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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable EDWARD J. MARKEY, a Senator from the Commonwealth of Massachusetts.

PRAYER

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

Let us pray.

O God, from whom all holy desires come and all good counsels do proceed, let Your presence be felt in our midst today. Crown the deliberations of our Senators with Your wisdom as You provide them with insights that will make a better world. Lord, help them to take charge of this day, meeting its joys with gratitude, its challenges with fortitude, and its doubts with faith. Guard them from error; deliver them from evil. Make them faithful servants of Your providential purposes, giving them consciences void of offense as they seek to glorify You.

We pray in Your faithful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable EDWARD J. MARKEY led the Pledge of Allegiance as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 7, 2014.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable EDWARD J. MARKEY, a

Senator from the Commonwealth of Massachusetts, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. MARKEY thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following my remarks and those of the Republican leader, the Senate will resume consideration of the motion to proceed to the Energy Savings and Industrial Competitiveness Act, postcloture.

Postcloture time will expire at about a quarter to 6 this evening.

Senators will be notified whether and if any votes are scheduled today.

CLIMATE CHANGE

Mr. REID. Mr. President, it is not often I agree with what the Koch brothers say or do. Their radical agenda is normally so far out of the mainstream that it makes opposition to their agenda very easy.

So imagine my surprise when last week I read a quote from a Koch spokesperson in a Kansas newspaper. That is where they are based. Here is what the Koch brothers said:

We are not experts on climate change. We do believe there should be free and open debate on the climate issue and it should be based on sound science and intellectual honesty.

They go on to say:

The debate should take place among the scientific community, examining all points of view and void of politics, personal attacks and partisan agendas.

Listen to what they said: sound science and intellectual honesty from the Koch brothers on this issue.

Their statement sounds pretty good. I agree that the Koch brothers, Koch Industries, and their myriad political organizations are not experts on climate change—and that is an understatement.

I also agree that the debate on climate change should be based on sound science. In fact, the sound science has long been debated. The Presiding Officer has spent 38 years in Congress and has been one of the leading proponents of recognizing over the decades how our climate is changing. Everyone sees it is changing but not the Koch brothers, and I will explain a little more.

The sound science has long been debated and has reached a clear, unambiguous conclusion that climate change is here and it is real.

Of course Charles and David Koch know the debate on climate change is already taking place within the science community. They know that. The debate has been open and it has been free.

The overwhelming evidence proves that pollution is causing climate change.

No one has to take my word for it, including the multi-zillionaire Koch brothers—the two richest people in the world.

Just yesterday, the White House—not the White House; they announced it—released a report and an assessment that was authored by more than 300 scientists. Newspapers all over the world are talking about this.

One of the Hill newspapers we all read has a picture on the front that is stunning. It shows a picture of a man walking near a portion of a scenic highway that collapsed near Pensacola, FL. A new report—I am talking about the one released yesterday—finds climate change is rapidly—rapidly—turning the United States into a stormy and dangerous place and notes rising sea levels and natural disasters. The headline: “New Climate Report: People’s Lives Are at Risk.” Subhead: “Despite warnings, no signs of changed minds on Hill.”

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



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The former head of the environment committee in the Senate said it is a hoax.

The Washington Post: "Study: Climate Risks Growing." It has graphs here about the land surface air temperature rising, sea surface temperature rising, sea level rising, Arctic Sea melting, glacier mass decreasing.

Headline, Washington Post: "Study: Climate Risks Growing." Subhead: "Every Part of U.S. Being Affected." And, of course, the sub-subheadline: "Conservatives criticize federal assessment."

New York Times, front page, shows a picture of the United States: Rising temperatures. Now, plus two degrees, that is so significant. The temperature rising just less than a degree can change weather patterns in the world, and we are talking about two degrees. Now, they are changing.

Most of the State of Nevada is a desert. We have the most mountainous State in the Union, but most of Nevada is a desert. We have 314 separate mountain ranges. We have 32 mountains over 11,000 feet high. We have a mountain that is 14,000 feet high. But even in Nevada we are at the top of the rung in one part of Nevada. It is red, as it is in many places, from east to the west, to the Midwest. How can people deny what is going on? Look at the storms.

