

SAVE Benefits Act is a one-time payment to seniors and veterans receiving their earned benefits so they can better meet their basic living expenses.

The stagnant level for benefits in 2016 and its damaging effects are part of the bigger problem. Too many of our seniors are feeling the squeeze and just aren't secure enough in their retirement. Today's Social Security benefits are not enough to live on, and other retirement savings aren't filling the gap. You see, the share of private sector workers with pensions has fallen precipitously in recent years, and yet half of all Americans don't have retirement accounts or 401(k) plans or IRAs.

So without sufficient pensions or retirement accounts, many seniors depend on Social Security. Social Security benefits comprise over 90 percent of income for the poorest 25 percent of retirees. Social Security comprises 70 percent of income for the middle 50 percent of retirees. With the cost of things seniors have to spend money on increasing, the absence of a cost-of-living increase in Social Security benefits is especially damaging.

I have heard from many Minnesota seniors who are worried about the squeeze that no increase in Social Security will put on their budgets. Jeff from Minneapolis wrote: "Food prices are up and my rent is up 4 percent in 2015 and will be up again in 2016." He continues: "I lost most of my IRA earnings in the 2008–2009 debacle and now I rely almost entirely on Social Security."

If we want Minnesotans like Jeff—and millions of Americans across the country facing similar situations—to have a secure retirement, we need to increase these benefits. That is what the SAVE Benefits Act does. Under our bill, seniors and veterans have a 3.9-percent increase—the same percentage increase that CEO pay went up from 2013 to 2014. For the average beneficiary, a 3.9-percent raise would come to about \$580 a year.

While that \$580 may not sound like a lot compared, of course, to the raises that CEOs are getting, \$580 can make a big difference to the average American, especially the average senior. The \$580 may cover several months of groceries or out-of-pocket costs for prescription drugs for a senior on Medicare who has gone into their doughnut hole.

Some may ask if we can afford to give seniors and veterans a raise right now. Too often the ideas we have heard for "fixing" Social Security focus on cutting benefits, such as reducing cost-of-living increases by using chained CPI or raising the retirement age, but I think that is the wrong approach. We shouldn't cut our way to solvency. We need to strengthen our Social Security System by protecting and enhancing the benefits that seniors and veterans have earned, and that means improving Social Security's finances. A good place to start is by removing special provisions to the wealthiest Americans in our current Tax Code.

Right now, individuals making millions of dollars a year still pay payroll tax only on the first \$118,500 of their income. Over the long term, that is the sort of thing we need to address in order to strengthen Social Security.

This bill proposes to pay for the one-time increase of Social Security benefits in the same spirit—rebalancing our Tax Code by ending a tax deduction for CEO pay that doesn't make sense and allows corporations to avoid paying their fair share of taxes. CEOs and big businesses will still do just fine under this bill.

At the same time, the SAVE Benefits Act will provide critical assistance to Americans struggling to meet their expenses. In fact, this increase in benefits will lift about 8,000 Minnesotans out of poverty and thousands more in every State of our Union.

Ultimately, the debate over this bill comes down to priorities. What is more important to us—protecting high pay for the wealthiest Americans or tax deductions for corporations on that high pay or ensuring that veterans, seniors, and people with disabilities have the income security they need to pay for health care, prescription drugs, and housing?

As this year comes to a close, it is time to get our priorities straight and to stand up for our seniors and our veterans. They need a raise in 2016.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, I am here to join the chorus for providing some additional help to our seniors on Social Security. What can I say? Here we go again. In 2010 and in 2011, America's seniors were told by the Social Security Administration there would be no cost-of-living adjustment, no increase for them, and now it is happening a third time. We all know that the price of the things seniors actually buy has continued to go up, and yet no COLA.

In 2010 and 2011 we tried to remedy that with Senator SANDERS' Emergency Senior Citizens Relief Act. We did not succeed. There was opposition from the other side.

We did succeed at getting a one-time \$300 payment to seniors under the Economic Stimulus Act in 2008, back in the depths of the great Wall Street recession, and another \$250 under the Recovery Act. So we have done this before, and it has helped. I strongly encourage that we do it.

There is a flaw built into the Social Security COLA, which is that the CPI measures things that a lot of seniors don't buy. It measures laptops, it measures flat screens, and it measures a lot of technology, but seniors in Rhode Island who make a little over \$1,200 from Social Security on average aren't buying a lot of flat screen TVs and they are not buying a lot of laptops. What they are buying is fuel, medicines, food, and maybe something for the grandchildren at Christmas-time, and all of that keeps going up.

