

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on January 21, 2015, at 9:30 a.m.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on January 21, 2015, at 2:30 p.m. in room SR-253 of the Russell Senate Office Building to conduct a hearing entitled, "Protecting the Internet and Consumers through Congressional Action."

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on January 21, 2015, at 10:30 a.m. in room SD-406 of the Dirksen Senate Office Building.

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

COMMITTEE ON FOREIGN RELATIONS

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on January 21, 2015, at 9:30 a.m., to conduct a hearing entitled "Iran Nuclear Negotiations: Status of Talks and the Role of Congress."

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on January 21, 2015, at 9:30 a.m., in room SD-430 of the Dirksen Senate Office Building, to conduct a hearing entitled "Fixing No Child Left Behind: Testing and Accountability."

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

COMMITTEE ON THE JUDICIARY

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on January 21, 2015, at 2:30 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Nominations."

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

COMMITTEE ON VETERANS' AFFAIRS

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on January 21, 2015, at 10 a.m.,

in room SR-418 of the Russell Senate Office Building.

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

ORDERS FOR THURSDAY, JANUARY 22, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. tomorrow, January 22; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; I further ask that the Senate then be in a period of morning business for up to 1 hour with Senators permitted to speak therein for up to 10 minutes each, with the Democrats controlling the first half and the Republicans controlling the final half; and that following morning business, the Senate then resume consideration of S. 1.

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

PROGRAM

Mr. MCCONNELL. We were able to process several amendments to the Keystone bill today, and there are now seven more in the queue and pending. Senators should expect votes related to amendments to this bill throughout the day tomorrow.

ORDER FOR ADJOURNMENT

Mr. MCCONNELL. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator WHITEHOUSE for up to 15 minutes.

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

Mr. MCCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, this week marks a somewhat dark milestone, which is the 5-year anniversary of the Supreme Court's, in my view, reprehensible decision in *Citizens United v. Federal Election Commission*. This was some fete of activism by the conservative bloc of the Supreme Court. It overturned the laws of Congress, it overturned the will of the American people, and it gave wildly outside influence over our elections to corporations and big-money interests,

creating what one newspaper in Kentucky called a "tsunami of slime."

Well, 5 years on and the evidence is in. The evidence is in our elections, where this dam burst of outside cash that has wiped out previous campaign spending records, and the evidence is in this Chamber, where we once had a thriving bipartisan conversation on climate change, and instead of that we have now been reduced to this Keystone XL Pipeline bill—a show of force from the fossil fuel industry and virtual silence from the other side of the aisle on climate change.

I will say that today marked an unusually bright spot in that darkness when 98 out of 99 Senators voting voted that climate change was real and not a hoax and when we came so close to an amendment that stated that climate change was real and caused by human activity that the sponsor of the amendment had to vote against his own amendment in order to keep the number under 60 because there were enough votes at one stage in the vote count for that bill to have passed even the filibuster threshold. So that made it an interesting day today. But normally we are in blockade.

The purpose of the effort that we have been on has been to fast-track the Keystone XL Pipeline—a tar sands pipeline that may, at the present oil price, be an economic zombie, basically a dead pipeline walking.

Canadian authorities say that the tar sands can't be extracted profitably at under \$85 a barrel. The report from the State Department said that the break price where they could take it out by train as an alternative to the pipeline was at \$75 per barrel, and the price today is around \$50 per barrel. So we really don't know whether this pipeline has an economic future. What we do know is that if it were to operate, it would pass enough tar sands through it to unleash additional carbon pollution equal to 6 million added cars on the road each year for 50 years.

If we take a look at this conversation here, other than the votes we forced today, the effect of *Citizens United* on our politics is pretty plain to see. *Citizens United* has not expanded debate in the Senate; it has crushed debate in the Senate. Why? Because since the Supreme Court's decision in *Citizens United*, the big fossil fuel polluters and their network of associated interests have become among the biggest spenders—relying heavily, by the way, on undisclosed, untraceable dark money.

According to the Center for American Progress, oil, gas, and coal companies and electric utilities alone reported spending more than \$84 million on the 2014 elections. And that is just what they reported. The industry's undisclosed spending in that election through groups not required to disclose their donors or on so-called issue ads that don't need to be disclosed—the total is estimated to be in the hundreds of millions of dollars. Well, money talks, and in politics it talks plenty loud, and \$100 million has a lot to say.

One example is Americans for Prosperity—a Koch brothers' venture—disclosed election spending of \$6.4 million to the FEC for last year's midterm elections, but that group's own officials have boasted that the real number is as much as \$130 million—\$130 million in just one election by just one group. It is that kind of extravagant spending which has bought the Koch brothers a vast political network, with employees in critical States, with voter bases tied into our consumer data, with advertising and media-buying specialists. Indeed, that sophisticated Koch brothers electioneering capacity has now been reported in the general media to rival or exceed that of the Republican National Committee. Think about that. A few very wealthy individuals in the fossil fuel business—huge polluters—are now such big players in our politics that they rival our national parties. It is small wonder that it is hard to have an honest conversation about carbon pollution in the Senate.