MARK PRYOR described to our caucus yesterday what happened in Arkansas. The winds blew in Arkansas at 190 miles an hour. Think about that. I was in Reno, NV, once when the wind was blowing 80 miles an hour. I couldn't believe the wind could blow any harder. It is so frightening. I was staying in a hotel. They had picture windows. I put my bed in the bathroom so it wouldn't be near windows. But the wind blowing 100 miles an hour faster than that, that is what happened in Arkansas. As he described, these weren't mobile homes; these were brick structures that were just disintegrated. All that was left when that storm hit was the foundation—most of the time.

So the Koch brothers want some open debate. It is here. We have done it.

The report I am referring to concluded there are disastrous—disastrous—climate changes taking place on our Earth due to human activity.

While the Koch brothers admit to not being experts on the matter, these billionaire oil tycoons are certainly experts at contributing to climate change. That is what they do very well. They are one of the main causes of this—not a cause, but one of the main causes.

An analysis by the University of Massachusetts-Amherst—the Presiding Officer knows this well as he is from the State of Massachusetts—ranked Koch Industries as one of the Nation's biggest air and water polluters, period. In one year, Koch Industries released 31 million pounds of toxic air. How much is that? It is more than Dow Chemical, ExxonMobil, and General Electric, combined, emit. They are the champions.

The Koch brothers' actions against the environment aren't limited, though, to toxic emissions. Charles and David Koch are waging a war against anything that protects the environment.

I know that sounds absurd, but it is true. These two billionaire oil barons are actively campaigning now and spending tons of money against anything that seeks to curb pollution, limit our dependence on fossil fuels or lower energy costs for working families. Even the Keystone debate—they are one of the main owners of all of that stuff up there, that ugly tar stuff in Canada. They are, if not the largest, the second largest owner of that stuff up there.

The Kochs are pumping millions of dollars into political organizations, fighting legislation that is good for the environment. They are not doing it only in Washington; they are doing it in State governments. They have intimidated State legislators.

This is ironic, having come from them, I guess—there should be a different way of describing it—given their statement urging the "void of politics . . . and partisan agendas" on issues pertaining to the environment.

For instance, we in the Senate are now considering an energy efficiency bill. Who is working against that more than anyone else? The Koch brothers. This bipartisan legislation will spur the use of energy efficiency technologies in private homes and in commercial buildings at no cost to the taxpayers. This bill will make our country more energy independent, protect our environment, and save consumers on their energy bills. If that is not enough, it would also create 200,000 jobs—American jobs that can't be exported. Even the Chamber of Commerce—by the way, huge amounts of money come from the Koch brothers to the Chamber of Commerce to run ads against Democratic Senators. But, in this instance, the Chamber of Commerce even supports Shaheen-Portman.

Unsurprisingly, Americans for Prosperity, the main arm of the Koch brothers—not the only one; they have lots of them—has been vocal in its opposition to even this bill I just talked about—energy efficiency. Remember, these are the same Koch brothers whose president Tim Phillips recently bragged that his organization targets Republicans who work on environmental issues. Again, you can't make up stuff like this. Here is a direct quote:

What it means for candidates on the Republican side is, if you . . . buy into green energy or you play footsie on this issue, you do so at your political peril. The vast majority of people who are involved in the [Republican] nominating process—the conventions and the primaries—are suspect of the science. And that's our influence. Groups like Americans for Prosperity have done it.

They say, if you do anything that is good for the environment, they are against you. That is what they said.

So try to do something to affect climate change? The Koch brothers and

their billions of dollars are coming after you not only here in Washington but in State legislatures around the country.

