

a real help to our economy in these tough times.

Today I join with Senator REED to commemorate 350 years of history for the people of New Shoreham. Congratulations on this historic milestone.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

RIGHT-TO-WORK LAW

Mr. ALEXANDER. Mr. President, next Tuesday, the Nation's largest exporter and employer of more than 150,000 Americans will be appearing before an administrative judge in Seattle to defend itself against a claim brought by the acting general counsel of the National Labor Relations Board, NLRB. The claim is that a corporate decision to expand production of its next generation airliner in South Carolina, a right-to-work State, was a violation of Federal labor law.

Since 1947, Federal law has affirmed the right of States to enact what we call right-to-work laws, which prevent unions and employers from requiring employees to join a union, as well as pay dues or fees, in order to obtain or keep their job.

In Tennessee, for example, manufacturers such as Nissan, Volkswagen, and General Motors have built factories and increased their production of cars made and sold in the United States, in large part due to the environment offered by Tennessee's right-to-work law.

The President recently visited a Chrysler plant in Toledo, OH, where he stated that the auto bailout helped to restore the American automobile industry. I respectfully disagree. I think that what restored the American automobile industry was the right-to-work laws in 22 States, by creating a more competitive environment in those 22 States, as well as in the Midwest and other States where the laws don't exist, and permitting manufacturers to be able to make the cars and trucks in the United States that they sell in the United States.

Unfortunately, American companies and our 22 right-to-work States are under assault from a government agency that is driven by an antibusiness, antigrowth, and antijobs agenda. This may be the most important battle over labor laws in the United States today. That is why Senator GRAHAM, Senator DEMINT, and I—actually, we have 35 Senators cosponsoring the bill—introduced legislation to preserve the law's current protection of state right-to-work laws and prevent the NLRB from moving forward in their case against this company and others.

The Job Protection Act will prevent the NLRB from ordering a company to relocate jobs, will guarantee employer rights to decide where to do business, and will protect employer free speech associated with the costs and benefits of a unionized workforce.

The company that will be tried on Tuesday is Boeing—a solid and upstanding American success story. Over

the last century, Boeing has built the passenger planes that allow Americans to travel the world; built the warplanes and weaponry that enable our soldiers, sailors, marines, and airmen to defend freedom; built the spacecrafts that send our astronauts into orbit and to the Moon; and built the satellites that deliver communications around the globe.

Boeing's newest commercial passenger airliner is the 787 Dreamliner. It is a shining example of American innovation and entrepreneurship. It has been designed with a paramount focus on efficiency and performance, to allow a mid-sized aircraft to travel as far as a jumbo jet, while using 20 percent less fuel and producing 20 percent less emissions than today's similarly sized aircraft, and while traveling at roughly the same speed as a 747 or 777.

It has also been a tremendous commercial success despite these difficult economic times. Since 2004, 56 customers, spanning 6 continents, have placed orders for 835 Dreamliners, valued at \$162 billion.

President Obama has recognized the leadership of this company. He named the chief executive officer of Boeing, Mr. Jim McNerney, as cochairman of the President's Export Council. And more recently, he nominated Mr. John Bryson, who serves on the Boeing Board of Directors, to be the Nation's Commerce Secretary.

The Dreamliner's success prompted Boeing to decide in 2009—2 years ago—to establish a second assembly line for the airliner in South Carolina. This is in addition to its current assembly line in Washington State. South Carolina is a right-to-work State and Washington is not.

On Tuesday, the NLRB acting general counsel will ask an administrative judge in Seattle to stop Boeing from expanding production in South Carolina, arguing that the decision was made in retaliation for past strikes by union employees in Washington. That claim ignores these facts: No union jobs are being lost here; nobody is being demoted; no personnel are being moved; and no benefits, salaries, or work hours are being cut back as a result of this expansion. It further ignores the fact that Boeing's decision was announced, as I have said, nearly 2 years ago.

Down in South Carolina, 1,200 construction jobs have been created and over 500 new workers have been hired by Boeing to work at this assembly plant, which is supposed to open next month, in July. At the same time, Boeing has actually added 2,000 new jobs in Washington State since the announced expansion in South Carolina. That is 2,000 new union jobs in Washington State.

