of Flint, MI, or was not concerned.

My office alone has received nearly 1,000 calls and emails from Delawareans expressing concern about Scott Pruitt and the future of the EPA under his potential leadership, expressing concern and opposition. Delawareans have reached out to me saying they are worried about their kids with asthma; they are worried about clean drinking water for their families; they are worried about protecting our rivers, our wetlands, and other outdoor spaces in Delaware and around the country.

With Scott Pruitt potentially at the helm of the EPA, they are right to be worried. Let me end by sharing a brief excerpt of a letter from one of my constituents who lives in my hometown of Wilmington, DE. She wrote:

Please vote against Scott Pruitt as leader of the EPA. Our children's future, their health and well-being, and their right to inherit a world we have not irreversibly destroyed may depend on it.

She is absolutely right. Our kids do deserve a better environmental future. To her and all the Delawareans who have contacted me and my friend and colleague from my home State, I hear you. I intend to vote against Scott Pruitt. If my colleagues in the Senate really want to stop pollution, we can start by keeping Scott Pruitt from going to lead the EPA.

Our environment should not be for sale, should not be neglected, and should not be turned aside from being the core mission of the Environmental Protection Agency. I think we all should stand firm against the nomination of Scott Pruitt to lead that important Agency.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, it is an absolute honor to be able to rise and speak in support of Attorney General Scott Pruitt. For the last 6 years, Scott has been a leader in the State of Oklahoma. He has been strongly committed to enforcing the law in Oklahoma as it is written and as is consistent with the Constitution. He is a statesman. He is a dedicated public servant.

As the Administrator of the EPA, I fully expect Scott to be able to lead the

Agency to follow every environmental law and to partner with States, local authorities, and tribes to do what is best for the present and for the future. I have heard some people talk about their opposition to Scott's nomination, saying they don't believe Scott believes in clean air, in clean water.

That is not the issue for Scott. Scott absolutely believes in clean air and clean water, and the accusations that somehow he wants dirty air and dirty water and our children to be poisoned is ludicrous.

The question for Scott is not if we should have clean air and clean water, it is who is the primary steward of our clean air and our clean water. Everyone has a role. We are a nation that is connected to each other. What happens in one State does affect another State. That is why we have a national strategy working with the Environmental Protection Agency, but in the Clean Water Act and in the Clean Air Act, the States are given primary responsibility through what is called a State Implementation Plan to determine what is in their best interests and the best solutions to be able to deal with the issues of air and water.

Scott has fought for the State to be allowed to be in the driver's seat with regard to all of the State resources, arguing for those that work in wind farms, in oilfields, and on cattle ranches, for families who have drinking water and breathe the air and who live there. The people who should have the loudest voices should be the people who actually drink that water and breathe that air and understand the effects of it firsthand.

He has not been alone in this fight. As the attorney general of Oklahoma, he stood shoulder to shoulder with more than half of the States to ensure the Federal Government operates within the bounds of the statutes and the Constitution. He has consistently argued that the EPA, when they promulgate rules that violate that basic principle of the State Implementation Plan, should stop, do what the EPA does best, and have the EPA push the States to do what they should do best.

In an environment where Chevron deference is the precedent set, it is critical that the leader of an Agency that has such wide latitude to extract costs out of the economy, should respect the federalist foundation we have, and the pocketbooks of hard-working families, as well as our air and our water.

In previous congressional testimony, he stressed the importance of laws like the Clean Air Act, stressing that the intention was for States to work together under a model of cooperative federalism that protects the environment while considering economic costs.

Scott pursued cases against the EPA and other Federal agencies in an effort to enable and embolden our State government officials to craft the legislation that needs to be done. His focus

has been not to eliminate environmental protections, it is to honor a country with tremendous diversity, from rocky mountains to open deserts, to beautiful woodland areas.

Surprisingly enough, the issues that we face on our environment, in the concrete jungle of Washington, DC, is different than it is in Woodward, OK. Let me give you an example of one of those cases that he engaged in. It is a case where the EPA created a new regulation called waters of the United States. It dramatically changed the definition of what are the areas the EPA can oversee and increased their regulatory authority by millions of acres in just one regulatory sweep.

The courts immediately stepped in and stopped this, and Scott Pruitt and many other States' attorneys general said: The EPA does not have the right to be able to step into almost every inch of our State and say they suddenly have regulatory authority.

In fact, the court said this: "We conclude that petitioners have demonstrated a substantial possibility of success on the merits of their claims."

Furthermore, they said this: "What is of greater concern to us, in balancing the harms, is the burden—potentially visited nationwide on government bodies, state and federal, as well as private parties."

The court stepped in and agreed with Scott Pruitt that the EPA was overreaching, and that case is still in the courts right now. That is a reasonable thing to be able to do, for an attorney general who has the responsibility to not only manage the legal issues of the State but also to watch out for the consumers of the State. As funny as it sounds, if you go to the EPA's website today and look at Oklahoma and air quality, here is what it says. The EPA website today reads: "CAA permitting in Oklahoma. Clean Air Act permitting in Oklahoma is the responsibility of the Air Quality Division Exit of the Oklahoma Department of Environmental Quality."

The EPA's website today says responsibility for this is from the Department of Environmental Quality in Oklahoma.

All our attorney general has done is said to the EPA: You should probably follow the law or at least your own website to be able to handle all of the permitting issues of who has authority to do this. For the past month, I have heard Senator after Senator come to this floor and describe my great State of Oklahoma in a way that makes Scott Pruitt sound like an ogre and my State sound like a toxic waste dump.

Let me give you an example. Attorney General Pruitt has been dismissed by some who say that he has personally been engaged in leading our State to such terrible air quality that the American Lung Association has given the counties in Oklahoma an F rating.

Well, that is an interesting accusation, until you actually go to the American Lung Association website

and see that they give almost every county in America an F rating. In fact, they give every county in Delaware an F rating in air quality. They categorize those under “high ozone days” and one of three counties just barely skated by with a D in particle pollution for Delaware, while in Oklahoma the two largest metropolitan areas actually received an A from the American Lung Association. Similarly, in that same study, Rhode Island lacks a single county that doesn’t get an F for air quality on high ozone days, while only two counties received passing grades for particulate pollution.

The accusation that somehow the American Lung Association has looked at Scott Pruitt and his record on environmental policy and has given us dirty air quality is not actually true when you see the full study.

What is interesting, as well, is that the EPA publishes data about whether counties meet the national ambient air quality standards, and they have six criteria that the EPA puts out. In fact, recently they dropped their criteria significantly from the previous years. What is interesting, as well, is that for Oklahoma, last week, the EPA released their national ambient air quality standards, trying to determine which counties had attainment of the standard or nonattainment. Guest what. Every single county in Oklahoma—all 77—have attainment. Even as to the new standard that was just released, that we don’t even have to operate under, we already meet those standards for ambient air quality.

Meanwhile, Maryland has 12 counties in nonattainment for at least 1 of those criteria. Connecticut has eight counties that don’t meet those standards. California has 38 of their 58 counties failing to meet those standards in at least 1 criteria. There are 77 counties in Oklahoma, and every single one of them meets attainment.

I don’t hear anyone standing on this floor challenging the attorney general of California or of Maryland or of Connecticut and demonizing them and accusing them of not taking care of the air and the water in their State.

By the way, I have also heard on this floor, as my State is being ripped apart for political gain, over and over that asthma rates for children are catastrophically high in Oklahoma and that Scott Pruitt should have been more engaged, filing lawsuits so that asthma rates would go down—until you look at the CDC website for asthma rates for children. It is 10.1 in Oklahoma. One child is too many. It is 10.1 percent in our State, but you can compare that to Rhode Island, which is 12.4; or Michigan, which is 10.7. Vermont beat us, by the way. They are 9.9—0.2 below us.

