Stabenow	Udall (NM)	Warren
Tester	Walsh	Whitehouse
Udall (CO)	Warner	Wyden

NAYS—39

Barrasso	Graham	Moran
Blunt	Grassley	Paul
Boozman	Hatch	Portman
Burr	Heller	Risch
Chambliss	Hoeven	Roberts
Coats	Inhofe	Rubio
Corker	Isakson	Scott
Cornyn	Johanns	Sessions
Crapo	Johnson (WI)	Shelby
Cruz	Kirk	Thune
Enzi	Lee	Toomey
Fischer	McCain	Vitter
Flake	McConnell	Wicker

NOT VOTING—4

Begich	Cochran
Coburn	Landrieu

The PRESIDING OFFICER. On this vote, the yeas are 57, the nays are 39.

The motion is agreed to.

NOMINATION OF CHARLOTTE A. BURROWS TO BE A MEMBER OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Charlotte A. Burrows, of the District of Columbia, to be a Member of the Equal Employment Opportunity Commission.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate prior to a vote on cloture on the Lopez nomination.

Mr. CARDIN. I yield back all remaining time.

The PRESIDING OFFICER. Without objection, all time has been yielded back.

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The assistant bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of P. David Lopez, of Arizona, to be General Counsel of the Equal Employment Opportunity Commission.

Harry Reid, Tom Harkin, Patrick J. Leahy, Patty Murray, Tom Udall, Brian Schatz, Charles E. Schumer, Barbara Boxer, Benjamin L. Cardin, Richard Blumenthal, Jeff Merkley, Al Franken, Robert P. Casey, Jr., Martin Heinrich, Elizabeth Warren, Richard J. Durbin, Christopher Murphy

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 P. David Lopez, of Arizona, to be General Counsel of the Equal Employment Opportunity Commission, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Louisiana (Ms. LANDRIEU) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. COBURN) and the Senator from Mississippi (Mr. COCHRAN).

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

The yeas and nays resulted—yeas 54, nays 43, as follows:

[Rollcall Vote No. 300 Ex.]

YEAS—54

Baldwin	Harkin	Nelson
Begich	Heinrich	Pryor
Bennet	Heitkamp	Reed
Blumenthal	Hirono	Reid
Booker	Johnson (SD)	Rockefeller
Boxer	Kaine	Sanders
Brown	King	Schatz
Cantwell	Klobuchar	Schumer
Cardin	Leahy	Shaheen
Carper	Levin	Stabenow
Casey	Manchin	Tester
Coons	Markey	Udall (CO)
Donnelly	McCaskill	Udall (NM)
Durbin	Menendez	Walsh
Feinstein	Merkley	Warner
Franken	Mikulski	Warren
Gillibrand	Murphy	Whitehouse
Hagan	Murray	Wyden

NAYS—43

Alexander	Flake	Murkowski
Ayotte	Graham	Paul
Barrasso	Grassley	Portman
Blunt	Hatch	Risch
Boozman	Heller	Roberts
Burr	Hoeven	Rubio
Chambliss	Inhofe	Scott
Coats	Isakson	Sessions
Collins	Johanns	Shelby
Corker	Johnson (WI)	Thune
Cornyn	Kirk	Toomey
Crapo	Lee	Vitter
Cruz	McCain	Wicker
Enzi	McConnell	
Fischer	Moran	

NOT VOTING—3

Coburn	Cochran	Landrieu

The PRESIDING OFFICER. On this vote, the yeas are 54, the nays are 43.

The motion is agreed to.

NOMINATION OF P. DAVID LOPEZ TO BE GENERAL COUNSEL OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant bill clerk read the nomination of P. David Lopez, of Arizona, to be General Counsel of the Equal Employment Opportunity Commission.

The PRESIDING OFFICER. For the information of the Senate, with respect to the votes to confirm the Coloretti and Adler nominations, the motions to reconsider are considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

The Senator from Texas.

THE ECONOMY

Mr. CORNYN. Madam President, last week, before the Thanksgiving holiday, our colleague from across the aisle, the senior Senator from New York, gave a very significant speech at the National Press Club. Senator SCHUMER is not just a senior Senator from New York; he is an important Member of the Democratic leadership here in the Senate.

While giving the speech about the midterm elections, he said what many Members on this side of the aisle have been saying for the last 4 years, and that is that the Democratic party, by making the passage of ObamaCare their top priority after they won the election of 2008, "blew the opportunity the American people gave them." He said they did so by focusing "on the wrong problem."

What I think he meant and went on to say is that they should have focused on the lack of jobs and the wage stagnation for hardworking, middleclass families in America.

As he pointed out, that broader group of the middle class represented a much larger segment of the electorate than just a small percentage of the electorate represented by the uninsured. I would add, parenthetically, that we know that even the best laid plans with the Affordable Care Act has proven to be a terrible failure.

Today the Wall Street Journal reported that between 2007 and 2013 health insurance premiums for an average middleclass American family have gone up by 24 percent. As we know, when the President said if you like your doctor, you can keep him, that proved not to be true. When he said the family of four would see their premiums go down by $2,500, that ended up not to be true either.

Two weeks ago, despite the overwhelming rejection the President's policies received at the polls, the President then decided to circumvent Congress and take Executive action on immigration, far exceeding any arguable authority that I believe most lawyers would think he has. Certainly, while we recognize it is within the President's discretion to prioritize the people against whom enforcement action will be taken, there is no legal authorization for doing other things he purports to have the authority to do, such as issuing work permits.

Then there is this. Just when it seemed that the Senate was beginning to work on avoiding a retroactive tax increase for millions of Americans, the President threatened to veto an important tax relief package, which, as I said, had bipartisan support, including the support of the majority leader, Senator REID, and Senator SCHUMER, the senior Senator from New York. He did so because it did not include every single provision he thought it should include.