We should fix that formula. There should be a CPI-E, a CPI for elderly folks that tracks what they actually spend and not some hypothetical CPI that spreads across all age groups. That would be the ultimate fix, but in the meantime, we should do this. I think it is paid for very sensibly.

I commend Senator WARREN. We established as a country that beyond \$1 million in executive compensation, it wasn't going to be tax deductible any longer. If you are a big corporation and you want to pay your CEO more than \$1 million—fine, you still do that, but you don't get to have the American taxpayer kick in for the more-than-\$1 million salary.

So what did corporate America do? They took it out of salary and they moved it over to bonuses. Now you have those big bonuses over \$1 million. They dodged that exemption, and now the American taxpayer is back on the hook again to kick in for a \$1 million-plus compensation package for a corporate CEO. Come on. We ought to be able to get beyond that.

So we have a way to pay for it that is fair, sensible, and consistent with the policy that we have already agreed on as a nation, which is that above \$1 million in compensation, taxpayers shouldn't be kicking in any longer to help the company pay those exorbitant salaries. I think we have a very good way to spend those resources, which is helping seniors who now—for the third time since I have been in the Senate—are getting a zero COLA while everything goes up around them.

I commend Senator WARREN for taking the lead, and I am pleased to be a cosponsor on her bill.

I am delighted to yield back.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Madam President, I appreciate the colleagues who came to the floor today to talk about the SAVE Benefits Act.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. WHITEHOUSE. Madam President, I ask unanimous consent to speak for up to 20 minutes in morning business.

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

CLIMATE CHANGE

Mr. WHITEHOUSE. Madam President, as the Presiding Officer knows well, every week that I am here and the Senate is in session, I come to the floor to remind us of the damage carbon pollution continues to do to our atmosphere and oceans. Today I rise for the 120th time to urge my colleagues to

wake up to the threat of climate change. I am not alone, although it sometimes seems a bit lonely here.

We have an advertisement today in the Wall Street Journal—we will find it here in 1 second; well, I seem to have mislaid it—that has a considerable number of American companies that have called upon the public and called on the readers of the Wall Street Journal to support a strong outcome in Paris. It matches another Wall Street Journal full-page advertisement—this one went back to October 22—which was “Republicans and Democrats Agree: U.S. Security Demands Global Climate Action.” That had 23 Republican former officials, including Senators Cohen, Coleman, Danforth, Hagel, Lugar, Kassebaum, Smith, and Snowe, Secretaries of Commerce, State, Treasury, members of the National Intelligence Council, Homeland Security advisers, and Trade Representatives. In total, 33 Republican and military officials were calling on us to get serious about it. So a lot of people out there, including Republicans, are interested in getting something done.

I wanted to build my remarks this week around something interesting that Pope Francis said this past weekend about the upcoming climate talks in Paris. He said: “It would be sad, and dare I say even catastrophic, were special interests to prevail over the common good and lead to manipulating information in order to protect their own plans and interests.”

“Sad,” and “even catastrophic”—let’s look at that part. The fact is, we have changed the composition of our atmosphere, pushing the concentration of carbon dioxide beyond the range it has been in for at least 800,000 years, longer than our species has been on the planet. For 8,000 centuries, humans have inhabited an Earth with an atmosphere between 170 and 300 parts per million of CO₂. Concentrations have now hit 400 parts per million, farther out of the range than the midpoint of the range, and that trend continues to rise. By the way, that is measurement. That is not somebody’s theory. That is not a computer-model run. We have measured that.

Last year was the hottest year since we began keeping records in 1880, a dubious distinction. According to the World Meteorological Organization, the last 5 years are now the warmest 5-year period in human history. This year is on track to be another record-breaker, expected to reach the both symbolic and significant milestone of 1 full degree Celsius above the average temperature of the preindustrial era.

Many scientists agree that 2 degrees above the precarbon-era norm will likely mean irreparable harm to our planet and to our current way of life. So it would, indeed, be sad and perhaps ultimately catastrophic if we were to do nothing.

Yet we in Congress continue to do nothing, which brings me to the next of

Pope Francis’s words in that opening quotation: “special interests prevail[ing] over the common good.” Well, doing nothing is just fine by the big polluters because they make more money when we do nothing. To keep their profitable racket running, the polluters spend huge sums on lobbying and on politics, particularly right here in the Congress. As one author has written, and I will quote him: “[R]ivers of money flowing from secret sources have turned our elections into silent auctions.” And the polluters get what they pay for. With the Congress of the United States distracted and deceived by their mischief, the effects of climate change just keep piling up.