Again, I don’t hear anyone on this floor calling out the attorneys general of Vermont, Michigan, and Rhode Island and saying they failed to protect their children because children have asthma in their State.

Another thing that is commonly said about Scott Pruitt and the State of Oklahoma is that he is committed to conventional energy sources and that he is stuck in the past, dealing with oil and gas.

I will tell you that Oklahoma is rightfully right proud of its history of oil and gas in our State. We have unlocked resources that have absolutely powered our Nation forward. We also have an incredible group of visionaries in our State that are driving renewable resources as fast as we are driving oil and gas in our State.

For all the folks that are here bashing oil and gas, I would remind you that you traveled to Washington, DC, on a plane, in a car, or on a train that was powered by Oklahoma energy. So you are welcome. And I will assume that, 2 weeks from now, when we return back for session, you are going to ride in on a horse just to be able to spite Oklahoma’s energy—probably not. But can I remind you of something?

What is often overlooked about Oklahoma and what has not been stated here is that Oklahoma truly is an all-of-the-above energy State—solar, hydroelectric, geothermal, wind, oil, gas, and coal.

Let me give you an example—just one of the examples from that. Recent data shows that Oklahoma ranks third nationally in total wind power. We just passed California for total wind production. We are just barely behind Iowa and Texas. The installed capacity for Oklahoma alone—just in wind generation—is 1.3 million households powered by wind power out of Oklahoma.

I will admit that I am a little biased about my State. But I am weary of hearing people inaccurately demean the air and water in Oklahoma and try to accuse it of something that is not true for their political benefit.

Here is my invitation to any Member of this body. Why don’t you come home to Oklahoma with me? I will buy you some great barbecue and drive you around the State. I will take you through the Green Country in the northeast part of the State, over to Kenton, OK, and Black Mesa to see the majestic area around our panhandle. We will drive four-wheelers in Little Sahara, and maybe we will drive down to Beavers Bend Park, stand under the tall trees, and put our feet in the crystal clear water of that river. I will even take you to my house in Oklahoma City, a community of a million people that exceeds the EPA air quality standards for ambient air quality.

We say in Oklahoma: “The land we belong to is grand,” and we mean it. We are passionate about our land, and we are passionate about our air and water. I will tell you that Scott Pruitt is passionate about his State and what we do there.

I will tell you how political this has really become. Mike Turpen is the former attorney general of the State of Oklahoma and, by the way, he is also

the former chairman of the Oklahoma Democratic Party. Mike Turpen, when it was announced that Scott Pruitt was going to be tapped to be head of the EPA, released this statement:

Oklahoma Attorney General Scott Pruitt is a good choice to head up the Environmental Protection Agency. I am convinced Scott Pruitt will work to protect our natural habitats, reserves and resources. His vision for a proper relationship between protection and prosperity makes him superbly qualified to serve as our next EPA administrator.

That is from the former head of the Oklahoma Democratic Party.

So far, my colleagues have found a good reason for every Cabinet nominee to delay, delay, delay. This has now been the slowest confirmation process for any President since George Washington. The tradition has always been that the President won an election, and he should be able to hire his own staff and his own Cabinet and get busy going to work. That is what the American people asked him to do.

Scott Pruitt deserves an up-or-down vote, and he deserves our trust to be able to take on and follow the law, doing what the EPA requires him to do.

Scott Pruitt is a friend. I understand that some of the folks who have attacked him have only met him at a hearing or read about him on some blog site. But I have prayed with Scott. I have seen Scott struggle with the hard decisions that affect our State’s future. I have seen Scott listen to people from all sides of an issue, and I have seen him take difficult stands. I think he will be an excellent EPA Administrator, and I think he will make some wise choices to not only protect what is happening now but to be able to help protect us for the future.

You see, Scott is a husband and a dad as well, and he cares also about the future of our country. I think he is going to go after it, and he will be able to be an excellent Administrator in the days ahead.

TRIBUTE TO BRYAN BERKY

Mr. President, I would like to take a quick moment just to be able to reflect. I have a staff member named Bryan Berky. He is running off. He has been quite a leader. He is leaving us to be able to take on a new task and a new role.

Since 2010, he has been a tremendous asset to the Senate. Bryan Berky is a student of Senate procedures. He is the one in the office whom everyone wishes they had because, when something comes up and someone has some novel new idea of how the rules work, he is typically the one on the corner saying: Yes, that really won’t work, and here is why.

He has been sharp on budget issues, on tax issues, and efficiency in government. He has been the one who has been passionate about the national debt—and not just talking about national debt but actually trying to solve it.

You see, Bryan Berky is one of those unique staffers not trying to make a

point. He is trying to actually solve the problem.

He was mentored by a guy named Dr. Tom Coburn, who wasn't too bad on those issues himself. He has led well, and I am proud that he has been on my staff.

As he leaves from the Senate, he will be sorely missed by this whole body—even by people who never met him. He had an impact, based on the things that he worked on.

If you want to get a chance to visit with Bryan Berky, though, you can talk about Senate procedures, tax policy, and nerdy budget issues or you can chat with him about Oklahoma State football. He spent his time through college working for the Oklahoma State football team, watching the films and breaking down every single play, preparing the team for practice and for the game days.

He is a great student of people and of process.

I just want to be able to pass on to the Presiding Officer that there is a guy named Bryan Berky who is leaving the Senate in the next week, and he will be sorely missed by this Senate and by our team in the days ahead.

With that, I yield the floor.

THE PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. Mr. President, last year was the hottest year on record, and 16 of the last 17 years have been the warmest years ever recorded. Climate change science is some of the most thoroughly established and well-tested research in history, and 97 percent of the published research says climate change is real and caused by humans.

Climate change is an urgent threat to our health, our national security, and our economy. How we address it is what we need to debate, not whether it is real.

As I have said before, I will work with anyone in this Chamber—Republican or Democrat—to address this issue. That is appropriate because survey after survey of people in Colorado—a State that is a third Democratic, a third Republican, and a third Independent—demonstrates that they believe the science, no matter which party they belong to.

In a very welcome sign, just last week, a group of statesmen, including former Secretary of State James Baker III, former Secretary of State George Shultz, and former Secretary of the Treasury Henry Paulson, Jr.,—all Republicans—released what they described as a “conservative climate solution.”

These distinguished leaders have come together at just the right moment—at the perfect moment—because our new President says that he is “not a big believer” in climate change. In fact, he claimed during the campaign that climate change was a hoax invented by the Chinese to make U.S. manufacturing noncompetitive.

Consistent with that view, the President's nominee to run the Environ-

mental Protection Agency, Scott Pruitt, recently said that the debate over climate change is quote “far from settled.” He wondered in December whether global warming is “true or not,” whether it is caused by humans and whether the Earth is cooling instead of heating. As attorney general of Oklahoma, he sought to prevent the very Agency he has been nominated to lead from fighting climate change, suing the EPA 14 times.

It is important, I guess, to note that while it is rare for somebody in America to share these views, Attorney General Pruitt is not alone in his extreme views in the new President's Cabinet. Rick Perry, the nominee to be Secretary of Energy, wrote in his book that climate science is “all one contrived phony mess” and that the Earth is actually “experiencing a cooling trend.” Ben Carson, the nominee to run the Department of Housing and Urban Development, said: “It is not clear if temperatures are going up or going down.” Rex Tillerson, the new Secretary of State, said: “None of the models agree on how climate change works.” Mr. Trump's CIA Director, Mike Pompeo, said: “There are scientists who think lots of different things about climate change.”

