

manner as the arrangement with Tohono O'odham. However, within a few months of our engagement, the Tribe asked us to change the arrangement so it would not have to pay the discounted hourly rates on a monthly amount. Accordingly, we modified the agreement consistent with the client wishes so that compensation for attorneys' fees was exclusively through a contingency fee. Unlike other clients, the Passamaquoddy Tribe made no payment of fees on a monthly basis throughout the litigation, thus the contingency fee agreed to was 15%. This is well below the standard of 30%–40% for comparable contingency fee arrangements. When the case settled, the amount paid to the firm was 15% of the settlement or \$1.8 million. In an October 1, 2013, letter to Indian Country Today, Passamaquoddy Chief Joseph Socobasin on September 24, 2013 confirmed that the Tribe "was very happy with the settlement representation prepared by Kilpatrick Townsend & Stockton firm."

The Salt River Pima-Maricopa Indian Community (AZ) has not given the Firm permission to disclose the specifics of its fee arrangement. However, we can disclose that they paid monthly fees with a contingency at the end similar to Tohono O'odham.

19. In your negotiations with tribal governments over fees referenced above, were tribal governments made aware that the defendant, the federal government, would be responsible for covering or directly paying their fees to you?

Yes. Two tribes—the Passamaquoddy Tribe and the Tohono O'odham Nation—agreed to have the funds directly paid to the Firm. This was not unusual and indeed the model used in other cases such as the Osage litigation (represented by another Washington, D.C., based law firm). The Tribes had full ability to opt for non-direct payment to the attorneys. The Salt River Pima-Maricopa Indian Community, for example, decided to keep the terms of counsel fees confidential and therefore did not seek direct payment to counsel. For the tribes that did authorize direct payment, they did so expressly. Both the Passamaquoddy Tribe and the Tohono O'odham Nation expressly authorized direct payment to our Firm in tribal council resolutions approving the settlements.

20. Please identify which tribes you negotiated fees referenced in the above questions between 2008 and 2010?

None of the fees negotiated for tribal trust cases were negotiated in this time frame. All were negotiated in 2006 or early 2007.

21. Did you negotiate Cobell fees at different rates for different tribes? Why is there a variance in rates?

No. Cobell fees were not negotiated for or with tribes. The fee in Cobell was determined by the court and paid out of the common fund. Therefore, all plaintiffs in the Cobell case, irrespective of tribal affiliation, were treated the same.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

ENERGY POLICY

Mr. BARRASSO. Mr. President, today the Obama administration released a new plan intended to shut down American powerplants. Instead of celebrating his policies in the Rose Garden, President Obama delegated the bad news to the Environmental Protection Agency.

Make no mistake about it; what they are announcing today is another step in the President's plan to make electricity rates "necessarily skyrocket."

Remember, that is what the President promised Americans when he was running for President the first time in 2008.

Of course, when he was elected Congress said no—no to his radical plan. Even when the Democrats controlled the House of Representatives, NANCY PELOSI was the Speaker of the House, and the Democrats had 60 Members of the Senate—even with complete Democratic domination in both Houses of Congress—Congress still said: No, Mr. President, this is a bad idea.

So the President decided he knew better than the American people, the elected representatives. He decided to go around Congress and go around the American people.

I turn to the front page of today's Wyoming Tribune Eagle out of Cheyenne, WY, and the headline is: "Obama Lets EPA Do His Dirty Work." The subheadline says: "The president's charge to limit emissions has caused him so much criticism that he is no longer leading the pack." On the front page of the Wyoming Tribune Eagle they go on to say:

When the Obama administration unveils its much-anticipated proposal to curb power plant emissions, this cornerstone of the president's climate change policy—the most significant environmental regulation of his term—will not be declared in a sun-bathed Rose Garden news conference or from behind the lectern in a major speech.

It will not be announced by the president at all, but instead by his head of the Environmental Protection Agency, while President Barack Obama adds his comments in an off-camera conference call. . . .

Talk about something that is unpopular with the American people, it is this.