So that statement says it all. The Koch brothers admit they and their radical followers don't accept the science of climate change. The President of the Koch brothers' organization is actually bragging about Republicans' denial of evidence-based climate change. The Kochs know that scientists across the globe aren't working to mislead the world about the climate. They know that. These 300 scientists who are the nexus of the report issued yesterday are people working at universities—as indicated, at the University of Massachusetts, the one quote I cited today. All over the country, these people are trying to figure out what is going on. They know what is going on, and that is what the report is about.

Charles and David Koch choose to ignore climate change. They—the Kochs—choose to put our environment at risk. Why? Because it makes them richer, more affluent. They are making billions of dollars and in so doing are significantly damaging our environment.

A New York Times article recently highlighted the Kochs' attempt to fight renewable energy, even in State legislatures. It became so pronounced that the New York Times wrote an editorial criticizing these two wealthy men. As States promote solar and wind energy by offering incentives to renewable energy companies, the Koch brothers see how it will affect their bottom line.

They do not like that. They want to continue their coal operations, their diesel fuel operations, their spewing of chemicals all over America because they can make more money.

As renewable energy grows and becomes more efficient—and it is—oil and coal become a smaller piece of the pie. That is a fact, and that just won't cut it for Charles and David because it affects their bottom line. How unfortunate for the world that the Koch brothers trash this beautiful planet and jeopardize my children's and my children's children's health and future just to add more zeros to their huge bank account. Bloomberg publications now estimate that the Kochs' combined wealth exceeds \$100 billion. How much money is enough for these two men?

I urge my Republican colleagues in the Senate to stand up to them. Well, they won't. You know, after I have given this speech, a few of them will come down here and say: It is freedom of speech. What is wrong?

We have an obligation to stand when these lies are perpetrated to the American people. So no Republican is going to come and defend this energy efficiency bill.

Energy efficiency and independence is good for our country, it is good for American families, and it is good for the Earth we live in. So do not be fooled—do not be fooled—by the greed of these billionaires named Koch.

Mr. President, during today people will be watching and they will see a quorum call, nothing on the screen. Why? Because we are in the midst again of one of these never-ending Republican filibusters—hundreds of them. Hundreds of them. Let me remind everyone that Lyndon Johnson was majority leader for 6 years. During that period of time he had to overcome one filibuster. Mr. President, I have lost track; it is hundreds and hundreds of filibusters that we have had to overcome, and we have the Republicans coming here today saying: Well, all we want is a few amendments.

They do everything they can to stop us from progressing on legislation that is good for this country. Anything that is good for Barack Obama they think is bad for the country, and for 5½ years they have opposed everything this good man has tried to do. It is a shame.

So to anyone out there wondering what is going on, it is another of the hundreds of filibusters they have conducted.

RESERVATION OF LEADER TIME

Mr. REID. Would the Chair announce the business of the day.

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

ENERGY SAVINGS AND INDUSTRIAL COMPETITIVENESS ACT OF 2014—MOTION TO PROCEED—Resumed

The ACTING PRESIDENT pro tempore. The clerk will report the motion to proceed.

The assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 368, S. 2262, a bill to promote energy savings in residential buildings and industry, and for other purposes.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, my staff just told me we are now at more than 500 filibusters—500.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

Mr. DURBIN. Mr. President, the majority leader has brought to the attention of the Senate today the headline news across America. This report by our government about what we are facing with environmental changes in America is a call to action.

I came to the floor yesterday and I made a challenge, which I have made before. I will make it again. I am asking any Republican Senator to come to the floor today and dispute the following claim: The Republican Party of the United States of America is the only major party in the world—the only major political party in the world—that is in denial of what is happening to our environment when it comes to climate change and global warming.

I have said it repeatedly. No one has disputed it. One political party is in de-

nial about a change on this Earth that could literally affect generations to come. As a result, we are, I guess, stopped in our tracks. There is nothing we can do.

This bill before us today—the energy efficiency bill, which is on the calendar—if there were ever anything we should agree on, it is this. If your motive in energy efficiency is to save money for a business or a family, it is in this bill. If your motive in energy efficiency is to create jobs in America, it is in this bill—190,000 maybe 200,000 American jobs. If your motive is to do something for the environment, energy efficiency is the right bill. But here we are stuck in another Republican filibuster. Why? Because they insist on a series of amendments.