If we have not learned before, we should now know that if you insist on absolute perfection—in other words, you want everything you want, and the alternative is nothing—then most of the time you are going to get nothing. That is what taxpayers are getting when it comes to aborting this retroactive tax provision in the so-called tax extenders bill.

To again quote our good friend from New York, by threatening to veto this job-creating tax relief, it appears that the President has once again focused on the wrong problem and is certainly going about this in a nonproductive and unconstructive way. It is unfortunate because the President seems to be positively allergic to good-faith negotiations and genuine compromise. Again, if your attitude is ''my way or the highway,'' you are going to get the highway all the time because that is not how our democratic institutions work. The only way things work is for us to find common ground and to compromise. Yet the President's attitude seems, unfortunately, out of touch. He seems more interested in getting his way by any means necessary—hence, the Executive action on immigration.

We increasingly know that actions are dividing the country and hurting hard-working Texans and American families across the Nation—and not just by not contributing to the solution but by being a positive obstacle to bipartisan resolutions of so many of these problems. I realize the President must think that it is much easier to issue Executive orders and threaten to veto legislation from the White House, but it was not helping to solve problems we were sent here by our constituents to solve.

There is no real reason preventing us from getting to the tax relief I mentioned earlier that the President said he would veto. For years House and Senate Republicans—often with significant bipartisan support—have focused on making progrowth provisions of the Tax Code permanent, such as the research and development tax credit, accelerated depreciation, for example, and the section 179 provision.

To show how counterproductive it is for us to do these on a short-term basis or to try to jam them through a lame-duck session, I had a farmer from Texas come and see me. He said: I am prepared to spend and invest $200,000 on my farm if I know this tax provision is going to be the law. If it is not, I won't. To me, that is just another example of how what we do here—or what we don't do here—has a negative impact on our economy and on investment in job creation.

While I know the bipartisan package proposed last week was not perfect, it certainly would have moved us in the right direction. It would have provided some certainty—indeed permanency—for some tax provisions and would have provided some temporary relief on others. Perhaps most importantly, it would have sent a signal to our constituents that we got the message that was delivered to us on November 4, and that we are going to commit ourselves anew to try to work together to provide certainty and protect millions of Americans from tax hikes that are just right around the corner and work on other constructive proposals to help solve problems that affect the middle class.

Unfortunately, the President has persisted in his attitude of refusing to negotiate with Congress, resulting in another missed opportunity, and ultimately another short-term fix that will provide no long-term certainty to taxpayers struggling in the Obama economy.

Come January, there will be a new majority in the Senate that will make the priorities of the American people the priorities of Congress. As for President Obama, we can only hope he will somehow have an epiphany and decide to work with us to unite the country rather than continue to divide the country with more Executive actions and his harmful ''take it or leave it'' approach to governing.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. BEGICH. Madam President, I was not intending to come down here. I was getting ready to leave to see my 12-year-old son who just got home from school and make sure that he has dinner and do all the things that a parent would do, but I heard a speech earlier today—and I just heard another one—and it is like revisionist history. It is amazing to me to hear them talk about information that they claim is information—and really when you listen carefully, it is really more of the same.

I agree with my colleague who was just here that people want something different as the new Congress comes in. I will not be here, as the Presiding Officer knows, but that does not mean I will not be a participant in my community and also making comments when I hear things. But what I heard was they are going to finally get to economic development and improve the economy.

The two Members who spoke today whom I heard were here when I came to the Senate in 2009, and a few years later the Presiding Officer came to the Senate. People may have forgotten where this economy was in 2009. The stock market was in dismal shape. I believe it was around 6,500 or 6,800—somewhere in that range. Unemployment was at 10 percent, and the pundits and economists all said it was growing. Approximately 700,000 jobs were lost per month. Two of the three largest U.S. automobile companies were basically on their back and about to go bankrupt. New housing starts didn't exist, and prices of homes across the country were crashing. Consumer confidence was at the lowest point I have ever seen in I don't know how many years. The deficit was—annually—about $1.4 trillion.

I know what happens these days—because I have experienced it for the last several years—is news by the minute. What happens today in this moment of time are these one-liners and I can tell they are very synchronized today. They said that the economy was bad, and is still bad, and the bright spot is around the corner.

Actually, you have to look at where we are today, 6 years later. The stock market is at 17,000-plus. What does that mean? It means that people who have retirement accounts, such as 401(k)s or 529s—putting money aside for their kids' education—have had their value come back.

For my home State, which receives a benefit called the permanent fund check—we invest in the stock market with oil revenues we put aside constitutionally, and it is put in the permanent fund and a check is issued once a year. Guess what? This year the check is double from what it was last year. Why is that? Because it works on a 5-year average. Going backwards—I took the year 2009 off; it was a very bad year—what happened to the permanent fund check? It doubled this year in Alaska, which meant that people got that money in their pocket and spent it on the economy and helped to grow the economy.

Where is unemployment today? It is at 5.8 percent nationally—a 50-percent drop. GM, Ford, and Chrysler have added 500,000 jobs since mid-2009.

I know that today was like revisionist history. Amnesia has set into some people over there. They want to recreate the news because the good news is hard to talk about because it is reality.

Now, there is still a challenge. The Presiding Officer has talked about this a great deal, and that is that people are still working harder and longer because the incomes have not gone up enough. They have not seen it come down to them yet, but they have seen it in certain elements. Housing prices are up. In the one single largest investment an individual makes in a lifetime—their housing prices are back up.

Gasoline prices—I have no idea if my colleagues fill up their cars with gas. I do. I know what it costs to fill up my tank, and it costs less now. The average price across the country now is about $2.77. In my State, it is about $3.35. But we were up to $5 in the urban areas—but not anymore.