About 1 year ago, the President put out rules limiting carbon dioxide emissions from new powerplants—powerplants that were being constructed—but today—today—his Environmental Protection Agency is applying tight new limits on the emissions of existing powerplants—powerplants that are already there producing energy.

The administration says it is going to allow States "flexibility" in how they meet the new limits. I believe any "flexibility" that is being offered is just an illusion. States will have a severely limited number of options for what they can do to meet the standards. Every one of those options is going to raise the cost of energy for American families. That means consumers will not even get the illusion of flexibility; they will get higher energy costs.

Businesses are going to have to find ways to pay for their own higher bills because it is not just going to be families, when they turn on the light switch, who are going to get a higher electric bill. As the President said, electricity rates will necessarily skyrocket, but businesses are going to have to find ways to pay for their higher energy costs, which will mean hiring fewer people, laying off people, passing on the cost to others.

That is why the U.S. Chamber of Commerce says an aggressive policy targeting coal-fired powerplants will lead to less disposable income for families and thousands of jobs lost. So families will have less disposable income and thousands of jobs will be lost.

We just learned last week that our economy shrank by 1 percent in the last quarter. The U.S. economy shrank. This is the first time in years the economy actually shrank by 1 percent in the last quarter. It is the first time it has happened, actually, since 2011. Our labor force participation rate is at the same level it was when Jimmy Carter was the President of the United States. So now the Obama administration wants to put more Americans out of work.

The action they are taking today is the height of irresponsibility and it is tone-deaf leadership. The Obama administration is going to try to defend their extreme regulations by saying, once again, these changes will help save lives and keep families healthy. The fact is they are totally ignoring the undeniable fact that when Americans lose their jobs, their health and the health of their children suffer.

There is an enormous public health threat from high unemployment, specifically chronic high unemployment. It increases the likelihood of hospital visits, illness, and premature death. It hurts children's health and the well-being of families. It influences mental illness, suicide, alcohol abuse, spouse abuse. It is an important risk factor in stroke and high blood pressure and heart disease—major things that impact a family, raise the cost of care. I saw it in my days of medical training in medical practice, and the White House knows it too.

One might say: How does the White House know? The New York Times actually ran an article on this in November of 2011—November 17, to be exact. The headline of the article was "Policy and Politics Collide as Obama Enters Campaign Mode." "Policy and Politics Collide as Obama Enters Campaign Mode." The article says a meeting occurred in the White House between the American Lung Association and then-White House Chief of Staff William Daley, and the meeting was about the Environmental Protection Agency's proposed ozone regulations.

In that White House meeting, White House Chief of Staff Daley asked a simple question when confronted with the argument that additional Clean Air Act regulations would improve public health. Daley asked: "What are the health impacts of unemployment?" Well, I have just gone over them with you, Mr. President. Those are the health impacts of unemployment. So the White House knows about it—to-tally aware about it.

When the Environmental Protection Agency announced these new rules today, the President himself was reportedly talking off camera—a conference call—on the phone with the

American Lung Association. Someone in that room should be talking about the disastrous public health effects of the unemployment that these rules are causing. The fact is that more regulation from Washington is not what America needs right now.

States already have flexibility in how they approach environmental stewardship, and many of them have come up with creative solutions. Last month the Senate and Congressional Western Caucuses issued a report called "Washington Gets it Wrong—States Get it Right." The report showed how regulations imposed by Washington are undermining—undermining—the work being done at the State level to manage our lands, to manage our natural resources, and to protect our air and our water. It gave success stories—success stories—where the work being done by States is more reasonable, more effective, and less heavyhanded than the rules ordered by Washington.

America does not need Washington to pay lip service to flexibility while mandating huge price increases in energy. America wants Washington to stop the overreaching regulations and mandates and to actually allow the States to get it right. Thousands of Americans have already lost their jobs because of Washington's expensive and excessive regulations. Now the President is putting more jobs on the chopping block. That is why I have written legislation that would stop President Obama's massive increase to the Nation's electric bill. I offered this as an amendment last fall. Democrats in the Senate blocked it. I plan to offer it again and to keep making the point that the President should not have the power, the authority to impose these burdens on the American economy and on American families.