This problem got worse in 2010 when the big polluters got a gift. They got handed a big, new political weapon. Thanks to five Justices on the U.S. Supreme Court, all of them Republican appointees, the big polluters can now threaten lawmakers with the cudgel of unlimited, undisclosed Citizens United money. So we do nothing, and the polluters offload onto everyone else the costs in damage from their fossil fuel product, the costs of heat waves, of sea level rise, of ocean acidification, of dying forests, of worsening storms and more. The polluters happily dump those costs onto everybody else. They suck up hundreds of billions of dollars in effective public subsidy, according to the International Monetary Fund, and of course they fight desperately to protect their favored status.

Pope Francis had it right—special interests indeed prevail over the common good. And that brings us to the Pope’s words about them “manipulating information in order to protect their own plans and interests.”

I have spoken on this floor about the decades-long, purposeful corporate campaign of misinformation on climate change. The fossil fuel industry and its allies gin up doubt about the dangers of carbon pollution through a smokescreen of misleading public statements, sophisticated marketing, and polluter-funded front groups. The mission of these well-organized and mightily funded deniers is to manufacture a product—uncertainty, doubt. The polluters spend huge amounts on a big, complex PR machine to churn out doubt about the real science. It is a fraud. It is a deliberate pollution of the public mind.

We know that a network of front organizations with innocent-sounding names has emerged to propagate that baloney science. This network has been well documented by Dr. Robert Brulle at Drexel University and Dr. Riley Dunlap at Oklahoma State University, among others. Professor Brulle’s follow-the-money analysis, for instance, diagrams the complex flow of cash to these front groups, a flow that the fossil fuel industry persistently tries to obscure.

A new study was released just last week, a study by Dr. Justin Farrell at Yale University. His work examines

how corporations have used their money to amplify the voices of climate deniers and to exaggerate scientific uncertainty. Dr. Farrell used computers to perform a comprehensive quantitative analysis of more than 39 million words written by 164 climate denial organizations—yes, there are 164 of them; this is a big beast—over a 20-year period. His study compared corporate-funded groups to the rest.

Professor Farrell’s stated purpose was to uncover empirically the actual social arrangements within which large-scale scientific misinformation is generated and the important role private funding plays in shaping the actual ideological content of scientific information that is written and amplified. He describes the climate denial apparatus as a complex network of think tanks, foundations, public relations firms, trade associations, and other groups that are “overtly producing and promoting skepticism and doubt about scientific consensus on climate change.” Farrell describes the function of the network as, one, “the production of an alternative contrarian discourse,” and two, “to create ideological polarization around climate change.” Why polarization? Because “it is well understood that polarization is an effective strategy for creating controversy and delaying policy progress particularly around environmental issues.”

So the polarization we see in this building on this issue is a product created by a network of corporate-funded climate denial front groups. We are the living proof of the success of this scheme. Corporate backing created a united network, said Farrell, within which the contrarian messages could be strategically created. That is right, climate denial is “strategically created.”

Farrell’s data show particularly that donations from ExxonMobil and the Koch family foundations signal what he calls entry into a powerful network of influence, and that corporate funding influences the actual language and thematic content of polarizing discourse. And, of course, one of the areas of distinct corporate-funded polarizing discourse produced by this network was questions about the scientific veracity of long-term climate change. Again, it is the product of a scheme.

Professor Farrell made another comparison. He has made the same comparison that others have made with tobacco. I will quote him:

Well-funded and well-organized “contrarian” campaigns are especially important for spreading skepticism or denial where scientific consensus exists—such as in the present case of global warming, or in historical contrarian efforts to create doubt about the link between smoking and cancer.

To create doubt about the link between smoking and cancer. That echos the telling sentence from the tobacco denial campaign: Doubt is our product.

Just as Pope Francis said, the denial machinery is “manipulating information in order to protect their own plans

and interests.” The actions of the climate denial machine have been so effective, they have made it “difficult for ordinary Americans to even know who to trust,” says Farrell. Doubt is still their product.

Every generation of Americans has faced its challenge, and each has risen to its challenge. Some generations left bloody footprints in the snows of Valley Forge to secure our independence. Some generations were torn to pieces by cannon fire in the great battles of the Civil War. Some generations endured mustard gas and trench warfare in World War I. Some secured the world’s freedom from the Axis powers in World War II. Some rebuilt the American economy after the Great Depression. Some were beaten, bombed, and burned as they struggled to secure the civil rights we now enjoy. We are the generation whose duty it is to face down the climate crisis that threatens our planet and face down the folks behind this vast climate denial scheme. All we have to do to rise to our duty is to resist all the dark money, all the fossil fuel-funded threats and intimidation Citizens United made possible.