I saw the statistic today, and I wrote it down. I think I have this right. The price of oil has gone down and so has the price of gasoline. What does that save consumers every day? It saves consumers $630 million a day in current prices. It means that consumers are benefiting from that.

When you look at job growth—I believe we are in our 55th straight month of private-sector job growth. Again, we don't have it fully trickling down to the wages yet, but first we have to right the economy. I know the voters have made a decision. Before I came in, the economy was a disaster. Before the Presiding Officer came in, the economy was barely recovering. But I will not sit here and listen to revisionist history.

As a matter of fact, the consumer confidence level is the highest this month since 2007. That means consumers are finally feeling it a little bit. There is still more to go. But to pretend that nothing has happened over the last 6 years—I can't use the words on the floor here because it would be disrespectful—is just not true. It has changed. We still have more work to do.

As a matter of fact, the tax extender bill—the items they didn't want to support permanently would have brought it to every single family that is still struggling. But I know there are tax provisions they want for the NASCAR owners, the horseracing owners. I get that. Those are their issues. I understand that. But we have to be realistic.

Also, the deficit. Think about this. When I came to the Senate in 2009, the annual deficit in this country was $1.4 trillion. Today, it is $480 billion. It has dropped by $1 trillion per year. Now do we want it to be zero? Yes. Do we want to have a surplus so we can start paying off the debt? Absolutely. But we have to get recovery first—get some treatment, which is what we have been doing—and then reinvest in the future. That means infrastructure, education, and objectives that matter to everyday Americans and everyday Alaskans.

I sit here and listen to these comments. Today it happened a little bit before 12:30 p.m., before our caucus break, because we usually break at 12:30 p.m. and I was going to go home. I turned on—my mistake. I turned on the station and I heard the commentary and I thought, Jacob is going to have to wait a little bit for dinner and I am going to come to the floor, because it is amazing to me. Exports—businesses we create in this country we ship out, up 37 percent over the last several years. I will give an example of a company in Alaska. When I was campaigning, I ran into this company in Fairbanks. They had their manufacturing plant in China. Do my colleagues know where they have it now? It is in Fairbanks, AK. They moved it from China to Fairbanks. I told them they should put a 4-by-8 sign out there and say, We take jobs from China and bring them home. They are all good jobs. As a matter of fact, they are union jobs. So when people talk about how unions are destroying the country—they actually brought jobs back that are union jobs, paying good wages, good benefits, and took it from China and brought it to Fairbanks, AK. It is unbelievable what they do. They do business not only in Alaska, but in Hawaii and other places.

I listened over and over again today, and I want to make sure people—also I should mention housing prices are up, new housing starts are up, which is important for the construction industry. It creates jobs and makes sure we have competition so prices are stabilized over time. Retail sales are strong. I have no idea if my colleague who spoke earlier has ever been in business. He talked about the 179 depreciation. I have actually used it because I have been in small business. I have no idea if he understands how it works, but for small businesses, it is a big deal. It is why Democrats have supported that time and time again.

As a matter of fact, we had it in the minimum wage bill we brought to the floor, the 179 extension, which they voted against, they did not support—raising the minimum wage, bringing people out of poverty and, by the way, helping small businesses expand and invest so they can grow more. As someone who used the 179 more than once—as a matter of fact, my wife has small businesses and is now expanding and investing and is using the 179 depreciation. I hear what they are saying, but I don't know if they understand how it is used. When we had the minimum wage bill, coupled with 179, it seemed to make a lot of sense, but they didn't like that, either.

So I wanted to come to the floor because I think it is important that we, No. 1, don't take things out of context. They mentioned Senator SCHUMER's speech several times. They should read the whole speech, because I think they selected verbiage. I don't agree 100 percent with his comments, but I agree with the concept. We actually did two things. We worked on health care and we worked on the economy. I see people sometimes when they eat their food, they eat one piece at a time—their carrots first, and then their potato, and then their steak. We actually did a little bit of everything. We dealt with health care, because it was crushing the economy, but we dealt with the economy overall. We had to take votes on a regular basis that the other side would never do, because we bet on America. And the result is 6 years later, here we are. The economy is better. It is stronger. It needs more work, there is no question about it. We need to get the deficit to zero and get a surplus, and knock the debt down. That was driven up not just by this administration but by past administrations as well. They forgot about the two wars they didn't pay for. The extender bill is not paid for. We didn't hear one word about how that tax extender bill is not going to be paid for. It is going to be another part of the debt. But 4 or 5 months ago—my colleagues may remember this—we were on the floor debating veterans care, and all they said is how are we going to pay for it. Well, the veterans paid, but we had to find a way. But here we are going to give more corporate tax relief without paying for it—except actually we do pay for it. Everyday Americans will pay for it with their taxes, and the debt, and interest on the debt. So we have to be clear about that.

I think about where we were, what we did, and where we are. It is significantly different than 6 years ago. It is better. I agree there is more work to be done to make sure we get more of the revenue stream and opportunities in the hands of individuals—hard-working Alaskans, hard-working folks from Massachusetts, and hard-working folks across this country. That is our next obligation. But to come to the floor and say the economy is a disaster is irresponsible. It is not correct. The numbers tell us differently. Actually, even the conservative Forbes, Wall Street Journal, and all of these other magazines and newspapers that I read are now talking about how the economy is moving because we have had this consecutive pattern which really tells how the economy is improving. That is important.

The last thing I will say from a purely Alaska perspective is not only are exports important to us because we do a lot of business overseas—we have seen exports increase. Our unemployment in Anchorage, for example, the city I am from, is 4.9 percent—a pretty good economy. Our fisheries industry, which I know the Presiding Officer and I share—78,000 jobs are connected to that—a $5 billion, almost $6 billion industry. Our tourism industry is up, with 2 million overall visitors to our State, again, generating income. There is more activity happening around the country than ever before, and my State is seeing it every single day.