When the Pope was talking about the importance of addressing climate change, which he said was a very real threat, there was an American politician who said that the Pope should stick to religion and that he wasn't a scientist. In fact, the Pope studied chemistry. I am glad he is using his voice on this important issue.

To be clear, some nominees seem to have undergone a confirmation process evolution on climate, but this seems more an effort to hide their extreme views in an effort to be confirmed rather than a genuine conversion based on facts or science, and that is a shame because the world cannot wait for this administration to stop ignoring the science.

Over the past 150 years, human activity has driven up greenhouse gas levels in our atmosphere higher and faster than at any time over the last 400,000 years. That is not surprising because we have pumped almost 400 billion metric tons of carbon into the atmosphere since the start of the Industrial Revolution. As a result, carbon dioxide concentrations have risen from 280 parts per million to 400 parts per million for the first time in recorded history. That significant change over an insignificant period of time is dramatically changing the Earth. These emissions act like closed car windows: They allow light and heat in, but they don't allow most of the heat to ever escape.

Already, record heating has melted ice sheets as large as Texas, Georgia, and New York combined, adding billions of tons of water to our oceans every year. These rising seas have partially submerged cities in Florida and Georgia several times per year. They threaten 31 towns and cities in Alaska

with imminent destruction. They are forcing a city in Louisiana to relocate its residents away from what is now an almost permanently flooded coast. By 2030, there won't be any glaciers left in Montana's Glacier National Park.

While extreme events and natural disasters become more frequent, so do the effects climate change has on our daily lives. In my home State, 7 out of 10 Coloradans know that climate change is happening, and nearly half say they have personally experienced its effects. Shorter winters are already a threat to Colorado's \$4.8 billion ski and snowboard industry and its 46,000 jobs.

Since the snow is melting sooner, there is not enough water for what are now longer summers. Colorado's farmers are forced to grow food with less water, a changing growing season, and higher temperatures. Our agriculture industry employs over 170,000 Coloradans and contributes more than \$40 billion a year to our economy. These changes are not only threatening farmers' livelihoods, they are changing production and food prices at grocery stores.

Our beer industry is even weighing in. This week, I received a letter from 32 brewers from around the country, including three from Colorado, who oppose Scott Pruitt's nomination because they depend on America's clean water resources to brew their beer.

Hotter summers and the droughts they prolong cause wildfires that now burn twice as much land every year than they did 40 years ago. Together, State and Federal agencies are paying nearly \$4 billion a year to fight those fires. Warmer waters and drought are hurting animals everywhere, like our cutthroat trout populations in Colorado. That is not just a problem for the fish; in Colorado, rivers generate more than \$9 billion in economic activity every year, including supporting nearly 80,000 jobs.

As warmer temperatures increase and spread across regions, so do incidents of vector-borne diseases like the West Nile virus and the hantavirus. And what do we do when we have longer, hotter summers? We crank up the air-conditioning, burning more fossil fuel and only perpetuating the problem.

I understand that sometimes it is hard to focus on climate change when the effects seem distant, but it should be impossible to ignore the immediate national security threat posed by climate change that is here today. Here in the Senate, in 2015, we passed a budget amendment with bipartisan support to promote “national security by addressing human-induced climate change.” That is what the amendment said. It got bipartisan support.

The former Secretary of Defense, the former Director of National Intelligence, and the former admiral in charge of U.S. Naval forces in the Pacific have all warned us that climate change is a threat to our national security.

Around the world, climate change is increasing natural disasters, refugee flows, and conflicts over basic resources like food and water, complicating American involvement and security. Climate change is linked to drought and crop loss and failure in southern Africa, leaving more than 6 million children malnourished by famine. It is increasing monsoons and heat waves in Pakistan, driving 11 million people out of their homes. It is even connected to water and food shortages that have intensified civil unrest from Egypt to Syria.

At home, climate change already has cost us billions to relocate and buffer military infrastructure from coastal erosion and protect military installations from energy outages. At the U.S. Atlantic Fleet in Norfolk, VA, the largest naval installation in the world, sea levels have risen over 1 foot in the past 100 years. All the systems that support military readiness, from electrical utilities to housing at that base, are vulnerable to extreme flooding.

When the Department of Defense “recognizes the reality of climate change”—those are their words—“and the significant risk it poses to U.S. interests globally,” we should listen. When the Nation’s most recent national security strategy says that “climate change is an urgent and growing threat,” we should act.

As a Senator from Colorado, I understand very well why people sometimes are frustrated when the EPA, for instance, does take action—or sometimes when it doesn’t take action.

There are certainly some regulations that don’t make sense, where a well-intentioned idea or an ill-intentioned idea—I think they are usually well-intentioned—from Washington ends up not making sense when it hits the ground. That is why I fought to revise EPA fuel storage tank regulations that hurt Colorado farmers, ranchers, and businesses in my home State. I supported an amendment making the Agency take a look at a new regulation that burdens families trying to remodel older homes. There are other regulations that I voted to get rid of. I supported, for instance, lifting the export ban on crude oil from the United States of America, a bill that we passed last year in connection with a 5-year extension of the tax credits for wind and solar energy, a great deal for the State of Colorado—both the lifting of the crude oil export ban and the extension of the tax credits for wind and solar.

I have also supported and fought for our coal community. In Colorado, working with my colleague Senator GARDNER, I fought to keep a Colorado mine open to protect good-paying jobs in my State. I am proud to have a hard hat in my office bearing the signatures of the people who work at that mine.

I have to say tonight that the often-asserted claim that efforts to regulate carbon or more generally to protect our water and our air have signifi-

cantly led to job losses in this country is false. This argument is a fraud perpetrated by politicians making promises that are broken from the start.

The reality—and it is important to understand the reality so we can remedy the situation—the reality is that free market forces and not mostly Federal regulation are transforming American electricity production.

American coal employment peaked in the early 1980s, long before we began seriously expanding natural energy. Natural gas has been gaining market share compared to coal since before 1990. Colorado, for example, has benefited greatly from the natural gas boom. In almost every part of the United States, natural gas plants are now cheaper to build than coal plants. Facilities that were built when I became a Senator 8 years ago were built to import natural gas and are now being retrofitted to export natural gas to the rest of the world. That is good for our environment, and it is good for the geopolitical position of the United States.

Innovation is making renewable electricity more affordable for everybody. Between 2008 and 2015, the cost of wind power fell 41 percent. The cost of large-scale solar installations fell 64 percent. This has led to a 95-percent increase in solar deployment in 2016 over the previous year. The annual installation doubled in 1 year.

If we truly want to support our world communities, we should listen to Teddy Roosevelt, who once said that “conservation and rural-life policies are really two sides of the same policy; and down at the bottom this policy rests upon the fundamental law that neither man nor nation can prosper unless, in dealing with the present, thought is steadily given to the future.”

The truth about the future is that there may be a lot of sound reasons to review, revisit, and even retire any number of Federal regulations, and I will bet there are, but cutting regulation will not reopen shuttered coal mines.

It is not about regulations or the EPA or about a War on Coal. Economic factors, market factors are driving the shift from coal to natural gas and renewables, and we need to recognize this shift and help coal communities adapt to a changing energy economy. They have contributed to building the economic vitality of this country. Their work helped us win World War II. We have to recognize the contribution; we can’t just turn our backs. But we also need to acknowledge what is causing the changes that are occurring in our energy production because if we can’t acknowledge the causes, we can’t fix the problem; we can’t make a meaningful difference for people in the communities that are affected by these changes; we can’t fulfill what have become empty political promises instead of making real commitments on behalf of the American people.