My amendment blocks the issuance of new carbon standards for new and existing powerplants. It would actually require the approval of Congress—can you imagine that, the approval of Congress, the elected representatives of the people—require the approval of Congress for regulations that increase Americans' energy bills, such as new rules proposed by the Obama administration today.

Congress should act on an affordable energy plan, but these kinds of decisions should be for Congress to make, not for the President to make on his own. That is true whether the President is a Democrat or a Republican.

We all know we need to make America's energy as clean as we can, as fast as we can. It is critically important though that we do this without hurting our economy—a struggling economy, an economy where people continue to sacrifice—and do this in ways that do not cost hundreds of thousands of middle-class families their jobs.

We should look to States that have come up with ways to balance our energy needs, the health of our economy, and our environment.

President Obama is taking the wrong approach. These new regulations are

going to hurt our economy. It is an economy that is already shrinking. It is astonishing; our economy is shrinking, and it is because of the President's other failed policies.

The policies introduced today will hurt middle-class families who are struggling to find work or to keep the jobs they have now. They will harm the health of many Americans. The President needs to change course. If he will not do it on his own, Congress must do it for him.

So, once again, today we see the headline: "Obama Lets EPA Do His Dirty Work." "The president's charge to limit emissions has caused him so much criticism that he is no longer leading the pack." Instead, he is hiding. The President today is hiding. If this is something the President was proud of, he should have been at the White House in the Rose Garden in front of the cameras making an announcement, not asking his EPA Administrator to make it so he could be on a conference call because he was ashamed to show his face to the American people because of the impact these regulations are going to have on families all across America.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, the President's Environmental Protection Agency today—a group that directly reports to him and which reflects his decisions about environmental matters—has issued a new proposed regulation to reduce carbon dioxide emissions from existing powerplants by 30 percent by the year 2030. Those are existing plants, and they cannot be operated and have that kind of reduction unless they have carbon capture, and there is no technology feasible with any reasonable—there is technology, but it is not feasible economically to capture carbon. So it is a dramatic hammering of a major portion of the baseload electricity production in America. It just is, and it is going to drive up costs.

What I wish to say first and foremost is I am very worried about our economy. This economy is not doing well, and anybody who has paid close attention to it knows we have had one thing—one very important positive factor—over the last half dozen years that has helped our economy bounce back and even caused some industries to bring home production from foreign countries; and that advantage—that positive event—is a decline in energy prices. It is a direct result, primarily, of fracking—our ability to produce more energy from existing wells in a proven-to-be safe and effective way. It

is going on over large portions of America. Although this administration and the Environmental Protection Agency have thrown up a host of roadblocks to try to keep it from occurring, it is such a powerful, positive event it is virtually unstoppable.

So that is good. That is helping our businesses prosper. I remember in Alabama, north of Mobile where I grew up, there is a group of chemical companies on the river. Those chemical companies are international companies, first-rate companies, that were hammered when natural gas, 10 or 15 years ago, surged in price so much. Many of them reduced their capacity, some have closed and were sold, and we lost a lot of good jobs.

It happened in Ohio. Ohio had a devastation among their strong chemical industries. The industry is beginning to come back now because of lower natural gas prices. But other industries too are very energy sensitive such as the steel industry. We are in a life-and-death competition to save America's steel industry. Energy is a huge portion of that.

Electricity is a big portion of that. To eliminate nearly 40 percent of our base load, to drive us on a path to drive up those costs unnecessarily above what we can rationally achieve, is a mistake, in my opinion.

Looking at Barron's this week—that is a business magazine. It comes out weekly. It has articles that sum up the state of the economy in America. Of course we know that first-quarter economic growth was revised downward, downward to negative 1.0 from positive .1. This is the first negative growth in years, since 2011. It was unexpected. Corporate profits, excluding the depths of the recession, are the lowest in 20 years in America. We have fewer people working today than we had in 2007, although there are 15 million more people in America—fewer people working and more of them are working part time than want to work part time. We have a surge in part-time employment. That is not good either.