But to come to the floor and continue to be naysayers and talk about how bad things are is really not responsible. We have done a great job. Can we do better? Absolutely. That is what we strive for every single day. And I hope—and I say this to the Presiding Officer because I will not be here after January—that they don't take the position where they are mad at immigration so now they are not going to do these economic development issues, or they are mad at something else and they take it out on some other program. We are going to have—the Presiding Officer will have differences with her colleagues, on immigration, maybe, on health care, on the economy, but we have to find common ground. The economy is a constant issue, and where investments should happen if we really want to have an impact down the road is investing in infrastructure, education, relieving—as the Presiding Officer has tried to do—relieving debt from students and families. There is now a $1.4 trillion debt, I think, on families for student loans. It is outrageous. We should be lowering those rates.

Also, as tax reform issues come up, which they will next year, I hope the Senate and the House look at objectives such as making a big impact for individual families, lowering the rates for individual families, hard-working families, if we want to put cash in their pockets, if we want to change the dynamics, give them more of their money back, not the top 1 percent or even the top 10 percent, but I am talking about the folks we see every day—I see every day—out there working hard. We need to make sure they can start putting money aside for college education for their kids, putting money aside for retirement, spending more in the economy, because maybe that car that is 15 years old isn't running so well anymore. That is what I hope we do. Individual relief is more important than corporate relief or the top 1 percent.

On top of that, when we talk about corporate tax relief, never forget who really is driving the economy. It is the small business owners, including the limited liability corporations, the subchapter S corporations, the sole proprietor individuals. They all get taxed by individual rates. We will hear about corporate rate relief, which is important to be competitive, but that is for the big guys. But the guys we see every day—when we go to the cleaners, a sole proprietor; go to a restaurant, sole proprietor, maybe it is an LLC—they are not going to see that benefit unless we lower the rates for them. That is what we should be doing if we want to make a difference for them. Because they will use the 179 depreciation. The 179 has a limit. The big boys use it a little bit, but the limit is really designed for small businesses to reinvest. But if their tax rates are still too high, they won't be able to take advantage of that as much as they can. We want them to take advantage.

I didn't mean to take time here at the end of the evening. I know lots of times people want to get out. But, honestly, I couldn't sit there and listen to the revisionist history that continues to go on. The elections are over. I know now it is called the Obama economy. That is a new phrase. It is really collectively all of our economy, because we participated in trying to save it. They have objected to it for the last 6 years, so by their objection, they get to be a part of not having the result that maybe they wanted, but the result is the economy is much better. We need to do more work to make sure it gets into the hands of the individual out there. I know that is a priority to the Presiding Officer. But if I continue to hear it, I will continue to come to the floor and speak, because people can't get away with just saying over and over again that they are stating the facts, because the facts are very clear as I just stated. The stock market has gone up. Unemployment has dropped. Housing is up. Housing starts are up. The two largest automobile companies, all three of them now, over a half a million new jobs. Fifty-five consecutive months of growth. That is all good news and we should be proud of it. The Presiding Officer should be proud of it and the Senate should be proud of it. But there is no room for revisionist history when we talk about the fact of where we were 6 years ago and where we are today.

I appreciate the time and yield the floor and 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. I ask unanimous consent that the order for the quorum call be rescinded.

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

CLIMATE CHANGE

Mr. WHITEHOUSE. Madam President, I am here for my 81st ''Time To Wake Up'' speech and to ask this body to wake up to the effects of climate change and to say this: Acting on this issue will accelerate economic growth, spur innovation, and create jobs.

We have settled any real argument about the leading cause of climate change. It is carbon pollution. Measurements in the atmosphere and oceans reveal dramatic, even unprecedented changes in the climate.

Our scientists know carbon pollution heats up the climate and acidifies the ocean. That is beyond debate. They know this is already a problem for Americans and the world.

We had wonderful testimony from a NASA scientist today in the Environment and Public Works Committee who talked about what they actually see when they look down from the satellites.

They take measurements. They are not hypothesizing. They actually measure these things. The scientists know that continued, unchecked emissions of carbon dioxide will push the climate and the oceans into dangerous unchartered new territory.

In the face of overwhelming evidence of climate change, some of our Republican colleagues—just a few—are beginning to move beyond denial of basic measurements and basic classroom science and beginning to talk about the costs of action. That is progress. When he was asked recently about climate change, the junior Senator from South Dakota acknowledged there are a number of factors that contribute to that, including human activity. The question is, he went on to say, what are we going to do about it and at what cost?

Across the building, over on the House side, Congressman PAUL RYAN of Wisconsin has also been talking about the costs of action. In his most recent campaign for reelection, he said that when it comes to action to reduce carbon emissions, ''the benefits don't outweigh the costs.''

Let's talk about that. When we get past the denial, which with a few of our colleagues it seems we have—not all, maybe not even many, but a few—and we talk about balancing costs and benefits, if we look at the whole ledger, there is no doubt about it that the balance favors action.

Climate change carries enormous costs to our economy and to our way of life. Acting now can accelerate economic growth and create new jobs. The costs of climate change are huge. We even hear this from our own advisers at the Government Accountability Office. In its 2013 high-risk list, our Government Accountability Office said that climate change poses a significant risk to the U.S. Government and to our Nation's budget. Why? The Federal Government owns and operates infrastructure and property that is vulnerable to the effects of climate change. The Federal Government provides aid and disaster response when State agencies are overwhelmed. The Federal Government is an insurer of property and crops vulnerable to climate disruption. These are major line items in the Federal budget.