We also have to take advantage of the changes in energy production to fuel economic growth and create new jobs. Already, renewable energy is creating jobs throughout the country. Energy efficiency employs 2.2 million Americans. Solar and wind companies employ more than 360,000 Americans, including more than 13,000 in my home State of Colorado. Colorado now ranks first in the country in wind energy manufacturing. All together, clean energy employment grew 29 percent between 2009 and 2014 in Colorado.

This isn’t a Bolshevik plot, as I said on the floor before. These are American jobs. These are manufacturing jobs. These are plants where it is not just about the wind turbine but about all of the supply chain that goes along with it that can’t be made in China and shipped to the United States and installed here. These jobs in this supply chain are American jobs. They are good jobs that pay a good wage, and they are meaningful to our economy. Last year, solar jobs grew 17 times faster than jobs in the rest of the national economy. They increased by 20 percent in Colorado in 1 year.

The expansion of natural gas, as I mentioned earlier, is also aiding our transition to a cleaner energy economy. Between 2005 and 2012, natural gas production grew by 35 percent in the United States. In Colorado, it expanded by 139 percent. Colorado now ranks sixth in the country in natural gas production as 10 of the Nation’s 100 largest natural gasfields are now located in Colorado.

These industries together create good-paying jobs that can’t be exported overseas; and all of these changes, taken together, are beginning to address climate change. From 2008 to 2015, the American energy sector reduced its carbon emissions by 9.5 percent. We reduced our carbon emissions by almost 10 percent while the country’s economy grew by more than 10 percent, and we are starting to see the same trend around the world. Global emissions stayed flat in 2015 while the global economy grew. Turning our backs on reality is not a recipe for job creation in this country, but embracing the reality is.

So I would ask this new President, after the campaign he ran and the promises he made, why he would promote policies that will kill American jobs and industries. Unfortunately—I regret to say this—even though 70 percent of Coloradans say climate change is real and that humankind is contributing to it, the answer to my question about this administration’s policies comes back to what it believes—to what it believes is a debate on climate change.

If we allow science to become debatable, we can contort our thinking to fit any fiction at all to support or undermine any public policy. We risk discarding facts we don’t like and ignoring experts with whom we don’t agree in favor of special interests, which

often dominate our political system. Our country needs more from us than that. Our national defense demands more than that from us.

When State Department analysts concluded with evidence, with science, that the Keystone Pipeline would not materially increase carbon emissions—facts lost in the phony debate here in Washington—I voted for it against intense opposition from my own party and many of my strongest supporters. That was a painful vote, one of the most painful I have ever taken and difficult to explain to many people I admire, but I was guided by the facts, not by politics, guided by the science, not by politics.

We have always drawn strength as a country from our belief in science, our confidence in reason and evidence. It is what Harry Truman called our “unflinching passion for knowledge and truth.” In school, we teach children to support theories with facts and look to science to explain the world. When it comes to climate change, we cannot allow the narrow limits of political expediency and special interests to cloud our sound judgment. That is not a lesson we should be teaching our children who need us to act on climate. That would set a horrible example for the people who are coming after us.

Our ultimate success in addressing climate change will rely on the same scientific method that sent us to the Moon and eradicated smallpox. If we surrender evidence to ideology, when it comes to climate change, we abandon the process of scientific inquiry. We leave ourselves completely unequipped to defend what we discover to be true. We loosen our grip on the science that allows us to understand that evolution is real and vaccines are effective; that something is true and something else is false. That, not doubt and denial, is the lesson we should leave our children; that we have the courage to confront this challenge without bias; that we have the wisdom to follow facts wherever they lead. That is what this Senate should do. That is what our country should do.

We have seen the evidence now. It is not theoretical anymore that we can grow our economy, the fact that we will grow our economy, that we can conserve energy while we do it, that we can create entirely new industries and technologies to power the most significant economy that human beings have ever seen in the history of the world, and that we can deal with climate at the same time. The two are linked.

Apparently, that is not what this President believes, and that is not what his nominee to be Administrator of the Environmental Protection Agency believes. Because that is so far out of step with what Colorado believes and for all of the reasons I have talked about today and for the sake of our climate and for good-paying American jobs all over this country—but particularly in Colorado—I am compelled to vote no on the President's nominee to

head the Environmental Protection Agency.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Mr. President, I rise to express my strong opposition to President Trump's nomination of Scott Pruitt to be the next Administrator for the Environmental Protection Agency.

The reason is simple. In a choice between corporate polluters and people who want to breathe air and drink water, Scott Pruitt sides with the corporate polluters. He has no business being the head of the EPA.

During his nomination hearing, Mr. Pruitt had countless opportunities to answer for his record. His responses were flippant, evasive, and outright misleading. He has been asked repeatedly to provide records from his office concerning dealings with big oil companies, but he told the Senators that, hey, they should submit an open records request, hoping that his confirmation would be over long before those documents would see the light of day.

Just a few hours ago, an Oklahoma district court judge ordered a dose of sunshine for Mr. Pruitt's dirty dealings from his perch as attorney general of Oklahoma. The judge has demanded that Mr. Pruitt cough up more than thousands of emails pertaining to his cozy relationship with Big Oil—emails he has been hiding from Oklahoma open records requests for over 2 years, but the Republican leadership is not interested in waiting. Its plan is to jam this nomination through tomorrow—4 days before the emails are slated to become public.

Are you kidding me?

If those emails show corruption, every Senator should have that information before—not after—they vote to put someone in charge of the EPA who may be there for years.

Clean air and clean water used to be a nonpartisan issue. In earlier decades, leaders in both parties had the courage to say no to suffocating smog and towering plumes of toxic chemicals poisoning our children. Republicans and Democrats came together, and together they declared that access to clean air and clean water was a basic right for all Americans. We passed the Clean Air Act, and we passed the Clean Water Act. We updated those laws when necessary, and we did those things together.

Together, we depend on the Environmental Protection Agency for three critical reasons: The EPA is the cop on the beat, protecting American families from corporate polluters that would put profit ahead of safety. It watches out for us and for our children; the EPA exists because pollution knows no State borders. What is burned at the powerplant in Ohio is breathed by children across Massachusetts; and the EPA takes on the ever-changing task of researching, monitoring, and regulating toxic emissions because the job

is far too great for any one State to tackle.

To do all of this, the EPA routinely turns to local governments, businesses, and innovative workers for local solutions; the EPA turned to the University of Massachusetts to create a research center to assist smalltown water systems; the EPA turned to towns along Cape Cod and on Martha's Vineyard to pursue innovative solutions to increase coastal resiliency as sea levels have risen; and the EPA recently recognized New Bedford's exceptional work in monitoring industrial waste discharge in the city's collection system.

Across Massachusetts and across the Nation, the EPA sets big national goals that help inspire ingenious local solutions. The EPA is one of our great successes as a nation, but that success has not come without a fight. Each time the EPA has taken a step to clean our air, industry has poured more and more money into the debate, yelling that regulation is just too costly and that companies can never survive if they have to clean up their act.

In the 40 years following the Clean Air Act, emissions of common air pollutants fell nearly 70 percent while the number of private sector jobs doubled. Industry talks about the costs of pollution controls because dirty is cheap. Clean air saves more than 160,000 lives each year. Clean air saves more than 3 million schooldays our children would have collectively lost. Clean air saves 13 million workdays the hard-working, healthy Americans simply can't afford to miss.

Scott Pruitt doesn't measure success by this yardstick. No. He measures success by how happy his corporate donors are. As Big Oil's go-to attorney general from Oklahoma, Pruitt has spent the last 6 years trying to silence the life-saving, data-driven work of dedicated EPA employees and scientists. And now, those big polluters have their fantasy EPA nominee—someone who will work on their side and not on the side of the American people.