South Carolina, of course, is a right-to-work State, where employees may choose to join or not join the union. Suspending Boeing's expansion will result in billions of dollars of lost economic development and jobs to that

State. But, the NLRB's acting general counsel doesn't seem to care about these facts, or the impact of this case on those jobs. Recently, several Boeing employees in South Carolina, whose jobs are hanging in the balance, asked to intervene in the case. The acting general counsel opposed the request, stating that "these Boeing employees in South Carolina have no cognizable interest in participating in the proceeding sufficient to justify their intervention."

It is hard to imagine anybody with a more direct interest in this than the Boeing workers in South Carolina.

Facts like these don't seem to matter when you have an agenda. This case is about more than airplanes, more than Boeing, and more than South Carolina. This case is about the future of our economy and our competitiveness as a nation. It is the latest attempt by this administration to chip away at right-to-work laws, to change the rules and give unions more leverage over employers, and to allow politically influenced bureaucrats in Washington determine the means of production for private industry in the United States.

If the acting general counsel's request is affirmed following next week's hearing, it will be *prima facie* illegal for a company that has experienced repeated strikes to move production to a State with a right-to-work law. The CEO of Boeing pointed out that this will not only hurt the 22 right-to-work States. It will also hurt States that do not have right-to-work laws. Those non-right-to-work States will suffer because a company that operates in their State and is unionized will effectively be prevented from growing or expanding to a right-to-work State, therefore hindering the ability of any State to attract new manufacturers and create new jobs.

So, instead of making it easier and cheaper to create jobs in the United States, manufacturers will be further incentivized to expand or open new facilities in Mexico, China, or India to meet their growing needs. Boeing and its 787 Dreamliner are shining examples of what is right in America and what is necessary to rebuild and grow our country's economy.

This new jetliner assembly plant in South Carolina is the first one to be built in the U.S. in 40 years. We need to remember that Boeing sells airplanes everywhere in the world and it can make airplanes anywhere in the world. But, we would like for Boeing and other manufacturers to make in the United States what they sell in the United States, so that jobs can stay and grow in this country, instead of moving overseas.

As this Administration's Commerce Secretary, Gary Locke, correctly observed in his March testimony before the Senate Committee on Commerce, Science, and Transportation:

Manufacturing is essential to America's economic competitiveness. . . . [it] is a vital source of good middle-class jobs. It is a key driver of innovation.

With 9.1 percent unemployment, with a soft economy, government and Washington must allow manufacturers such as Boeing to prosper, innovate, and create jobs. We need to make it easier and cheaper for those manufacturers to make in the United States what they sell in the United States.

Expanding new production lines in South Carolina was a business decision made by Boeing's executives and board members, on behalf of their shareholders, who believed it was in the company's best interests. As I mentioned, those board members and executives are well respected, including by the President of the United States, who has invited many of them to be a part of his Administration.

But under this Administration, the NLRB Acting General Counsel seems only concerned about the interests and agenda of organized labor—an agenda that has been soundly rejected by the vast majority of private sector workers in both right-to-work and non-right-to-work States across the country in recent years.

All eyes will be on Seattle next Tuesday, when one of our Nation's greatest assets and contributors to our economic future will be put on trial for investing, creating, and innovating at a time when we are in the middle of an economic recession. This will be a true test of whether manufacturers are able to make in the United States what they sell in the United States, or whether they will be encouraged to make overseas what they sell in the United States. It will test whether they put jobs over there, instead of creating them here. And it will test whether the Administration's economic policy is exporting airplanes or exporting jobs.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

GLOBAL WARMING

Mr. WHITEHOUSE. Mr. President, I am here this afternoon because, on May 12, 2011, the National Academy of Sciences released a significant report entitled "America's Climate Choices." In 2007, Congress directed the academy to write this report. The researchers who contributed to the report include scientists, economists, and policymakers from world-class institutions such as the Oak Ridge National Laboratory, DuPont, and MIT. The list of the States from which the committee comes is very broad: California—scientists came from—North Carolina, Maryland, Georgia, Virginia, Michigan, Wyoming, Washington State, Ten-

nessee, Arizona, Missouri, Massachusetts, New York, New Jersey, Colorado, and Texas. The report was peer reviewed.

I ask unanimous consent that at the end of my remarks the list of the committee, which is page V of the report, be printed as an exhibit.