Our Treasury Secretary, Jack Lew, recently explained:

> If the fiscal burden from climate change continues to rise, it will create budgetary pressures that will force hard trade-offs, larger deficits or higher taxes, and these tradeoffs would make it more challenging to invest in growth.

One example—just one. Last month, in the GAO report on what climate change means for private and Federal insurance for crops and for floods, it warned of increased hurricane-related losses to the Federal program. They estimated between a 14- and 47-percent increase by 2040 and a 50- to 110-percent increase over the next century due to climate change. Remember, when you are doubling a number like that, you are starting with a pretty big baseline.

Superstorm Sandy wrought $66 billion in damage in 2012. If we are constantly replacing damaged roads and bridges, always adapting farming and fishing practices to suit never-seen-before conditions, and frequently paying out big disaster relief and flood insurance claims, that will hit the Federal pocketbook hard.

We do not even have to look to the costs of the future to justify reducing carbon pollution today. Increasingly, green energy makes economic sense for utilities, for business, and for consumers. Since 2008, prices for solar photovoltaic have dropped 80 percent—80 percent. Austin Energy in Texas recently signed a power purchase agreement for a 150-megawatt solar plant at 5 cents per kilowatt hour—less expensive than comparable offers for natural gas at 7 cents, coal at 10 cents, or nuclear power at 13 cents. The story is similar for wind power. Since 2009, the cost of wind power has decreased by 64 percent. At the lowest end of the price range nationally, unsubsidized wind power prices are just below 4 cents per kilowatt hour. This compares favorably to new coal generation, priced between 6 and 7 cents per kilowatt hour at the lowest end.

The World Resources Institute has just done a brief report called ''Seeing is Believing: Status of renewable energy in the United States.'' It is headlined ''Wind & solar are cheaper than coal & gas in a growing number of markets.'' It lists sales in Utah, Colorado, Texas, Georgia, and Minnesota—not States that have a lot in common except that renewables are beginning to outcompete fossil fuels in those States.

Similarly, the New York Times just last week in its business section highlighted this shift in an article: ''Solar and Wind Energy Start to Win on Price vs. Conventional Fuels.''

I ask unanimous consent that the World Resources Institute report and the New York Times story be printed in the RECORD at the conclusion of my remarks.

Green energy jobs—they are out there. They are helping communities.

Indeed, they are helping communities recover from the great recession. Let me use a Rhode Island example—TPI Composites. TPI has a development and manufacturing facility in Warren, RI. It is also one of our leading manufacturers of wind turbine blades. They make them in Iowa. When the Maytag plant closed in Newton IA, leaving as many as 4,000 workers jobless, wind jobs helped the town get back on its feet. In 10 years TPI has manufactured more than 10,000 wind turbine blades.

In Iowa, MidAmerican Energy pays farmers thousands of dollars each year to site their turbines on their farms. The farmers love it. They can farm right up to about 25 feet around the base of the turbine. There is a little gravel road for the maintenance trucks, but they can farm right up to that. They get paid for having the turbines on their farms. So it is a win-win that has helped Iowa generate more than one-quarter of its electricity from wind.

They are investing more. They have been reducing emissions and moving the State's economy forward—step by step reducing emissions and moving the economy forward. More and more companies, in their own planning, are seeing the economic benefits from cleaning up their supply chains and reducing carbon pollution from their operations. They see green investments increasing profits. ''Too many people say it's this or that,'' Apple CEO Tim Cook explained earlier this year. ''We've found that if you set the bar high, then it's possible to do both.''

Outside these walls here in Congress, where the deniers rule and polluter money reigns, State and local political leaders also see that reducing carbon pollution and growing the economy go hand in hand. Almost 10 years ago, the Presiding officer's State and my State and others—bipartisan—nine northeastern Governors came together and formed the Regional Greenhouse Gas Initiative, called RGGI, which caps carbon emissions and sells permits to powerplants to emit greenhouse gasses. Since the program started, RGGI States that have cut emissions from the power sector have cut them by 40 percent.

Here is the blue line. That is the emission chart from 2005 through 2012. Well, if cutting emissions was bad for the economy, you would think that the State GDP would have followed downward in that curve, but, in fact, you see that the regional economy across these States actually grew by 7 percent—grew by 7 percent. Bear in mind, this is 2008, the great recession.

Here we are now. So you would think that during this period the GDP numbers would have taken a pounding. The underlying numbers are actually better than this once you adjust for the recession.

Early estimates show that in its first decade, RGGI will have saved New England families and businesses in the participating States nearly $1.3 billion on their electric bills. It will have added $1.6 billion into local economies. Along the way, those RGGI States will have added 16,000 job years. Additional investments are coming online because it is such a successful program. So those benefits also grow. Rhode Island has put over 90 percent of the money generated through the RGGI auctions into energy efficiency improvements, helping residents save money on their utility bills and making small businesses more competitive. This success led Tom Wolf, the Governor-elect of Pennsylvania—a coal mining and natural gas State—to campaign for office successfully on joining RGGI.

RGGI shows that improving the environment boosts the economy. Look north to Canada. British Columbia has a revenue-neutral carbon fee that has reduced the use of polluting fossil fuels by 16 percent. What has happened to the economy? The BC economy has not missed a step. The carbon fee revenue has been used to lower personal and corporate rate income taxes. British Columbia now has the lowest personal tax rate in Canada.

If our Republican colleagues would like to lower our American corporate and individual taxes, then I have a revenue-neutral carbon fee bill I am happy to discuss with them. Evidence from Rhode Island to British Columbia shows that action on carbon pollution spurs innovation, creates jobs, and economically boosts families and businesses.

Today I discussed this larger report, again from the World Resources Institute, which is a group that has, for instance, executives from Alcoa and Caterpillar on its board. This is not some fringe group; it is a very responsible organization with significant corporate and international leadership.

