

Grassley	Lee	Scott
Hatch	McCain	Sessions
Heller	McConnell	Shelby
Hoeven	Paul	Thune
Inhofe	Portman	Toomey
Johanns	Rubio	Wicker

## NOT VOTING—15

Begich	Kirk	Murphy
Cochran	Landrieu	Risch
Graham	McCaskill	Roberts
Isakson	Moran	Schatz
Johnson (WI)	Murkowski	Vitter

The PRESIDING OFFICER. On this vote the yeas are 52, the nays are 33. The motion is agreed to.

## CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Richard Franklin Boulware II, of Nevada, to be United States District Judge for the District of Nevada.

Harry Reid, Patrick J. Leahy, Christopher A. Coons, Sheldon Whitehouse, Christopher Murphy, Al Franken, Jon Tester, Richard Blumenthal, Jeff Merkley, Richard J. Durbin, Kirsten E. Gillibrand, Benjamin L. Cardin, Bill Nelson, Dianne Feinstein, Elizabeth Warren, Tom Harkin, Mazie Hirono.

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 Richard Franklin Boulware II, of Nevada, to be a United States District Judge for the District of Nevada, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Alaska (Mr. BEGICH), the Senator from California (Mrs. BOXER), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Missouri (Mrs. MCCASKILL), and the Senator from Hawaii (Mr. SCHATZ) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Mississippi (Mr. COCHRAN), the Senator from South Carolina (Mr. GRAHAM), the Senator from Georgia (Mr. ISAKSON), the Senator from Kansas (Mr. MORAN), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Idaho (Mr. RISCH), the Senator from Kansas (Mr. ROBERTS), and the Senator from Louisiana (Mr. VITTER).

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

The yeas and nays resulted—yeas 53, nays 34, as follows:

[Rollcall Vote No. 178 Ex.]

## YEAS—53

Ayotte	Blumenthal	Cantwell
Baldwin	Booker	Cardin
Bennet	Brown	Carper

Casey	Kaine	Reid
Collins	King	Rockefeller
Coons	Klobuchar	Sanders
Donnelly	Leahy	Schumer
Durbin	Levin	Shaheen
Feinstein	Manchin	Stabenow
Franken	Markley	Tester
Gillibrand	Menendez	Udall (CO)
Hagan	Merkley	Udall (NM)
Harkin	Mikulski	Walsh
Heinrich	Murphy	Warner
Heitkamp	Murray	Warren
Heller	Nelson	Whitehouse
Hirono	Pryor	Wyden
Johnson (SD)	Reed	

## NAYS—34

Alexander	Enzi	McConnell
Barrasso	Fischer	Paul
Blunt	Flake	Portman
Boozman	Grassley	Rubio
Burr	Hatch	Scott
Chambliss	Hoeven	Sessions
Coats	Inhofe	Shelby
Coburn	Johanns	Thune
Corker	Johnson (WI)	Toomey
Cornyn	Kirk	Wicker
Crapo	Lee	
Cruz	McCain	

## NOT VOTING—13

Begich	Landrieu	Roberts
Boxer	McCaskill	Schatz
Cochran	Moran	Vitter
Graham	Murkowski	
Isakson	Risch	

The PRESIDING OFFICER. On this vote the yeas are 53, the nays are 34. The motion is agreed to.

The Senator from Nevada.

## VIOLENCE IN LAS VEGAS

Mr. HELLER. Mr. President, before I begin, I would like to take a moment to address the unsettling events that occurred yesterday when two members of the Las Vegas Metropolitan Police Department and an innocent civilian were victims of a terrible act of violence. While words offer little comfort at this difficult time, I would like to express my sincere condolences to the victims' families. The Las Vegas community is grateful to these police officers for their service and joins their families in mourning their loss. I would also like to thank the men and women of the Las Vegas Metropolitan Police Department who sprung into action following the tragic events, even after losing members of the law enforcement community.

## BOULWARE NOMINATION

With that said, Mr. President, I wish to speak in favor of a fellow Nevadan's nomination that is currently pending before this body; that is, the nomination of Richard Boulware to be a U.S. district judge for the District of Nevada.

One of the most important and unique responsibilities we hold as Members of the Senate is to provide for the advice and consent of the President's judicial nominations and subsequent confirmations.

I believe each judicial nominee who comes before this body must not only be qualified but also must demonstrate fairness and commitment to upholding the Constitution and the laws of the United States.

In Nevada, it is critical for us to work together to find qualified candidates who will uphold America's principles of impartiality under the law.