Wages are down. Adjusted, probably for inflation, wages are down, median income is down in America per family by \$2,300. Your wages are down. Your job prospects are down. Unemployment remains exceedingly high, and we are now going to add, in effect, another tax, a regulatory tax on the price of energy so a person's electric bill and their gas bill are going to go up. That is the inevitable result of this. It just is.

We have got to be careful about it. Europe is already regretting the mistakes they have made. Spain has had to abandon their overly ambitious plan for renewable energy. German businesspeople are telling their leaders that if you do not change the energy policy in this country, we are not going to be able to compete and be successful as we have been in the world markets.

So this is not a little matter. It is about jobs. It is about middle-income,

hard-working Americans. The lower income people in this country pay as much as 25 percent of their income for energy. Oh, the rich people, the people who travel around in big jets and claim to be concerned about the environment, pay much less. For those making over \$50,000 a year, you pay about 11 percent of your income on energy.

So higher energy costs are direct negatives for poorer, hard-working people in America. Retired seniors have no ability to have an increase in wages, trying to live on Social Security and a little savings. Boom, you have got another \$10, \$20, \$30 a month for the electric bill, the gas bill. It erodes their standard of living.

Again, it erodes the ability of American business to be competitive in the world marketplace. We have got to take back more work. In fact, we are beginning to do that if we would do fewer bad things. We had a good result with lower energy prices and this is going to undermine that. It just is. We have got the pipeline. No, we will not do the pipeline either. All that does is provide another source of oil and gas, oil for America, that forces the existing American big oil companies to compete with. It helps to bring down the price.

If you do not have another source from Canada, you have got less competition. Competition helps bring down price. I do not believe this administration wants to bring down the price of energy. In fact, I think the opposite is true. In fact, President Obama said, before he was elected, that we could have—if anybody built a coal plant it was going bankrupt. That is not possible, to phase out the entire coal industry so rapidly. We have done so much to clean it up. They have spent billions and billions of dollars reducing the pollutants that come out of smokestacks. It helped a lot. That is why our air is cleaner than it has been in years. We have made a lot of progress. A lot of money has been spent. But this is an excessive action, in my view, focused primarily on CO₂, carbon dioxide.

We all know about photosynthesis. We know how plants grow. We know they take in carbon dioxide and breathe out oxygen. We breathe in oxygen and we let out carbon dioxide. Carbon dioxide is odorless, it is tasteless, it is not poisonous, it is not harmful. In fact, plants grow faster if there is more carbon dioxide than if there is less carbon dioxide. This is a scientific fact that is not disputable.

So what do they say? They say, well, the Clean Air Act gives the responsibility of eliminating pollutants from our atmosphere. It was passed in 1970 before anybody even dreamed of global warming. So carbon dioxide—when the law was passed, the Clean Air Act in the 1970s, they had no thought whatsoever in the Congress that we would be banning carbon dioxide. JOHN DINGELL, a long-term Democratic Congressman, one of the longest serving ever, was a Member of Congress who voted on that.

He recently said they had no idea we were voting to regulate carbon dioxide.

So how did it happen? Well, the environmentalists filed a lawsuit. They said the Congress passed a law in 1970. That law said you should reduce pollutants. You have a responsibility to reduce pollutants and carbon dioxide is a pollutant. Why? Well, the IPCC, the International Panel on Climate Change, said that CO₂ creates global warming, this perfectly positive small amount of gas in our massive environment, that makes plants grow better, is increasing. It is. It is increasing in the environment because of burning carbon fuels.

They said this increase is going to warm the planet. We are going to have more storms, more tornadoes, and the coasts are going to flood and all of this. Therefore, EPA should regulate it. Must regulate it. By a 5-to-4 ruling, the Supreme Court agreed. Congress has never voted for that. Congress has voted against global warming legislation multiple times. It would never ever pass this Congress if it were brought up for a vote. Never pass.

So unelected folks in the Environmental Protection Agency, unelected, lifetime appointed Federal judges, at least five of the nine, concluded that this is a pollutant. So here we are.