Here is the lead sentence:

> A growing body of evidence shows that economic growth is not in conflict with efforts to reduce emissions of greenhouse gasses.

It continues:

> Policies are often necessary to unlock these opportunities, however, because market barriers hamper investment in what are otherwise beneficial activities.

That is what we are about here. Unlock those opportunities for our economy. On the downside—here is the first chapter heading: ''Delaying action will have significant economic impacts.''

> Climate change itself constitutes a significant risk to the nation's economy.

The downside is on doing nothing, according to this report. The upside is on changing our policies to seize those opportunities. Why are we here fighting about this? Well, again, to quote the report:

> The persistence of pollution externalities—

''Pollution externalities'' means when the cost of your product—you can ship off to somebody else and make them have to take care of it.

> The persistence of pollution externalities gives an unfair advantage to polluting activities. Externalities occur when a product or activity affects people in ways that are not fully captured in its price, such as the full health effects of air pollution not being factored into the cost of electricity generation. Thus, society rather than the company pays the cost.

Why are we in this fight? Because there are a lot of companies that folks on the other side are supporting and representing here that have been the winners in that fight. They have had those polluting externalities work in their favor. They have enjoying that unfair advantage. They do not want to give it up. But as the report continues, the well-designed policies can overcome those market barriers and direct investment into beneficial technologies and practices. New policies can enhance the transition to a low-carbon economy while delivering net economic benefits and, in many cases, direct savings for consumers and businesses. So that is pretty good news.

Equally important, taking action helps to reduce the worst effects of climate change—what is coming at us. Do not just take my word for it. Many conservative economists, writers, and officials see the benefits of market-based climate action. ''A tax on carbon,'' wrote Hudson Institute economist Irwin Stelzer, ''need not swell the government's coffers—if we pursue a second, long-held conservative objective: Reducing the tax on work.

He continues:

> It would be a relatively simple matter to arrange a dollar-for-dollar, simultaneous reduction in payroll taxes. . . . Anyone interested in jobs, jobs, jobs should find this an attractive proposition, with growth-minded conservatives leading the applause.

That is the economics of it unless you are shilling for the folks who have had the unfair advantage and want to keep it, but that is not market based, that is not economics, that is just taking care of special interests.

A recent joint report from economists at the Brookings Institution and the conservative American Enterprise Institute described human-induced greenhouse gas emissions as a textbook example of a negative externality. The report proposed—guess what—a revenue-neutral carbon fee program as the efficient and elegant approach to managing carbon pollution.

According to the report's authors:

> Taxing something we do not want (e.g. greenhouse gas emissions) rather than something we want more of (e.g., productive labor and investment) could help lower the economy-wide cost of the program and may even have economic benefits in addition to its environmental benefits.

Today, in the Environment and Public Works Committee, I had a conversation with a Heritage Foundation witness in which I read to the witness a very similar quote from the economist Arthur Laffer, Reagan's economist, saying: A carbon fee—where you tax the product in the ground and relieve taxes on work and effort by people—is a net win for the economy.

I asked the witness what he thought about that, and he couldn't dispute it.

In fact, he considers himself to be something of an acolyte of Arthur Laffer's, so there is actually a lot of economic support for it.

I will conclude by saying, if the topic is now not going to be denial but it is going to be the cost and benefits of climate action, I am ready to have that conversation all day long. Let's just make sure it is the whole conversation, not just the half of the conversation that looks at what losing their subsidy means for the big oil companies, the big coal companies, the Koch brothers and the rest of the polluters.

A lot of my colleagues only look at one side of the ledger, how this affects the fossil fuel lobby. If we look at the whole ledger, if we look at both sides, when we look at all the evidence, it tells us one thing; that is, that the costs of climate change are already here. They are showing up in our lives in innumerable ways that carry real economic costs and carry real costs in terms of quality of life and our identity as a country, and in fact they may overwhelm us by century's end. Looking at all the evidence shows us that significant reductions in carbon pollution will actually support jobs and increase economic growth.

Finally, a revenue-neutral carbon fee would spur innovative business models and technological development in the United States. If we lose this race to clean up our carbon mess, one of the collateral injuries we will sustain is that we will not have developed a robust clean energy economy and we will find ourselves buying products from the Chinese, the Indians, the Europeans, and others.

We need to put our industry to the test. They will rise to it. They always have. We can trust them. We can count on them, but giving them a pass does not serve their interests or ours. This will drive market forces to decrease our emissions and grow our economy.

We have the tools to do something big. It has been proven in British Columbia. It has been proven with RGGI. All of the economists across the economic spectrum seem to agree the time is right to put a national price on carbon.

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

[From the World Resources Institute]

SEEING IS BELIEVING: STATUS OF RENEWABLE ENERGY IN THE UNITED STATES

WIND & SOLAR ARE CHEAPER THAN COAL & GAS IN A GROWING NUMBER OF MARKETS

For each region, the average wind power purchase agreement (PPA) is cheaper than new coal plants, new coal and natural gas plants, and new coal and natural gas plants, even without federal tax incentives. Wind PPA data is unavailable in the Southeast region.

WELL DESIGNED POLICIES & TECHNOLOGICAL IMPROVEMENTS CAN CONTINUE THESE TRENDS

Prices for solar PV systems have dropped 80 percent since 2008; analysts expect a continued decline in the coming years.

New, taller wind turbines with longer blades are able to capture more energy and can open the U.S. up to new areas of wind development.

Long-term regulatory certainty is needed through a price on carbon (like a carbon tax or cap-and-trade), or greenhouse gas standards for existing power plants.

Additional important policy signals include: States and utilities should ensure that renewable energy providers have access to long-term contracts, which could reduce the average electricity costs of wind and solar projects by 10–15 percent. Major corporations are already taking advantage of electricity price savings from these long-term contracts, and are asking for access in more states through the Corporate Renewable Energy Buyers' Principles.