Richard Boulware is an excellent example of an accomplished nominee who should be confirmed on a bipartisan basis. I believe Mr. Boulware embodies the characteristics of a nominee who is prepared to serve and that he will make an excellent district court judge for the State of Nevada. After sitting down with him and discussing his nomination at length, I found him to be an extremely impressive nominee. A graduate of Harvard University, Mr. Boulware went on to earn his law degree from Columbia University. He currently serves as assistant Federal public defender for the District of Nevada in Las Vegas. He also has extensive experience arguing before the Ninth Circuit Court of Appeals. This trial experience, coupled with his impressive academic accomplishments while clerking for the U.S. district courts, will serve him well on the bench. Outside of his professional duties, he currently serves his local school system as a member of the Superintendent's Educational Opportunities Advisory Committee.

I am glad to see the Senate moving forward with this nomination, and I look forward to voting tomorrow to confirm Mr. Boulware's nomination to the Federal bench in Nevada.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

## CLIMATE CHANGE

Mr. MARKEY. Thank you, Mr. President.

Mr. INHOFE. Will the Senator yield for a unanimous consent request?

Mr. MARKEY. I will yield to the Senator.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I ask unanimous consent that at the conclusion of the remarks of the Senator from Massachusetts, Senator WHITEHOUSE, and two or three others at his choosing, that I be recognized as in morning business for such time as I shall consume.

The PRESIDING OFFICER. Is there objection?

Mr. WHITEHOUSE. It is not an objection at this point, but I think it is our understanding that the Senator from Oklahoma will speak for 20 to 30 minutes but that the time would revert to me at the conclusion of his remarks after 20 to 30 minutes. If that is an acceptable amendment to the unanimous consent request, then I will agree to it.

Mr. INHOFE. Let's just amend the Senator's amendment that it be 20 to 35 minutes.

Mr. WHITEHOUSE. Perfect.

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

The Senator from Massachusetts.

Mr. MARKEY. Thank you, Mr. President.

We are at a very important historical juncture, where the science is now conclusive that in fact the planet is dangerously warming.

Since we last met on this floor a lot has happened. The global temperature

for April 2014 tied with 2010 for the warmest April ever recorded in the history of the planet. This goes back to 1880.

In May, the third National Climate Assessment presented the scientific evidence that climate change is already impacting the United States.

The good news. The good news is that the President last week promulgated new rules to control greenhouse gases coming out of powerplants in the United States of America.

Here is the very good news—the Senator from Rhode Island, the Senator from Vermont, the States across the Northeast—nine States have already had a regional greenhouse gas initiative over the last 9 years. In Massachusetts, we are already 40 percent lower now in 2014 than we were in 2005—40 percent lower. We know a flexible system such as this can and will work across the country.

It is absolutely necessary for the United States to be the leader. We cannot preach temperance from a bar stool. The United States cannot tell the rest of the world they should reduce their greenhouse gases when we are still continuing on our historic path.

The good news is we are going to create a green energy revolution. We can save creation while engaging in massive job creation in the United States.

We can unleash this green energy revolution. We can reduce greenhouse gases. We can give the leadership to the rest of the world. We need to have a big debate here on the Senate floor. This is the place where the United States of America expects us to have this debate and where the rest of the world is watching.

I yield the floor.

**THE PRESIDING OFFICER.** The Senator from Vermont.

**Mr. SANDERS.** Mr. President, the issue we are discussing tonight, frankly, is perhaps the most important issue facing our entire planet. The issue has everything to do with whether we are going to leave a habitable planet for our kids and our grandchildren. I want to thank the Senate Climate Action Task Force, led by Senator BOXER, Senator WHITEHOUSE, Senator HEINRICH, and others for helping to bring us down here tonight to discuss this issue.

While it goes without saying that Senator INHOFE and many of us hold very different points of view regarding global warming, I want to congratulate him for having the courage to come down here and defend his point of view. That is what democracy is about. I think he is wrong, but I am glad he is here.

Virtually the entire scientific community agrees that climate change is real, that it is already causing devastating problems in the United States and around the world in terms of floods, droughts, wildfires, forest fires, and extreme weather disturbances. The scientific community is also almost virtually unanimous in agreeing that

climate change is caused significantly by human activity.

According to a study published in the journal *Environmental Research Letters* in May of last year, more than 97 percent of peer-reviewed scientific literature on climate supports the view that human activity is a primary cause of global warming.

What disturbs me very much about this debate is the rejection of basic science. We can have differences of opinion on health care, on the funding of education, on whether we should have a jobs program, on many other issues. But what the U.S. Senate should not be about is rejecting basic science. It saddens me very much that most of my colleagues in the Republican Party are doing just that.

We do not hear great debates on the floor of the Senate regarding research in terms of cancer, in terms of heart disease, in terms of other scientific issues. But for whatever reason—and I happen to believe those reasons have a lot to do with the power of the coal industry, of the oil industry, of the fossil fuel industry—we are suddenly seeing a great debate on an issue the overwhelming majority of scientists agree on; that is, climate change is real; it is caused by human activity.