I do not know whether we have got warming. I have assumed it is. Temperatures, I believe over the last hundred years, have increased about 1 degree. But I do think we need to be a lot more modest about this. It is well below what the alarmists have been telling us.

How did it all happen? Why did the Supreme Court decide that this plant food, CO₂, is a pollutant? They said it was because these models are saying the planet is warming and all of the scientists agree, which is not true. But the scientists have said the planet is warming, so therefore CO₂ is a pollutant. They so ruled. But things are not happening as the experts told us. It is just not happening. I am beginning to wonder what is going on here.

This chart, the red line—this is zero. The red line is an average of all of the computer models that projected what the increase in climate—in temperature would be based on steadily increasing CO₂ in the atmosphere. Back in dinosaur days, we had a lot more CO₂ in the atmosphere than we have today. But it has been reduced. It has been increasing as we go into the ground, get coal and get oil and get natural gas and burn it. That emits more CO₂. It is released back into the atmosphere, actually. It was sucked out of the atmosphere through plants and animals.

This was the chart. Every single climate change model that is the foundation of the argument for dangerous global warming predicted more than has actually occurred in the last 15 years.

This is the chart. You go back to about 2000 here. This green line is the

actual result from—I believe that is balloon temperature gauges. It actually has not gone up at all since 2001. That is what, 13 years? This is not the temperatures they were predicting. Besides, the charts looks a little more dramatic than they are. This is zero. This is two-tenths. They were predicting, from 1979 I believe was their key date, that the temperature would increase 1.2 degrees. It has increased about three-tenths of 1 degree. That is in this part.

But if you go here, when the chart is going off here, saying it should be accelerating every year, it has been flat. So I do not know. Some people say the Sun is involved in it. Some people have other theories. I do not know. I have assumed we are going to have some warming out there. But it is certainly not coming in at the rate the alarmists have told us. That is indisputable fact.

We in Congress need to be asking ourselves how much burden we can afford to put on the American people at this time. The President—I have got to tell you, one of the most frustrating things and disappointing things to me is that the President in the last several years—he has not in over a year now because I have been asking his people before the environment committee to be sure and tell him not to say it anymore. But he has two times said that the temperature is increasing faster than the experts predicted over the last 10 or 15 years. Think about that. The President of the United States, in the face of obvious data to the contrary, is repeatedly going out and saying, it is increasing faster than the red line. That worries me. I believe the President of the United States has a responsibility, when he advocates for policies, to tell the truth, the whole truth, and nothing but the truth.

That is not so. It is not increasing faster. It has hardly increased at all in the last 10 or so years.

Then they say the storms—the President and his team when Sandy hit go out and say this is all a direct result of global warming. See? Every time there is a storm, every time there is a drought, and every time there is a problem, it is always climate change, global warming.

Dr. Roger Pielke laid out the numbers. I don't have the details here, but he testified before the Environment and Public Works Committee and he said: It is not so, hurricanes are not increasing. It is not hard to see how many hurricanes you have.

You simply go back each year. They are quite calculating. He went back and calculated the hurricanes—how many category 5's, 4's, 3's, 2's, and 1's. The result is pretty astonishing that we have had fewer of them. This chart is hard to read. I will quote what it says:

Hurricanes have not increased in the US in frequency, intensity or normalized damage since at least 1900.

He has not been disputed either. They have tried to push back and attack him, but nobody has produced

data that dispute what he says because it is easier to calculate that data.

This is important. Dr. Pielke recently produced an analysis that said it has been 3,140 days since this country has had a category 3 hurricane. Camille was a 5, and we have had some others in the past. But we have had almost 10 years since we had a category 3. Sandy, this storm which hit the Northeast, which was very rare, happened to miss the southeast, missed Florida, and hit the Northeast. It was not even a hurricane when it hit land. It was below the speed, I understand, of a hurricane. At best, it was a category 1. It just happened to hit the Northeast where people are not used to it, and it did a lot of damage.