Congress should address the design flaw of renewable tax incentives so that more of the value of the credit flows to project developers (as opposed to third party investors) without increasing the cost to taxpayers, for example by making the tax incentive ''refundable''.

Renewable projects can face high financing costs, so financial regulators and lending institutions should work together to develop new investment models that lower these costs.

Bringing more renewables online can be challenging because the supply varies. States and utilities should update regulations and business models to promote a flexible power grid that uses more storage, distributed generation, and demand response.

Federal spending on research and development in the power sector has fallen 77 percent since 1980, while the power industry itself spends only .05 percent of its earnings on R&D (compared to 11 percent for the pharmaceutical industry and 8 percent for computers and electronics). Congress should therefore increase federal funding for research, development and commercialization of low-carbon and energy-saving technologies, especially for those that could generate baseload electricity like geothermal and concentrating solar power.

In the absence of other tools to provide long-term regulatory certainty, EPA has used its existing legal authority under the Clean Air Act to propose greenhouse gas standards for existing power plants. EPA should finalize these standards.

[From the New York Times, Nov. 23, 2014]

SOLAR AND WIND ENERGY START TO WIN ON PRICE VS. CONVENTIONAL FUELS

(By Diane Cardwell)

For the solar and wind industries in the United States, it has been a long-held dream: to produce energy at a cost equal to conventional sources like coal and natural gas.

That day appears to be dawning.

The cost of providing electricity from wind and solar power plants has plummeted over the last five years, so much so that in some markets renewable generation is now cheaper than coal or natural gas.

Utility executives say the trend has accelerated this year, with several companies signing contracts, known as power purchase agreements, for solar or wind at prices below that of natural gas, especially in the Great Plains and Southwest, where wind and sunlight are abundant.

Those prices were made possible by generous subsidies that could soon diminish or expire, but recent analyses show that even without those subsidies, alternative energies can often compete with traditional sources.

In Texas, Austin Energy signed a deal this spring for 20 years of output from a solar farm at less than 5 cents a kilowatt-hour. In September, the Grand River Dam Authority in Oklahoma announced its approval of a new agreement to buy power from a new wind farm expected to be completed next year. Grand River estimated the deal would save its customers roughly $50 million from the project.

And, also in Oklahoma, American Electric Power ended up tripling the amount of wind power it had originally sought after seeing how low the bids came in last year.

''Wind was on sale—it was a Blue Light Special,'' said Jay Godfrey, managing director of renewable energy for the company. He noted that Oklahoma, unlike many states, did not require utilities to buy power from renewable sources.

''We were doing it because it made sense for our ratepayers,'' he said.

According to a study by the investment banking firm Lazard, the cost of utility-scale solar energy is as low as 5.6 cents a kilowatt-hour, and wind is as low as 1.4 cents. In comparison, natural gas comes at 6.1 cents a kilowatt-hour on the low end and coal at 6.6 cents. Without subsidies, the firm's analysis shows, solar costs about 7.2 cents a kilowatt-hour at the low end, with wind at 3.7 cents.

''It is really quite notable, when compared to where we were just five years ago, to see the decline in the cost of these technologies,'' said Jonathan Mir, a managing director at Lazard, which has been comparing the economics of power generation technologies since 2008.

Mr. Mir noted there were hidden costs that needed to be taken into account for both renewable energy and fossil fuels. Solar and wind farms, for example, produce power intermittently—when the sun is shining or the wind is blowing—and that requires utilities to have power available on call from other sources that can respond to fluctuations in demand. Alternately, conventional power sources produce pollution, like carbon emissions, which face increasing restrictions and costs.

But in a straight comparison of the costs of generating power, Mr. Mir said that the amount solar and wind developers needed to earn from each kilowatt-hour they sell from new projects was often ''essentially competitive with what would otherwise be had from newly constructed conventional generation.''

Experts and executives caution that the low prices do not mean wind and solar farms can replace conventional power plants anytime soon.

''You can't dispatch it when you want to,'' said Khalil Shalabi, vice president for energy market operations and resource planning at Austin Energy, which is why the utility, like others, still sees value in combined-cycle gas plants, even though they may cost more. Nonetheless, he said, executives were surprised to see how far solar prices had fallen. ''Renewables had two issues: One, they were too expensive, and they weren't dispatchable. They're not too expensive anymore.''

According to the Solar Energy Industries Association, the main trade group, the price of electricity sold to utilities under long-term contracts from large-scale solar projects has fallen by more than 70 percent since 2008, especially in the Southwest.

The average upfront price to install standard utility-scale projects dropped by more than a third since 2009, with higher levels of production.

The price drop extends to homeowners and small businesses as well; last year, the prices for residential and commercial projects fell by roughly 12 to 15 percent from the year before.

The wind industry largely tells the same story, with prices dropping by more than half in recent years. Emily Williams, manager of industry data and analytics at the American Wind Energy Association, a trade group, said that in 2013 utilities signed ''a record number of power purchase agreements and what ended up being historically low prices.''

Especially in the interior region of the country, from North Dakota down to Texas, where wind energy is particularly robust, utilities were able to lock in long contracts at 2.1 cents a kilowatt-hour, on average, she said. That is down from prices closer to 5 cents five years ago.

''We're finding that in certain regions with certain wind projects that these are competing or coming in below the cost of even existing generation sources,'' she said.

Both industries have managed to bring down costs through a combination of new technologies and approaches to financing and operations. Still, the industries are not ready to give up on their government supports just yet.

Already, solar executives are looking to extend a 30 percent federal tax credit that is set to fall to 10 percent at the end of 2016. Wind professionals are seeking renewal of a production tax credit that Congress has allowed to lapse and then reinstated several times over the last few decades.