How about a couple of examples. When EPA issued a rule to limit mercury, arsenic, and other toxic chemical emissions from coal powerplants, Mr. Pruitt questioned whether mercury poses a health hazard. Mercury is a well-known neurotoxin. It means that it poisons the nervous system. And Scott Pruitt thinks he should question whether it poses any health hazard. Wow.

Or maybe it is this example. When the EPA moved to reduce leaks of methane, a greenhouse gas that is 30 times more potent than CO₂, he turned the Oklahoma AG's office into a clearinghouse for big oil to pursue lawsuits attacking the EPA. Scott Pruitt has spent so much time with his campaign donors that he honestly appears incapable of understanding the difference between the financial interests of millionaires who run giant oil companies and the health and well-being of the 4

million human beings who actually live in Oklahoma.

The people need a voice more than ever. For generations, Oklahoma has had very few earthquakes. Then, oil companies decided to up production, to pull every last drop of oil out of the ground. But with every drop of oil came useless, toxic radioactive salt water waste, and it has to go somewhere. So they took the cheapest option available: Pump billions of barrels of wastewater deep underground, under immense pressure, and that is when the problems started. Suddenly, earthquakes—big earthquakes with a magnitude of 3.0 and above, started occurring every day across Oklahoma.

Here was Mr. Pruitt, the State attorney general, the people's lawyer. What did he do? Did he seek relief for the families that were stiffed by insurance companies? Did he join residents who were suing to stop the drilling while their homes crumbled? Did he even pretend to do something—you know, like maybe issue a strongly worded press release supporting frightened citizens? No, not Mr. Pruitt. No, Mr. Pruitt stood by his friends in the oil industry, and the heck with everybody else.

Mr. Pruitt has been consistent in his work for big oil. As attorney general, he dismantled the environmental protection unit in his office—dismantled the environmental protection unit. He appointed a billionaire oil man to be his 2014 campaign chair, and he ignored the citizens he was sworn to protect. That is the measure of Mr. Pruitt as a public servant.

A State attorney general is supposed to serve the people. Right now, Massachusetts attorney general Maura Healey is leading the case to prove that ExxonMobil deliberately deceived the public about the impact of climate change on our economy, our environment, our health, and our future. Good for Maura. Did Scott Pruitt join that suit? Of course not. Pruitt ran to the defense of one of the world's largest corporations, whining about how that corporation felt bullied. Instead of working as the attorney general for Oklahoma, Mr. Pruitt has served as the attorney general for Exxon.

Finally, Scott Pruitt has the nerve to say that the cause of climate change is "subject to more debate." More debate? We had that debate in the 1980s, in the 1990s, in the 2000s. Maybe Mr. Pruitt missed it, buried under a pile of big oil money.

So let me just offer a summary. For well over a century, we spewed fossil fuel filth into our atmosphere. And, yes, this allowed us to fuel the thirsty appetite of our 20th century economy. But that blistering pace came at a price.

Our planet is getting hotter. Our coasts are threatened by furious storm surges that sweep away homes and devastate our largest cities. Our poorest neighborhoods are one bad storm away from being under water. Our naval bases are under attack—not by enemy

ships but by rising seas; droughts and wildfires are all too familiar across the country. Refugees are fleeing homes that are no longer livable. And the risk of rapidly spreading diseases like malaria and Zika is on the rise.

Our coastal communities don't have time for politicians who deny science. Our farmers don't have time for more debate. Our children don't have time for more cowards who will not stand up to big oil companies defrauding the American people.

Scott Pruitt has been working hard for big oil to dismantle the EPA, and now, President Trump wants to give him that chance.

Where are the Senators who will stand up for the health, the welfare, and the safety of their citizens? Where are the Senators who will stand up for the people's right to breathe clean air and drink clean water? Where are the Senators who will have the courage to demand action on climate change so that our children will have a chance to inherit a livable Earth?

In the end, despite this despicable record, if the Republicans link arms again, there will not be enough of us to stop this nomination. But make no mistake, if President Trump wants a fight over the health of our children, a fight over the creation of clean energy jobs, a fight over the very future of our planet, then we will fight every step of the way.

We will fight alongside moms and dads who know the terror of a childhood asthma attack. We will fight alongside the cancer victims. We will fight alongside the fishermen and the hunters. We will fight alongside the families of Flint, MI, and everywhere else in America where families cannot safely turn on their water taps or step outside and take a deep breath.

We are all in this together.

People in Massachusetts care deeply about preserving a safe and healthy environment for our kids and our grandkids. We see it as a moral question. And I receive letters from people all across the State, describing how important clean air and clean water are to them and how worried they are about what Scott Pruitt leading the EPA will mean for our most vital natural resources. I hear those concerns and I share those concerns.

I would like to read just a few of the many letters that I have received about this nomination.

Edward from Dennis wrote to me on behalf of the Association to Preserve Cape Cod about the importance of the EPA to coastal communities in Massachusetts. Here is Edward's letter:

The Association to Preserve Cape Cod (APCC), the Cape Cod region's leading non-profit environmental education and advocacy organization, writes to state our strong opposition to the appointment of Oklahoma Attorney General Scott Pruitt for the position of Administrator of the Environmental Protection Agency. We urge you to vote against his nomination.

APCC is deeply concerned that Mr. Pruitt's record of vigorously opposing the efforts of

the EPA to protect the nation's water and air quality is in direct conflict with his responsibilities as EPA Administrator to ensure that the agency's important work continues. In fact, his record clearly shows that his loyalties side with polluters instead of with the environment and the welfare of the American people. Of particular concern is Mr. Pruitt's refusal to accept the science of climate change and the implications this has for EPA's ongoing efforts to reduce greenhouse gas emissions.

In addition, the EPA has most recently played a vital role in furthering efforts to protect and restore water quality through its Southeast New England Program (SNEP) for Watershed Restoration, a program that has greatly benefited coastal communities in Rhode Island and southeastern Massachusetts. We worry that important initiatives such as the SNEP program, which was originally proposed by Senator REED with the strong support from each of you, will be in jeopardy under the oversight of Mr. Pruitt, should he be confirmed as EPA Administrator.

The New England states, as well as the entire nation, have made significant strides forward in addressing the protection of our air and water. However, much more needs to be accomplished. With so much at stake, we cannot afford to step backward in our effort to protect the environment. We, therefore, urge you to oppose the nomination of Mr. Pruitt for EPA Administrator.

Thanks, Edward, for writing, and thanks to all of you at the Association to Preserve Cape Cod for the work you are doing every single day. It makes a real difference.

While all sorts of people have written to my office about Mr. Pruitt, I have noticed that a lot of people are writing in about kids—their kids, kids they work with, or just kids in general. My constituents are concerned about Scott Pruitt's commitment to protecting the air our kids breathe and the water they drink, and I share those concerns.

I heard from Mary in Worcester, who is concerned about the effects of environmental toxins like lead on children. She is concerned both as a parent and as a family doctor. Here is what Mary had to say:

With so much focus in Washington on ensuring politicians are held to a strong ethical standard, I ask you to oppose the nomination of Scott Pruitt as EPA Administrator. I wrote to you yesterday asking the same, but after the hearing yesterday, it is increasingly clear that Mr. Pruitt is unfit.

In addition to being a parent, I am also a Family Medicine physician. Rarely, I see children who are exposed to lead through environmental sources. This is rare because lead has been regulated, and as such rates of lead poisoning, and the accompanying irreversible brain damage, have plummeted.

But yesterday Mr. Pruitt revealed that he knows nothing about this issue, responding to Senator Cardin, "Senator, that is something I have not reviewed nor know about."

I continue to ask you to oppose him and to encourage colleagues to do the same.