How can it be argued, I ask colleagues, that global warming is causing more storms? Moreover, the 2012–2013 tornado season was one of the lowest in the past 50 years. Only 5 out of 50 years have been that low.

We are not seeing an increase in tornadoes. We read about them more. We have The Weather Channel, and they talk about them more. But, in truth, the numbers aren't there.

Now, if hurricanes are down—and it has been 3,100 days since we have had a category 3 hurricane—it is about the longest in history that we recorded. It is an unusual drought of big hurricanes. It means a lot to me. I live in Mobile, AL, and I remember Hurricane Frederic in 1979 barreling up Mobile Bay. I remember the fear people had who had been there when Camille hit nearby in Mississippi. I know something about hurricanes, and they are very real factors. It surprises me we have had as few as we have had. We have also not seen an increase in tornadoes.

What we are proposing is that we have to carry out a policy that would go beyond our technology to produce electricity in a cost-effective manner, and it has the impact of massively closing base-load coal plants. Existing plants are going to be hammered, and new ones will not be built.

I am also on the subcommittee of Environment and Public Works that deals with nuclear power. Not a single American since the beginning of nuclear power 50 years ago has been killed as a result of a nuclear power accident. How many die in natural gas pipelines, drilling rigs, coal mines, transportation of coal, and so forth?

We basically shut down nuclear power. I am telling us this is a big problem for our country, the erosion of nuclear power. We had four plants close—existing nuclear plants close. They have been hammered with regulations, and they have never been safer. We have never known more about how to operate a nuclear plant safely than we know today.

But they know only one or two are being constructed, and this assault on nuclear power has the potential to erode the 20 percent of our electricity that comes from nuclear power. So if

we lose the coal and we lose nuclear power—and most of these plants are 30-plus, 40 or 45 years old, and they will soon be at the end of their lifetime. If we don't replace them, where will our energy come from, pray tell?

In any finding, anything that we do today to try to impact CO₂ is only a drop in the bucket worldwide. They are building coal-fired plants in China, India, the East, the Middle East, other places, and Africa in large numbers. We are a very small part of the overall picture, and our actions are not going to reverse this trend.

I don't know and I don't pretend to know all of the answers, but I would say that if we have more CO₂ and we have more global warming and global climate change, how do we know it won't result in fewer hurricanes? We have had fewer.

How do we know it won't result in fewer tornadoes? We have had fewer tornadoes.

Life on the planet has tended to be more healthy and prosperous in times of higher temperatures than lower temperatures. I certainly don't want to see a surging temperature in America and rapidly changing conditions. I think we could have real damage. As I said, I don't know what the full answer is.

I am just saying in my judgment, this administration is pushing this beyond what is reasonable. It is going to adversely affect the economy of America. It is going to drive up the cost of every household's electric bill, every household's gasoline bill. Every business in America that hires American workers is going to try to export products, and those products are going to be more expensive because they had to pay more for their energy.

The last thing we need to be doing at this point in American history is driving up—artificially—the price of energy. One expert said a number of years ago that the lifespan—the average lifespan of a person in a nation where electricity is readily available—is twice that wherever it is not readily available.

I have been in poor places in the world where there is not electricity. You see the difficulty they have with water, you see the difficulty they have with cleanliness and so forth, and cooling and keeping food refrigerated and the disease that comes from that.

Energy is a positive force. It has made this world—the western world, the developed world—so much more prosperous. It is creating wealth that we can then use for good causes—to clean up the environment, and to produce healthy foods for billions worldwide.

I don't think we should see energy as an evil thing. I think energy is a good thing, and we don't need to drive the price up. It makes life harder for people, especially those of limited income.

I thank the Chair for the opportunity to share these thoughts. It means a lot to me. We will keep working on it. We will analyze in detail, as time goes by,

the proposal the President has presented. I remain very concerned, as a matter of constitutional order, that this is being done without a vote of the people. This is being done by a 5-to-4 Supreme Court ruling, an aggressive President, and an aggressive EPA.