Most of it is hidden. The Washington Post has reported that at least 31 percent of all independent spending in the 2014 elections—which were, by the way, the most expensive midterm elections in American history. At least 31 percent of that was spent by groups not required to disclose their donors. The Washington Post also noted that the 31 percent doesn't even include those issue ads. They are also not disclosed. So we don't know fully how bad the influence of the fossil fuel polluters is, but we sure know it is bad.

Interestingly, the same Supreme Court that decided *Citizens United* as a part of that decision decided by a margin of 8 to 1 that disclosure of outside spending was necessary and appropriate. The majority said this, and I will quote the decision:

Prompt disclosure of expenditures can provide shareholders and citizens with the information needed to hold corporations and elected officials accountable . . .

These intervening 5 years have seen a concerted effort to prevent and frustrate disclosure. Dark money spending by so-called independent groups with no disclosure requirements has more than doubled since 2010.

Ludicrous factfinding by the Court's five conservative activists concluded that corporate spending could not ever corrupt elections. It is laughable on its face, but that laughable conclusion also overlooks a very clear fact: limitless, untraceable political money doesn't even have to be spent to corrupt our democracy. It can corrupt through the threat of spending or through the promise of spending. What *Citizens United* gave corporations and their political instruments the power to do, it also gave them the power to

threaten or promise to do, and we in the public will never see those back-room corporate threats and promises or the deals that result. The candidate will know, the special interests will know, but the public will be the ones left in the dark.

Some lobby groups are a little bolder. The Koch-backed Americans for Prosperity openly promised to wipe out candidates who support curbs on carbon pollution. The group's president said if the Republicans support a carbon tax or climate regulations, they would "be at a severe disadvantage in the Republican nomination process. . . . We would absolutely make that a crucial issue."

The threat is plain. Step out of line and here come the attack ads and the primary challengers—all funded by the deep pockets of the fossil fuel industry, enabled by *Citizens United* and largely protected from disclosure, so the public cannot see what is going on.

The effect of *Citizens United* has been particularly clear in the Senate. There once was an active heartbeat of Republican activity on climate change. Senator MCCAIN ran for President on an active, robust program of addressing climate change. Senator COLLINS did a bipartisan bill on climate change. Senator KIRK voted in the House for the Waxman-Markey cap-and-trade bill. Senator FLAKE wrote articles supporting a carbon fee as long as the taxes were reduced elsewhere to offset the increased revenue from the carbon fee and on and on. My first exposure to this was the Warner-Lieberman bill and the Warner was Republican Senator John Warner.

That has been a while. Since 2010, the year *Citizens United* was decided, this honest debate about how we address this problem for the benefit of the American people has flat-lined. Since 2010 the climate evidence has only become stronger. NASA and NOAA just officially declared 2014 the hottest year ever recorded—ever—easily breaking the previous records, the agencies say.

But as the climate alarm bells grow louder, as the Earth sends her signals to us through our scientists' measurements about what has happened to the oceans, measuring the acidification of the oceans, about what is happening in our atmosphere, measuring the carbon concentrations in the atmosphere—as all that information has advanced, there has been just silence in this building since then. Instead of talking about what carbon pollution is doing to our atmosphere and oceans, instead, No. 1, the first agenda of the new majority: We are talking about letting polluters pump more tar sands crude, one of the most toxic fossil fuels on the planet, out onto the global market. *Citizens United* did not enhance speech

in our democracy. Instead it allowed wealthy special interests to suppress and silence real debate.

So I have filed an amendment to the Keystone bill to see what corporate influence pervades this effort. My amendment would require any company that stands to make over \$1 billion from the pipeline or from the development of the tar sands to disclose its campaign spending over \$10,000 from the last election cycle and going forward. The public needs to be able to connect the dots.

I am also reintroducing the general disclosure act, called the DISCLOSE Act, to require all groups spending on elections to report their large expenditures and their high-dollar donors. The Supreme Court has said we cannot keep corporate interests from meddling in our popular elections. They are people, too, now. So now that the corporations are people, too, let's at least show the voters who it is who is trying to sway their votes. It is a pretty simple idea. It is what the Supreme Court Justices themselves prescribed, and it is an idea that Republicans over and over and over have supported in the past.

The fact we must face in the Senate is that polluter money has polluted our democracy, just as their carbon pollution has polluted our atmosphere and oceans. So it is time to disclose. On climate change where we have an overwhelming scientific consensus, where we have the American people, majorities of Democrats and Republicans, supporting strong congressional action on climate, where we have American businesses small and large that see the folly of ignoring the looming risk, and where we have the national security community, our Armed Forces actively preparing to face the threat climate change poses to American safety and international stability—here, by the way, just as an example, is the Department of the Army's high-level climate change vulnerability assessment. I don't think they are kidding us and I don't think they are part of a hoax.

Mr. President, I thank you for your patience this evening and I will conclude with the remark that I ordinarily conclude these speeches with: It is time to wake up.

I yield the floor.

ADJOURNMENT UNTIL 9:30 A.M.
TOMORROW

The PRESIDING OFFICER. The Senate stands adjourned until 9:30 a.m. tomorrow.

Thereupon, the Senate, at 6:58 p.m., adjourned until Thursday, January 22, 2015, at 9:30 a.m.