Thank you for writing, Mary. That is why I am here tonight—to encourage my colleagues to oppose him.

I heard from Elizabeth in Belchertown, as well. Here is what she wrote:

As a resident of MA and a teacher of AP Environmental Science in a public high

school in western MA, I am writing to express my concern about the appointment of Scott Pruitt as director of the EPA. He appears to be the exact opposite of the qualifications and perspective of a person who should have that position. As you know, he has close ties to fossil fuels, has repeatedly sued the EPA, avoided mercury legislation, and espoused the belief that the EPA is too powerful. I urge you to work with other Senators to block this appointment.

Thank you, Elizabeth. The work that you are doing, that teachers are doing, is more vital than ever now, and I share your concerns. Thank you.

A man from Boston wrote to me with concerns about Scott Pruitt's ties to fossil fuel companies, and here is what he said:

As a constituent who cares about our environment, I want you to know I am deeply concerned about the nomination of Scott Pruitt to lead the Environmental Protection Agency.

Scott Pruitt is firmly in the pocket of the oil and gas industry. He is not concerned with the world we leave for our children. As a father and an educator, I am fighting his nomination because I have a responsibility to care about the world I leave children and not merely the wealth my cronies accumulate.

Pruitt has actively worked to dismantle protections for clean air and clean water that people and birds need to thrive. The EPA must adhere to science and support common-sense solutions for ensuring a healthy environment and stable climate for people and wildlife.

Please oppose confirming Scott Pruitt and demand a nominee instead who will represent the vast majority of Americans—regardless of party affiliation—who support strong action and safeguards for our air, water, and climate.

I couldn't agree more with what he said.

Wendy from Newton wrote to me about the concerns as well. Here is what she had to say:

Dear Senator, I am appalled and scared by the possibility of Scott Pruitt to head the EPA. It will be disgraceful if he is confirmed. To appoint someone who stands against everything that agency is for is cynical, disrespectful and dangerous in this urgent time of climate change. Now more than ever we need a strong EPA that believes in science and will protect us from environmental disaster. I hope you will do everything you possibly can to fight against Pruitt getting confirmed.

Thank you for writing.

I also heard from Arlene in Wayland, who is worried about what the future of the EPA means for her two grandchildren. Here is what she had to say:

Senator Warren, please assure your constituents that you will not support Scott Pruitt's nomination to head the EPA. Mr. Pruitt is an enemy of the agency and of the future of our environment. He has stood in the way of the agency's purpose to protect our air and water. He is ignorant of the findings of climate science and medical studies on toxicity, has dealt dishonestly with Congress, and is so obviously in the pocket of the fossil fuel industry. Please use your considerable persuasiveness and rigor to convince your colleagues in the Senate to ditch his nomination. The future of my two grandchildren depends on it. Thank you.

Thank you for your note, Arlene. I am doing my best, and so are the rest

of the Democrats. We just need some Republicans to help us out here.

Joan from Maynard reached out to me about her experience working with children who have suffered from lead poisoning. Here is what Joan wrote:

I have been an Educational Advocate for children with disabilities for 24 years. I've worked with children who suffer from lead poisoning, and they are heartbreaking. Even the smallest exposure has life-long profound consequences. I haven't personally seen anything the level of what has happened in Flint, MI, but I know that it's a tragedy for a generation of children in Flint.

Pollution of our waters is just one of the risks we face if Scott Pruitt is approved. There are countless more, many evident and others not readily apparent, but ready to unfold. Please, please fight this appointment in every way you can.

Thank you, Joan, for writing and for the important work you do. Believe me, I am fighting in every way I can.

A man from North Falmouth wrote to me, worried that the progress we have made on protecting public health and the future of our planet is in danger. Here is what he said:

Oklahoma Attorney General Scott Pruitt is a lifelong ally of corporate polluters. Pruitt's nomination is a clear threat to the nation's public health and the progress made on common-sense pollution standards. I cannot tolerate the appointment of a fossil fuel cheerleader to lead the nation's environmental protection efforts. In 2014, Pruitt literally acted as a messenger between Devon Energy and the EPA in an attempt to stifle public health protections.

Please continue to defend the Clean Power Plan and methane pollution standards against the influence of the fossil fuel industry. 64% of Americans are concerned about climate change, we deserve a leader who will take action to protect air quality.

Thanks for writing. I really appreciate it.

Since President Trump nominated Mr. Pruitt, I have received hundreds of letters like these from people in Massachusetts who are worried about what he will mean for the environment and for the future of our planet, but I have also heard from the experts, people who understand the ins and outs of the EPA and its mission. Hundreds of former EPA employees who have serious concerns about Mr. Pruitt's record on the environment sent a letter to me and my colleagues here in the Senate. Here is what they wrote:

We write as former employees of the Environmental Protection Agency (EPA) to share our concerns about Oklahoma Attorney General Scott Pruitt's qualifications to serve as the next EPA Administrator in light of his record in Oklahoma. Our perspective is not partisan. Having served under both Republican and Democratic presidents, we recognize each new Administration's right to pursue different policies within the parameters of existing law and to ask Congress to change the laws that protect public health and the environment as it sees fit.

However, every EPA Administrator has a fundamental obligation to act in the public's interest based on current law and the best available science. Mr. Pruitt's record raises serious concerns about whose interests he has served to date and whether he agrees with the longstanding tenets of U.S. environmental law.

Our nation has made tremendous progress in ensuring that every American has clean air to breathe, clean water to drink and uncontaminated land on which to live, work and play. Anyone who visits Beijing is reminded of what some cities in the U.S. once looked like before we went to work as a people to combat pollution. Much of the EPA's work involves preserving those gains, which should not be taken for granted. There are also emerging new threats as well as serious gaps in our environmental safety net, as the drinking water crisis in Flint, Michigan, painfully demonstrates.

Our environmental laws are based on a partnership that requires EPA to set national standards and give states latitude when implementing them so long as certain minimum criteria are satisfied. This approach recognizes that Americans have an equal right to clean air and water, no matter where they live, and allows states to compete for business without having to sacrifice public health or environmental quality.

Our environmental laws include provisions directing EPA to allow for a "margin of safety" when assessing risks, which is intended to limit exposure to pollutants when it is reasonable to expect they may harm the public health, even when all the scientific evidence is not yet in. For example, EPA's first Administrator, Bill Ruckelshaus, chose to limit the amount of lead in gasoline before all doubt about its harmfulness to public health was erased. His actions spared much of the harm that some countries still face as a result of the devastating effects of lead on human health. Similarly, early action to reduce exposure to fine particle pollution helped avoid thousands of premature deaths from heart and lung disease. The magnitude and severity of those risks did not become apparent until much later.

Mr. Pruitt's record and public statements strongly suggest that he does not share the vision or agree with the underlying principles of our environmental statutes. Mr. Pruitt has shown no interest in enforcing those laws, a critically important function for EPA. While serving as Oklahoma's top law enforcement officer, Mr. Pruitt issued more than 50 press releases celebrating lawsuits to overturn EPA standards to limit mercury emissions from power plants, reduce smog levels in cities and regional haze in parks, clean up the Chesapeake Bay and control greenhouse emissions.

In contrast, none of Mr. Pruitt's many press releases refer to any action he has taken to enforce environmental laws or to actually reduce pollution. This track record likely reflects his disturbing decision to close the environmental enforcement unit in his office while establishing a new litigation team to challenge EPA and other federal agencies. He has claimed credit for an agreement to protect the Illinois River that did little more than confirm phosphorus limits established much earlier, while delaying their enforcement another three years.