It seems as if there is not enough, and there is an inability in Congress to do anything about it. The average American who disagrees has no voice, apparently, in being able to have their voice heard. So we will continue to talk about it and as time goes by, we will look at the trend and hopefully we can reduce some of the excesses that I think clearly exist.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. MURPHY. Mr. President, having just come down from the chair, I wish to briefly respond to the remarks of the junior Senator from Alabama, who engaged in a pretty stunning and broad denial of science for about 15 minutes on the floor of the Senate as part of what I imagine will be a pretty robust critique this week of the new EPA rules from the administration.

When we were all schoolkids, we probably had the chance to read the play "Inherit the Wind." It is rather de rigueur for students to read. In the end, as Drummond is essentially excoriating Matthew Harrison Brady on the stand, the book ends with almost a sense of sorrow about the unraveling of Brady's argument and the kind of figure he is portrayed at the end of the book to be.

My hope is that the same degree of strange affection may be the legacy of those who come to the floor and engage in the same denial of basic science that is at the root of the Scopes Monkey Trial in the book which made it famous.

Our colleague talked about the fact that the jury is still out as to whether the planet is warming. Here are the 10 hottest years on record since 1880: 2010, 2005, 1998, 2013, 2003, 2002, 2006, 2009, 2007, and 2004.

The Senator said that all the science doesn't really suggest global warming is happening. Well, he is right. Ninety-seven percent of scientists with peer-reviewed literature have come to the conclusion that the planet is warming and humans are contributing to it.

The Intergovernmental Panel on Climate Change said this in their last report: "Warming of the climate system is unequivocal."

My friend said: Well, even if it is happening, we are really only a small part of the problem. So why is it even necessary for us to act?

Well, we are not a small part of the problem. We are 5 percent of the world's population and 25 percent of the world's pollution. And even if the specific actions this week do represent a very small percentage of the ultimate solution when we talk about trying to get the temperature of the planet under control, that is a terrible argument in and of itself. Is that a reason why none of us should bother to vote—because each one of our own actions in and of itself really doesn't affect the overall outcome? It is the collection of all of the actions we take in a democracy that makes the difference, and it is the collection of actions we will take as a community of nations and a community of individuals that will ultimately make the difference.

I imagine this debate will continue.

GUN CONTROL

Mr. MURPHY. Thirty-one thousand people a year die across this country from gun violence. That is 2,639 a month or 86 a day. I have tried to come down to the floor every week—a couple times a month at the very least—and talk about the voices of those victims because if the statistics aren't actually moving this place to action, then maybe we can talk about who these people were. Of course, we have a fresh set of stories from Santa Barbara, CA.

I don't need to tell the story of young Mr. Rodger. He was a deeply troubled young man who went on a shooting spree, killing six people and wounding many more.

Katherine Breann Cooper was 22 years old when she was gunned down by Elliot Rodger. She was a painter, and she was known as Katie by her friends. She had a really outgoing side. She was going to get a degree in art history, and she had a smile that "lit up the room," according to her friends.

What her childhood friends from Chino Hills remember is that she was absolutely unbeatable at foot races. She was the fastest kid in the whole neighborhood. You couldn't beat her at foot races, hide and go seek, and you certainly couldn't beat her when the ice cream truck went through the neighborhood.

Her seventh grade teacher said:

She was one of 2,500 students I've taught over the years, but Katie was a standout.

Veronika Weiss was 3 years younger—she was 19 years old—but her father Bob said she was wise beyond her years. He said he would actually go to his 19-year-old daughter for advice when he was having a problem with one of her brothers, Cooper and Jackson, or maybe when he was having an argument with his wife.

She played four sports in high school: cross country, baseball, swimming, and water polo. She earned straight A's. Her strength was math. She really excelled at sports, and she didn't let barriers get in her way. She didn't want to play softball; she wanted to play baseball. There was a baseball league for

kids in her hometown of Westlake, and there were 500 players in that league—499 boys and 1 girl, and that 1 girl was Veronika Weiss.

When she got to UC Santa Barbara, she didn't have a lot of friends until she joined the Tri-Delta Sorority. They became a built-in circle of friends for her.