Senator Ron Wyden, the Oregon Democrat, who for now leads the Finance Committee, held a hearing in September over the issue, hoping to push a process to make the tax treatment of all energy forms more consistent.

''Congress has developed a familiar pattern of passing temporary extensions of those incentives, shaking hands and heading home,'' he said at the hearing. ''But short-term extensions cannot put renewables on the same footing as the other energy sources in America's competitive marketplace.''

Where that effort will go now is anybody's guess, though, with Republicans in control of both houses starting in January.

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the previous order be modified so the votes originally scheduled for 3 p.m. tomorrow now occur at 5:30 p.m. and that the time following the 10 a.m. cloture votes and 5:30 p.m. be equally divided in the usual form; further, that notwithstanding rule XXII, following the vote on cloture on Calendar No. 555, the Senate proceed to vote on cloture on the nomination of Calendar No. 660; that if cloture is invoked on either nomination, the time under cloture run consecutively in the order in which cloture was invoked, with all other provisions of the previous order remaining in effect.

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

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

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

MORNING BUSINESS

Mr. REID. I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

REMEMBERING JEFF E. CAUDILL

Mr. McCONNELL. Mr. President, I rise today to honor the life of Mr. Jeff E. Caudill—a veteran and tireless public servant who passed away last month at the age of 84.

Jeff was born in a log cabin in Viper, KY, on January 20, 1930. In order to help support himself and his family, he began work in the coal mines with his father and brothers at the age of 14.

Without a formal education past the seventh grade, Jeff decided to join the U.S. Army, where he proudly served his country for 22 years throughout both the Korean and Vietnam wars.

After his retirement from the military, Jeff moved back to Kentucky where he continued his service to the community in other ways. Throughout London, KY, he is known as ''Santa Jeff.'' Jeff was afforded this nickname in part because his white beard gave him the ability to play the part during the Christmas season, but also because he could be counted on to serve his community in all seasons.

Jeff was known to organize clothing and food drives, make hospital visits to the sick and elderly, and captain the Honor Guard at military funerals. Whatever he could do to better the lives of others, you could count on Jeff to deliver.

Jeff Caudill's life of service to his country, community, and family set a shining example for us all to follow. Therefore, I ask that my U.S. Senate colleagues join me in honoring this exemplary citizen.

The London-area publication the Sentinel-Echo recently published an article detailing the life of Mr. Caudill. I ask unanimous consent that it be printed in the RECORD.

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

[From the Sentinel-Echo, Nov. 17, 2014]

REMEMBERING JEFF

(By Nita Johnson)

One of the founding members of the Laurel-London Optimist Club and ''Santa Jeff'' died suddenly at his home Friday morning.

Jeff Caudill, best known for his efforts in founding the local Optimist Club and for his many years of portraying Santa Claus in the annual Christmas parade, had ongoing health problems. In recent years, he had suffered two strokes and a heart attack as well as kidney failure. His wife Shirley said Caudill had breakfast Friday morning and was planning his usual daily activities when he had ''a massive heart attack'' that ended his life.

Caudill, 84, was instrumental in establishing the Laurel-London Optimist Club. For many years, he hosted a Halloween party at his home, giving away bicycles and cooking for children of all ages—the predecessor of the current Optimist Club Halloween party held each year. He served as president of the local organization several times including twice as the Honor Club and again as vice president. He served as Lt. Governor for the Kentucky-West Virginia region and was named Optimist of the Year both locally and throughout the district. He was presented with a Lifetime Achievement Award in 2008 for his years of dedicated service to the Optimist Club.

Caudill was also known throughout the community as ''Santa Jeff'', posing with children at Walmart for yearly Christmas pictures. He was hand-picked by former London-Laurel County Chamber of Commerce executive director Randy Smith to portray Santa Claus in the Christmas parade—a job that Caudill thrived on each year. One year, however, Caudill was hospitalized and was on life support and could not fulfill his Santa duties.

''The day of the parade, he had big tears running down his face,'' his wife said. ''That's the only Christmas parade he ever missed, once even putting on his Santa suit 10 days after having surgery.''

In fact, Caudill had just had his Santa suit dry cleaned in preparation for this year's Christmas parade. His bag was already half-full of candy canes that he always gave out to children.

''He was one of 16 children. They didn't have Christmas,'' Shirley said. ''He didn't get candy or clothes or toys. That's why he worked so hard to make sure other children had a Christmas.''

Caudill spent 22 years in the U.S. Army, 14 of which were overseas. He served in Korea in 1947 before going to Japan a year later. He was wounded during a battle but continued to serve his country, moving his family to various military posts across the world. After discharge, Caudill was considered 100 percent disabled, but he continued to honor military heroes through the Disabled American Veterans organization where he served on the Color Guard and participated in military funeral tributes.

Funeral arrangements for Jeff Caudill were pending at London Funeral Home at press time Friday. Burial will be held at Camp Nelson in Jessamine County. The family asks that in lieu of flowers, donations be made to the Jeff Caudill Optimist Scholarship fund to assist local students in their college costs.

REMEMBERING SALVATORE FERRARA

Mr. DURBIN. Mr. President, Chicago lost its Candy Man on Thanksgiving Day. Salvatore Ferrara II passed away in Oak Brook, IL. He was the third generation of the Ferrara family who has given us memories, cavities, and the treats that lit up kids for generations.

Simply listing their iconic candies takes you back in time: Original Boston Baked Beans at the Saturday movies, Red Hots after a sandlot game, Lemonheads at the swimming pool, and Atomic Fireballs on a dare. A handful of Ferrara candy was like a handful of happiness.

Ferrara Pan Candy Company was started in 1908 in Chicago by Mr. Ferrara's grandfather, the original Salvatore Ferraro. Its first candy was