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

(See exhibit 1)

Mr. WHITEHOUSE. The report was peer reviewed by academic reviewers from such universities as Stanford, the University of Texas, the University of South Carolina, Harvard, and Carnegie Mellon. Yet this significant report, requested by Congress, drafted by experts, peer reviewed by science, has fallen on deaf ears in our Nation's Capitol. Why is this? Is it because the report addresses a problem we have already solved? No. Is it because the report tells us not to worry? No; it is not that either. The report, "America's Climate Choices," adds to the body of climate science evidence and reflects the clear consensus of the scientific community, which is that carbon pollution is creating dangers across our planet and must be addressed if we are to avoid its most disastrous consequences.

These are the facts in the report:

Climate change is occurring. It is very likely caused by human activities and poses significant risks for a broad range of human and natural systems.

Are we prepared for these significant risks? No, we are not, concludes the report. I quote again:

The United States lacks an overarching national strategy to respond to climate change.

The report warns further:

Waiting for unacceptable impacts to occur before taking action is imprudent because the effects of greenhouse gas emissions do not fully manifest themselves for decades and, once manifested . . . will persist for hundreds or even thousands of years.

Starkly, the report calls on us now to begin mobilizing for adaptation. The precise quote: "Begin mobilizing now for adaptation."

The report is an urgent call to action by a widespread group of our most responsible scientists, peer reviewed by our most responsible universities. Why, then, is it being ignored? I believe many of my colleagues are ignoring this report because they are hoping this problem of carbon pollution changing the atmosphere and the climate of our planet will go away. They are hoping that somehow, if we don't discuss it—indeed, if we deny it—climate change will not happen. If we ignore the laws of physics and chemistry and biology, those laws may cease to apply to us. We can repeal a lot of laws in this Senate, but we cannot repeal the laws of nature, and we are fools to ignore them.

Some even attack the underlying science; this is a strategy that is as old as industry reaction to science industry does not like. A recent book looked at the EPA efforts to protect us from

secondhand smoke at a time when the tobacco industry wanted the unregulated ability to smoke and did not want people protected from secondhand smoke and pretended secondhand smoke was not dangerous. The writers conclude:

Most of the science upon which the EPA relied with respect to secondhand smoke was independent, so attacks on the EPA wouldn't work alone. They have to be coupled with attacks on the science itself.

A memo from Philip Morris's communications director, Victor Han, said the following:

Without a major concentrated effort to expose the scientific weaknesses of the EPA case, without an effort to build considerable reasonable doubt, then virtually all other efforts will be significantly diminished in effectiveness.

In other words, in order to create doubt, they had to attack the science directly, and they have done so, to the point where Mr. Han said the EPA is an agency that is, at least, misguided and aggressive and, at worst, corrupt and controlled by environmental terrorists.

So it is not a news story for industry to try to deny the science that shows the danger of what an industry is providing. But these attacks simply will not stand. The facts are too strong against them.

Over the last 800,000 years, Earth's atmosphere has contained CO₂ levels of 170 to 300 parts per million. That is solid science. That is a fact. That is not a theory. It is not in dispute. That is the range within which humankind has lived for 8,000 centuries. By the way, it is not clear that 8,000 centuries ago mankind had yet mastered the art of controlling fire. Essentially, the entirety of human history has taken place within that bandwidth of 170 to 300 parts per million of carbon dioxide in our atmosphere.

In 1863, the Irish scientist John Tyndall determined that carbon dioxide in the atmosphere trapped heat and trapped more heat as the concentration of carbon dioxide increases. That is textbook science. It has been textbook science for generations. That is not in dispute either.

Since the Industrial Revolution, our industrialized societies had burned carbon fuels in measurable amounts, usually measured as gigatons or metric tons. A gigaton, by the way, is a billion, with a B, metric tons. We now release, depending on the year, up to 7 or 8 gigatons—7 or 8 billion metric tons—each year. That is not in dispute either.

We now measure carbon concentrations going up in the Earth's atmosphere. Again, that is a measurement. This is not a theory. The present concentration exceeds 390 parts per million. Remember, for 8,000 centuries, humanity has existed in a bandwidth of 170 to 300 parts per million, and we are now at 390 parts per million—well outside the bounds we have inhabited for the last 800,000 years. That also is not in dispute. That is a fact.