Her former coach said:

We're really shocked. She touched a lot of people. And for someone who's 19 years old to have that many people showing up [at her service], that's a lot to say. There's been kids who say, "Oh, I was a new kid in school and she came up to me and just started talking to me. I didn't even know her." So she was that type of person.

Christopher Michaels-Martinez's father has had some strong things to say about the inaction of Congress, but he also had a lot of wonderful things to say about his son.

His son Christopher was a studious kid. He was an avid reader. He was an athlete from a young age, first beginning with soccer and going on to play football and basketball. He served as residential adviser at his dorm and was the kind of guy who would welcome strangers into his home and into his room.

His father talks a lot about his resilience. He remembers that at 8 years old Christopher decided he wanted to play football. He remembers at a practice watching his son being knocked down by a much larger teammate, and his father said he remembers thinking:

My god, he must be hurt. But he was on the ground no more than two seconds. He hopped back up, stomped one foot on the ground and walked determinedly back into the line.

That's the kind of kid Chris was.

Richard Martinez urged the 20,000 people at the memorial for the victims to follow his son's example from the football field. He said:

Like Christopher on that day, we've been knocked down. And like Christopher on that day, I want you to get back up and walk determinedly forward.

His father Richard has challenged Congress not to let one more person die because of our inaction.

In a lot of ways, the story of Elliot Rodger is a word of caution about the limits of what policy can do, but it is also an invitation for us to look at some of the things we can do.

Elliot was an incredibly troubled kid, but he was not a kid who lived outside of the mental health system, nor was Adam Lanza, the young man who killed 20 6- and 7-year-olds in Newtown. We can go back with 20/20 hindsight and pick apart the decisions—sometimes a very legitimate critique—that Rodgers' parents or Adam Lanza's parents made, but the reality is that Elliot Rodger was in and out of the mental health system and in and out of a number of different schools trying to find the appropriate placement. Adam Lanza had been identified with a severe mental illness, and his mother was trying to find treatment for him.

We need to do something to improve our mental health system. We have

closed down 4,000 mental health inpatient beds in the last 6 years alone, while the needs of those with mental illness are skyrocketing. We know the waiting time for especially young adolescents to see a psychiatrist or psychologist just for an introductory visit is far too long. So we need to make massive investments in our mental health system. But the law can help as well when it comes to guns. The fact is Adam Lanza should never have been able to possess the high-powered weapon that he did, and had he walked into Newtown with a different weapon instead of a semiautomatic rifle, there would still be children alive today, in the minds of many of those parents.

It is not clear the law could have changed anything in California, but what we know is that in States that give law enforcement the ability to take guns away from people who pose a danger to the community or deny them to those individuals in the first place, fewer murders happen.

Police showed up at the door of Elliot Rodger's house and, had they walked in, they would have found a draft copy of his manifesto and a whole bunch of guns and a whole bunch of ammunition. He likely would have been taken into involuntary custody. His guns would have likely been taken away. The police didn't make that decision, but in California they have the ability to do that whereas, in many other States they do not.

In Missouri, for instance, they used to have a law on the books that allowed for local law enforcement to deny gun permits to individuals whom those local law enforcement personnel knew to be a potential danger to society. Well, Missouri repealed that law, and a recent study by Johns-Hopkins University shows that controlling for all other possible factors that could explain the dramatic increase in gun violence since the repeal of Missouri's background check legislation, the repeal itself accounts for 60 to 80 additional gun murders in Missouri every single year.

We know that laws that keep guns out of the hands of dangerous people, allow law enforcement to take guns away from dangerous people, laws that prevent military assault weapons from being in the community in the first place, save lives. It is not a coincidence. During the period of time after which the government instituted an assault weapons ban, we saw a reduction in the number of mass murders in this country. After it was repealed, we started to see an increase in those mass murders. Assault weapons bans don't have a lot to do with average, everyday gun violence, but they can have something to do with mass shootings.

Edmund Burke said: "The only thing necessary for the triumph of evil is that good men do nothing." I believe every single Senator here has heard that.

I will end with this thought: I think we can pass laws that will reduce these