2012 was the second worst year on record in the United States for extreme weather. Across the globe, the 10 warmest years on record have all occurred since 1998. The global annual average temperature has increased by more than 1.5 degrees Fahrenheit between 1880 and 2012. Last month the White House released the National Climate Assessment, emphasizing that global warming is already happening, and warning—and people should hear this—that global warming could exceed 10 degrees Fahrenheit in the United States by the end of this century—10 degrees Fahrenheit.

That is extraordinary. If that in fact happens, if we do not summon up the courage to transform our energy system, the damage done by that severity of increase in temperature will be huge.

Also last month scientists reported a large section of the West Antarctica ice sheet is falling apart, and that its continued melting is now unstoppable.

Bloomberg reported on the 1st of June that Australia hit new heat records in May. The 24-month period ending in April 2014 was the hottest on record for any 2-year period, and the 24-month period ending with May of 2014 is expected to exceed that.

But it is not just Australia; it is my home State of Vermont. The Associated Press reported last week that the average temperature in both Vermont and Maine rose by 2.5 degrees over the past 30 years. This is the second highest of any State in the lower 48, after Maine. Maine and Vermont are at the top.

Lake Champlain provides one telling illustration of these changes. It freezes over less often and later in the winter

than it used to. Between 1800 and 1900, Lake Champlain froze over 97 out of 100 winters, 97 percent of the time. That number began dropping after 1900. In the past 40 years, Lake Champlain has only frozen over 17 times. These changes impact the ski industry. They weaken our maple industry. They allow pests to survive the winter unharmed and to become more damaging to trees and crops as a result.

These impacts are expected to worsen. According to the 2014 National Climate Assessment, temperatures in the northeast could increase an additional 10 degrees Fahrenheit by 2080 if emissions continue at their current rate. By the end of the century, summers in Vermont—our beautiful summers—could feel like summers in Georgia right now. I love the State of Georgia. It is a great State. But the State of Vermont would prefer to have our summers the way they have been, not Georgia's.

The thing is these new proposed carbon pollution standards are actually quite modest. It is clear to me that if we listen to the scientific community, what they are telling us is there is a small window of opportunity, and it would be rather extraordinary—extraordinary—for us to look our kids and our grandchildren in the eye and to say: You know what. We rejected the science and we let this planet become less and less habitable for you and your kids.

We have a moral responsibility not to do that. It seems clear to me what we should be doing—and I think the scientific community is in agreement—first, we need to aggressively expand energy efficiency all over this country in terms of older homes and buildings. We can save an enormous amount of fuel, cut carbon emissions, lower fuel bills, and create jobs if we do that.

Furthermore, we must move aggressively to such sustainable energies as wind, solar, biomass, geothermal, and other technologies. We must invest in research and development to make those technologies even more efficient. In my view, it is a no-brainer to say we must reject the proposed Keystone XL Pipeline once and for all. We need to end tax breaks and subsidies for oil and coal companies, which amount to well over \$10 billion a year. We should not be subsidizing those companies that are helping to destroy our planet.

Finally, we need to price carbon through a carbon tax or some other approach so the real cost of burning carbon is reflected in the price. I am very proud Senator BARBARA BOXER, the chairperson of the environmental committee, and I introduced such legislation last year.

The bottom line is we are in a pivotal moment in history. This Congress has got to act. It has to act boldly. When we do that, when we cut greenhouse gas emissions, when we transform our energy system, we can save many people money on their fuel bills, we can cut pollution in general, we can cut

greenhouse gas emissions significantly, and we can create good-paying jobs all over this country.

The bottom line here is we cannot afford to reject basic science. We have to listen to what the scientific community is saying. We have got to act aggressively, and let's do it.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. HEINRICH. Mr. President, as an engineer one of the things I learned early in my education was that science does not care if you believe in it or not; you can deny science as much as you want, but the data suggests that the scientific method works pretty darn well.

The corollary to that fact is whether you believe in climate change has no bearing on whether it is actually occurring. Unfortunately, the data shows a warmer and warmer planet, characterized by weather fluctuations that are more extreme and oftentimes more destructive. In my home State of New Mexico, too often we find ourselves dealing with the impacts of climate change today, not at some theoretical future date.

For example, we are already seeing the effects of climate change and how it manifests itself in more extreme drought conditions, larger and more intense wildfires, shrinking forests, and increased flooding when it finally does rain. The longer we wait to act, the more difficult and expensive the solutions will be, and the more unpredictable our weather will become.

2012, as the Senator from Vermont mentioned, was our Nation's second most extreme year for weather on record. In my home State of New Mexico, we experienced the hottest year in our entire historical record. With humidity levels lower and temperatures higher, we are dealing with fire behavior in our forests that is markedly more intense than in the past.