In a similar vein, Mr. Pruitt has gone to disturbing lengths to advance the views and interests of business. For example, he signed and sent a letter as Oklahoma Attorney General criticizing EPA estimates of emissions from oil and gas wells, without disclosing that it had been drafted in its entirety by Devon Energy. He filed suit on behalf of Oklahoma to block a California law requiring humane treatment of poultry. The federal court dismissed the case after finding that the lawsuit was brought not to benefit the citizens of Oklahoma but a handful of large egg producers perfectly capable of representing their own interests. To mount his challenge to EPA's rules to reduce carbon pollution from power plants, he took the unusual step of accepting free help from a private law firm. In contrast, there is little or

no evidence of Mr. Pruitt taking initiative to protect and advance public health and environmental protection in his state.

Mr. Pruitt's office has apparently acknowledged 3,000 emails and other documents reflecting communications with certain oil and gas companies, but has yet to make any of these available in response to a Freedom of Information Act request filed more than two years ago.

Contrary to the cooperative federalism that he promotes, Mr. Pruitt has suggested that EPA should refrain from trying to control pollution that crosses state lines. For example, he intervened to support a Farm Bureau lawsuit that would have overturned a cooperative agreement between five states and EPA to clean up the Chesapeake Bay (the court rejected the challenge). When asked how a state can protect its citizens from pollution that originates outside its borders, Mr. Pruitt said in his Senate testimony that states should resolve these disputes on their own, with EPA providing "informational" support once an agreement is reached. But the 1972 Clean Water Act directs EPA to review state water quality plans, require any improvements needed to make waters "fishable and swimmable," and to review and approve plans to limit pollutant loads to protect water quality. EPA's power to set standards and limit pollution that crosses state lines is exactly what ensures every American clean air and water, and gives states the incentive to negotiate and resolve transboundary disputes.

We are most concerned about Mr. Pruitt's reluctance to accept and to act on the strong scientific consensus on climate change and act accordingly. Our country's own National Research Council, the principal operating arm of the National Academies of Science and Engineering, concluded in a 2010 report requested by Congress that human activity is altering the climate to an extent that poses grave risks to Americans' health and welfare. More recent scientific data and analyses have only confirmed the Council's conclusion and added to the urgency of addressing the problem.

Despite this and other authoritative warnings about the dangers of climate change, Mr. Pruitt persists in pointing to uncertainty about the precise extent of humanity's contribution to the problem as a basis for resisting taking any regulatory action to help solve it. At his Senate confirmation hearing, he stated that "science tells us that the climate is changing, and that human activity in some manner impacts that change. The ability to measure with precision the degree and extent of that impact, and what to do about it, are subject to continuing debate and dialogue, and well it should be." This is a familiar dodge—emphasizing uncertainty about the precise amount of humanity's contribution while ignoring the broad scientific consensus that human activities are largely responsible for dangerous warming of our planet and that action is urgently needed before it is too late.

Mr. Pruitt's indulgence in this dodge raises the fundamental question of whether he agrees with the precautionary principle reflected in our nation's environmental statutes. Faithful execution of our environmental laws requires effectively combating climate change to minimize its potentially catastrophic impacts before it is too late.

The American people have been served by EPA Administrators, Republicans and Democrats, who have embraced their responsibility to protect public health and the environment. Different administrators have come to different conclusions about how best to apply the law in view of the science, and many of their decisions have been challenged in court, sometimes successfully, for either

going too far or not far enough. But in the large majority of cases it was evident to us that they put the public's welfare ahead of private interests. Scott Pruitt has not demonstrated this same commitment.

Thank you for considering our views.

Thank you to all who signed that letter and for the incredibly important work that you have done to protect our environment. I am with you all the way.

Next, I wish to read an article published by The Atlantic that uses Scott Pruitt's actions to critique his appointment to head the EPA. Actions speak volumes louder than words, and his tell a pretty compelling story of exactly how he will lead the Agency. Here is what it says:

While broad strokes of Trump's policies were never in doubt, there was often enough bizarreness to wonder what he would do with the powers of the Environmental Protection Agency.

On Wednesday, those questions were all but settled. Trump has chosen E. Scott Pruitt, the attorney general of Oklahoma, to lead the EPA. . . .

In a certain light, Pruitt is an inspired choice to lead the EPA, as he has made fighting the agency a hallmark of his career. His own website calls him "a leading advocate against the EPA's activist agenda." The significance could not be more clear: As he promised on the trail, Trump will likely use the powers of the presidency and the legal expertise of Pruitt to block or weaken the Obama administration's attempts to fight climate change.

And Trump will be able to try for more than that. For what distinguishes Pruitt's career is not just his opposition to using regulations to tackle climate change, but his opposition to using regulation to tackle any environmental problem at all. Since he was elected Oklahoma's attorney general, in 2010, Pruitt has racked up a sizable record—impressive in its number of lawsuits if not in its number of victories—of suing the EPA.

Many of these suits did not target climate-related policies. Instead, they singled out anti-pollution measures, initiated under presidential administrations, that tend to be popular with the public.

In 2014, for instance, Pruitt sued to block the EPA's Regional Haze Rule. The rule is built on a 15-year old program meant to ensure that air around national parks is especially clear. Pruitt lost his case.

Last year, he sued to block a rule restricting how much mercury could be emitted into the air by coal plants. He lost that, too.

And early in his tenure, he sued to keep the EPA from settling lawsuits brought by environmental groups like the Sierra Club. That one was dismissed.

He has brought other suits against EPA anti-pollution programs—like one against new rules meant to reduce the amount of ozone in the air—that haven't been heard in court yet. While ozone is beneficial to humans high in the atmosphere, it can be intensely damaging when it accumulates at ground level, worsening asthma and inducing premature deaths. The American Lung Association calls it "one of the most dangerous" pollutants in the United States.

All this is not to say that Pruitt has omitted climate regulations from his litigation. His most common target has been the Clean Power Plan, the Obama administration's set of Clean Air Act rules meant to reduce greenhouse gas emissions from power plants. The Clean Power Plan is Obama's main mechanism for pushing the United States to meet its pledge under the Paris Agreement.

Pruitt began suing the EPA to block the Clean Power Plan more than two years ago. Now, Oklahoma is one of the 28 states challenging the agency in court, and it helped succeed in getting the Supreme Court to block the rules in February.

But Pruitt's understanding of the bill seems not entirely legally minded in two significant ways. First, Pruitt's knowledge of global warming appears to be lacking, at best. Earlier this year, for instance, he wrote in the National Review that "scientists continue to disagree about the degree and the extent of global warming and its connection to the actions of mankind."

While this sounds reasonable, it is not true. The overwhelming consensus among scientists who study the Earth is that humans are largely to blame for the planet's warming. Climate scientists understood this to be the case since at least the early 1990s, and since then, scholarly consensus on the issue has only strengthened. The majority of scientists also believe that global warming will be quite harmful; the scientific debate about its "degree and extent" is only about how bad it will be and how soon its consequences will kick in.

Second, Pruitt has worked extremely closely with oil and gas companies in opposing the plan. In one case, a New York Times investigation revealed that Pruitt sent an official letter to the EPA, bearing his signature and letterhead, that had been almost completely written by lawyers at Devon Energy, a major oil and gas company. It was delivered to Pruitt's office by Devon's chief lobbyist.

Energy firms and lobbyists, including Devon, have donated generously to the Republican Attorneys General Association, which Pruitt has led. In interviews after the Times report, Pruitt described the collaboration as a kind of constituent service, saying that Devon is based in Oklahoma City. He agreed with the letter's legal reasoning, he said, so he signed it.

"I don't think there is anything secretive in what we've done," Pruitt told The Oklahoman. "We've been very open about the efforts of my office in responding to federal overreach."