The sponsors of this legislation—Senator SHAHEEN from New Hampshire; Senator PORTMAN, a Republican from Ohio—basically came to an agreement on a bill that is bipartisan in nature, and there are 10 or more bipartisan amendments included in this bill.

Has the minority had an opportunity to be part of this process? Absolutely. Yet it is never enough. They want more and more, and they are prepared to slow down or stop the passage of a bill which in ordinary times would have passed by a voice vote. That is not going to happen. Unfortunately, we are going to be mired down in more procedural votes until some of these Senators get the amendments they want.

We wasted a week last week, a week in the Senate when nothing happened, when this bill could have passed. Why? One Republican Senator wanted to offer an amendment on the Affordable Care Act. They have flogged the Affordable Care Act in every imaginable direction, and now this Senator wants to deny health insurance coverage or at least make it more expensive for the staff of Members of the Senate and the House of Representatives, as well as Members themselves. That is his idea of a good idea to debate on the floor of the Senate at the expense of this bill.

Well, shame on the Senate. Shame on those who are obstructing us. We have had enough, have we not, of these filibusters and this obstruction? It is time that we roll up our sleeves and get down to the work of the people of this country.

HEALTH RESEARCH

While I am on the subject, I am leaving to go to a committee meeting of the Appropriations Committee to talk about Federal funding for health research. This is another issue which troubles me, because of the lack of commitment by this Congress to one of the most fundamental responsibilities we have as a government.

We are blessed with the best biomedical research agency in the world today—the National Institutes of Health—one of the most extraordinarily public health agencies—the Centers for Disease Control—and we continue year after year to underfund

these agencies at the expense of America's health and at the expense of creating good-paying jobs in our country.

For the last 10 years or more we have failed to give the National Institutes of Health protection from inflation, and as a result their spending power to award research grants has declined by 22 percent over the last 10 years. As to the researchers at the National Institutes of Health, there are fewer and fewer younger researchers. They have lost hope that there is a commitment by this government, by this Nation, to medical research. What is the net result? The net result is that we, at our peril, fail to do the research, to find the cures for diseases that make a difference in the lives of Americans and American families.

The Republicans argue that it is just too darn much money, that we cannot afford medical research. Well, let me give you one statistic to think about. Last year Medicare and Medicaid spent \$203 billion of taxpayers' money—\$203 billion—on the victims of Alzheimer's—\$203 billion. If research at the National Institutes of Health could get to the heart of this disease and find a way to cure it—that would be a miracle—or delay its onset—it seems within the realm of possibility maybe—we could save dramatic amounts of money. Medical research pays for itself.

Listen to what is happening in the House of Representatives. We have a proposal for an extension of a Tax Code provision that will give a break to businesses to invest in research projects. There is nothing wrong with that. I have supported it. Throughout my time in the House and Senate, I have supported it. But listen—listen—to the logic. The Republicans in the House argue that if it is an R&D tax credit that goes to the private sector for research so they can develop new products and services and be more profitable and create more employment, it does not have to be paid for. Over 10 years, it would cost us \$140 billion for the extension of this credit, on a 10-year basis, to the private sector, and the Republicans have argued, yes, this may nominally add to the deficit. But, in fact, it does not. The research and development leads to more businesses, more jobs, more tax revenue to the government, and so they argue we do not have to pay for it.

Now let me step over here. What about the research and development done, the medical research done by government agencies? Is that worth some money to taxpayers? Absolutely. Finding cures for diseases at NIH—Alzheimer's, diabetes, cancer; I could go on—each and every one of them would be a savings to the taxpayers. Yet they argue: No, that is government spending; that adds to the deficit.

That is such upside-down thinking. It is such a denial of reality. Basic fundamental medical research and biomedical research by these agencies relieves suffering, finds cures for diseases, and reduces the expenditures of