We also see climate change take a toll directly on our economy, especially in my State. That is an important point, because inaction has its costs too. The costs already being borne in New Mexico are substantial. With less snowpack, communities that rely on winter sports tourism take an economic hit. Fewer people lodge in hotels, shop in stores, eat in restaurants.

Climate change is also having a devastating impact on New Mexico's agricultural industry, where farmers and ranchers are often the very first to see the direct impact of extreme weather. The agricultural sector is highly vulnerable due in large part to the sustained threat to the water supply, the soil and vegetation from continuous drought.

Things are only going to get worse if we do nothing. If we take our moral responsibility as stewards of this Earth seriously, it is imperative that we face the challenge of reversing the effects of climate change head on and have a

sober discussion about what actions we will need to take now and in the future. America clearly has the capacity to become energy independent. But we also need to transition from our current energy portfolio to one that produces as much or more power with substantially less carbon pollution per kilowatt hour.

That will require innovation, something that historically our country has done better than any country in the world. But additionally, we will need political will, something we have grown short of as climate denial and pseudoscience have made their way into the halls of Congress.

If history is our guide, we should know that investing in cleaner energy will not be without cost, but little of value is ever free. The question is, are we willing to make the modest investments now necessary to create the quality jobs of tomorrow and to protect our Nation from the serious economic and strategic risks associated with our carbon reliance, our reliance on both foreign and carbon pollution-intensive energy sources?

Since we are looking at history, let's take a moment and look at the Clean Air Act of 1990, and compare the rhetoric of debate with the reality of its implementation. In 1989, the Edison Electric Institute predicted a significant rise in energy costs due to the Clean Air Act. Yet the reality, according to a recent study by the Center for American Progress, actually showed a decrease of 16 percent over those years. In 1990, the U.S. Business Roundtable claimed that passage of the Clean Air Act would cost a minimum—a minimum—of 200,000 jobs. But a recent study released by the EPA revealed the reality. The Clean Air Act resulted in a net creation of jobs and new industries created to reduce pollution, good-paying jobs in industries such as engineering, manufacturing, construction, and maintenance.

By 2008 the environmental technology sector supported 1.7 million jobs in this country.

The time has come to address climate change rather than embracing the pseudoscience and denial that is embraced by far too many in Washington today. The Nation has never solved a single problem by denying the facts. Let me be clear. Inaction is not a solution to this very real crisis. Denial is not a strategy.

Consequently, if my Republican colleagues have a better way to address carbon pollution than what the President has proposed, I would ask them to join the debate. If they have a pollution solution that is more efficient or more effective, now is the time to have that discussion.

Through American ingenuity we can slow the impact of climate change and unleash the full potential of cleaner energy. We can create a healthier, more stable environment for future generations, but we must have the will to recognize the facts as they are. We

will need to make the investments that are necessary, and we will have to find the political will to act.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REID. Will the Senator from Rhode Island withhold for just a moment.

Mr. WHITEHOUSE. I would gladly withhold.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I express my appreciation to my friend from Rhode Island, who is so courteous to everyone, and I appreciate it.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. I ask unanimous consent that on Tuesday, June 10, following disposition of Executive Calendar No. 734, the Lauck nomination, the time until 12 noon be equally divided between the two leaders or their designees and the Senate proceed to vote as under the previous order; further, that following disposition of Calendar No. 736, the Sorokin nomination, and Calendar No. 739, the Boulware nomination, the Senate stand in recess until 2:15 p.m.; that at 2:15 p.m. the time until 2:30 p.m. be equally divided between the two leaders or their designees and at 2:30 p.m. the Senate proceed to vote on cloture on Calendar No. 769, the Brainard nomination, Calendar No. 771, the Powell nomination, and Calendar No. 767, the Fischer nomination; further, that if cloture is invoked on any of these nominations, all postcloture time be expired and the Senate proceed to vote on confirmation of the nominations on Thursday, June 12, 2014, at 1:45 p.m.; further, that any rollcall vote after the first in each sequence be 10 minutes in length; further, that if any nomination is confirmed, 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 to the nominations; 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. Is there objection?

Without objection, it is so ordered.

Mr. REID. With this agreement, there will be one rollcall vote at approximately 10 a.m. tomorrow, two rollcall votes at 12 noon, and three additional rollcall votes beginning at 2:30 p.m. We had to move these votes around for a lot of reasons. One is there that is a bill signing, another is that there is a funeral, and another is that one of our Senators wants to attend his son's graduation. So we will wind up at the same place—even though it won't be as orderly—at the end of the week.

Thank you again, my friend from Rhode Island.

The PRESIDING OFFICER. The Senator from Rhode Island.

CLIMATE CHANGE

Mr. WHITEHOUSE. Thank you, Mr. President.