Now Pruitt could be the one doing the federal reaching. Environmental groups immediately condemned Trump's selection of him. "The EPA plays an absolutely vital role in enforcing long-standing policies that protect the health and safety of Americans, based on the best available science," said Ken Kimmell, president of the Union of Concerned Scientists, in a statement. "Pruitt has a clear record of hostility to the EPA's mission, and he is a completely inappropriate choice to lead it."

Once, it had seemed like perhaps Trump—who speaks often of his adoration for clean air and clean water—would bypass those old fights and only target Obama's new climate rules. But with Pruitt leading his EPA, it seems that Trump's administration will act like its GOP predecessors. Whether it is successful depends on the Senate, on the courts, and on how well environmental advocates make their case to the public.

Finally, I wish to share a few excerpts from an in-depth New York Times article that uncovered Scott Pruitt's extensive ties to energy companies. The article clearly explains the massive conflicts of interest that Mr. Pruitt would face as Administrator of the EPA. Here is what it says:

The letter to the Environmental Protection Agency from Attorney General Scott Pruitt of Oklahoma carried a blunt accusation: Federal regulators were grossly overestimating the amount of air pollution

caused by energy companies drilling new natural gas wells in his state.

But Mr. Pruitt left out one critical point. The three-page letter was written by lawyers for Devon Energy, one of Oklahoma's biggest oil and gas companies, and was delivered to him by Devon's chief of lobbying.

"Outstanding!" William F. Whitsitt, who at the time directed the government relations at the company, said in a note to Mr. Pruitt's office. The attorney general's staff had taken Devon's draft, copied it onto state government stationery with only a few word changes, and sent it to Washington with the attorney general's signature. "The timing of the letter is great, given our meeting this Friday with both the E.P.A. and the White House."

Mr. Whitsitt then added, "Please pass along Devon's thanks to Attorney General Pruitt."

The email exchange from October 2011, obtained through an open-records request, offers a hint of the unprecedented, secretive alliance that Mr. Pruitt and other Republican attorneys general have formed with some of the nation's top energy producers to push back against the Obama regulatory agenda, an investigation by the New York Times has found.

Out of public view, corporate representatives and attorneys general are coordinating legal strategy and other efforts to fight federal regulations, according to a review of thousands of emails and court documents and dozens of interviews.

For Mr. Pruitt, the benefits have been clear. Lobbyists and company officials have been notably solicitous, helping him raise his profile as president for two years of the Republican Attorneys General Association, a post he used to help start what he and his allies called the Rule of Law Campaign, which was intended to push back against Washington.

"We are living in the midst of a constitutional crisis," Mr. Pruitt told energy industry lobbyists and conservative state legislators at a conference in Dallas in July, after being welcomed with a standing ovation. "The trajectory of our nation is at risk and at stake as we respond to what is going on."

Mr. Pruitt has responded aggressively and with a lot of helping hands. Energy industry lobbyists drafted letters for him to send to the EPA, the Interior Department, the Office of Management and Budget, and even President Obama, the Times found.

Industries that he regulates have joined him as plaintiffs in court challenges, a departure from the usual role of a state attorney general, who traditionally sues companies to force compliance with state law.

Energy industry lobbyists have also distributed draft legislation to attorneys general and asked them to help push it through state legislatures to give the attorneys general clearer authority to challenge the Obama regulatory agenda, the documents show. And it is an emerging practice that several attorneys general say threatens the integrity of the office.

The message is clear across Massachusetts and across the Nation: Big Oil's go-to attorney general is Scott Pruitt, and he has no business running the EPA. He has proven over and over again that he will put short-term industry profits ahead of the health of our children. This nominee has no interest in protecting every American's right to breathe clean air and drink clean water. We cannot put someone so opposed to the goals of the EPA in charge of that very Agency.

For these reasons, I will be voting no on Scott Pruitt. I urge my colleagues to do the same.

I yield the floor.

EXECUTIVE CALENDAR

Mr. YOUNG. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of all nominations on the Secretary's Desk; that the nominations be confirmed; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any statements related to the nominations be printed in the RECORD; and that the President be immediately notified of the Senate's action.

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

The nominations considered and confirmed are as follows:

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE ARMY

PN16 ARMY nominations (2) beginning Jeremy D. Karlin, and ending Irahim A. Sanchez, which nominations were received by the Senate and appeared in the Congressional Record of January 9, 2017.

IN THE NAVY

PN17 NAVY nomination of Mathew M. Lewis, which was received by the Senate and appeared in the Congressional Record of January 9, 2017.

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, I ask unanimous consent that of the postcloture debate time under my control, that 60 minutes be yielded to Senator SCHATZ, 60 minutes be yielded to Senator WHITEHOUSE, 35 minutes be yielded to Senator MERKLEY, and 15 minutes be yielded to Senator CANTWELL.

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

The Senator from Delaware.

Mr. CARPER. Mr. President, I ask unanimous consent that of the postcloture debate time under my control, that 50 minutes be yielded to Senator MERKLEY.

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

The Senator from Hawaii.

Mr. SCHATZ. Mr. President, I think it is important to understand what just happened today that makes this debate on Scott Pruitt to lead the EPA so critically important. We call ourselves the world's greatest deliberative body, and that is actually a well-earned reputation. Sometimes we move slowly. Sometimes we move so slowly that it is maddening for both parties and for the American public. There is a reason that the Senate moves slowly. It is because in a lot of instances it has the weightiest decisions that any public official could ever make. In this instance, we are deciding on the person to comply with the Clean Air and the Clean Water Acts, the Endangered Spe-

cies Act, to discharge their duties as the leader of the EPA.

Something happened today that changes this whole debate. In Federal law, there is something called FOIA, the public records law regarding Federal officials. Most State laws have some kind of open records law, and Oklahoma is no different. There was a lawsuit against the Oklahoma attorney general, Scott Pruitt, and it basically said: Listen, you have to disclose the emails between your office and a bunch of energy industry companies. And the context here is absolutely important. Scott Pruitt is not just a person who is bad on the issue of climate; this is a person who is a professional climate denier. This is a person who has made his bones, politically and professionally, trying to undermine all the authorities the EPA possesses. This is a person who is a plaintiff in multiple lawsuits, as the Oklahoma attorney general, against the EPA. This is a person who has not promised to recuse himself when he is running the EPA. So imagine that there are going to be pending lawsuits where he was the plaintiff, and they are going to still be before the EPA. He was asked in committee whether he would recuse himself, because obviously it is preposterous to be both the plaintiff and the defendant in a lawsuit. It just stands to reason. He did not promise to recuse himself.

So this is a person who has an incredibly close, uncomfortably close working relationship with the fossil fuel industry. He may have that as a sincerely held belief, but the Oklahoma State law requires that he disclose whom he is working with. Why is that relevant? Well, he actually had a couple of instances where he has taken language given to him, sent to him by email from oil companies, and he just copied it—select all, copy, drop it, paste it—onto Oklahoma attorney general letterhead, and then transmitted it to the EPA as if it were from the AG's office in Oklahoma. So that is the context.

What did this Federal judge say today? An Oklahoma County district court judge said that according to the Oklahoma Open Records Act—Aletia Haynes Timmons from the district court of Oklahoma instructed Pruitt's office to hand over the emails by close of business next Tuesday.

So here we are, trying to jam through this nomination, and now it makes perfect sense why they wanted to run the clock. They had congressional delegation trips to Munich for the security conference. There were Republicans who were planning to meet with NATO allies. There was another overseas trip of great import. Yet they abandon all other obligations, all other objectives, and they are bound and determined to run this clock until 1 p.m. tomorrow because they need to vote before these emails become disclosed. Tuesday is when we will see these emails. Yet we seem to be in a