Let me read from an opinion that was in my clips today from David Brooks, a conservative columnist. I see him at American Enterprise Institute gatherings. He is a self-identified Republican conservative who was writing about climate change and the upcoming Paris conference. He says this as if he is communicating with Alexander Hamilton. He obviously is not, but that is his rhetorical device. He said, “So I seanced up my hero Alexander Hamilton to see what he thought” about the Paris climate conference. Here is what he said:

First, [Alexander Hamilton] was struck by the fact that on this issue the G.O.P. has come to resemble a Soviet dictatorship—a vast majority of Republican politicians can’t publicly say what they know about the truth of climate change because they’re afraid the thought police will knock on their door and drag them off to an AM radio interrogation.

That is a conservative Republican economist talking about this.

We can get through this. We simply need conscientious Republicans and Democrats to work together in good faith on a common platform of established science, clear facts, and basic common sense. If we do that, we can protect the American people, the American economy, and our American reputation from the harm of the looming effects of climate change. It is on us. It is on us. We simply need to shed the shackles of corrupting influence and rise to our duty, as other generations always have. We do not have to be the generation that failed. Yes, we are headed down a road to infamy now, but it doesn’t have to be that way. We can leave a legacy that will echo down the corridors of history, so the generations that follow us will be proud of our efforts the way we are proud of those who did great things for our country before us. But sitting here

doing nothing, yielding to the special interests, won’t accomplish that.

This new analysis out of Yale is an important addition to the increasing body of academic research and journalism that is shining some much needed sunlight on the shadowy enterprise of phony science and phony doubt that props up climate denial. It is time we all caught on to this deceptive enterprise. Being suckers down a road to infamy is not a good legacy. It is time to wake up.

Madam President, I ask unanimous consent that the advertisement “Business Backs Low-Carbon USA” in the Wall Street Journal and the article by David Brooks, “The Green Tech Solution,” be printed in the RECORD.

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

PAID ADVERTISEMENT
BUSINESS BACKS LOW-CARBON USA
lowcarbonusa.org

WE ARE SOME OF THE BUSINESSES THAT WILL
HELP CREATE THE FUTURE ECONOMY OF THE
UNITED STATES.

We want this economy to be energy efficient and low carbon. We believe there are cost-effective and innovative solutions that can help us achieve that objective. Failure to tackle climate change could put America’s economic prosperity at risk. But the right action now would create jobs and boost competitiveness.

We encourage our government to

1. seek a strong and fair global climate deal in Paris that provides long-term direction and periodic strengthening to keep global temperature rise below 2 °C
2. support action to reduce U.S. emissions that achieves or exceeds national commitments and increases ambition in the future
3. support investment in a low-carbon economy at home and abroad, giving industry clarity and the confidence of investors

We pledge to continue efforts to ensure a just transition to a low-carbon, energy-efficient U.S. economy and look forward to enabling strong ambition in the U.S. and at the Paris climate change conference.

Autodesk, Inc.; The Coca-Cola Company; Unilever; Adidas Group; Johnson Controls, Inc.; Clif Bar & Company; Intel; Kingspan Insulated Panels; Microsoft; Qualcomm; Sprint; Colgate-Palmolive Company; Smartwool; The Hartford; Volvo; Volvo Group North America; Burton; Snowbird; eBay; Seventh Generation; Johnson & Johnson Family of Companies; Vail Resorts; Levi Strauss & Co.; EMC; New Belgium Brewing Company; Squaw Valley Alpine Meadows; Annie’s; Alta; General Mills; Dignity Health; BNY Mellon; Jupiter Oxygen Corporation; Hewlett Packard Enterprise; Outdoor Industry Association; Procter & Gamble; Ben & Jerry’s; Schneider Electric; Xanterra; Nike; The North Face; Symantec; JLL; Powdr Corporation; Gap Inc.; Owens Corning; EnerNOC; Hilton Worldwide; VF Corporation; Guggenheim; Timberland; L’Oreal; IKEA; Aspen Snowmass, Aspen Skiing Company; Vulcan; Eileen Fisher; DuPont; CA Technologies; Nestle; Pacific Gas and Electric Company; Catalyst; Sealed Air; National Grid; Saunders Hotel Group; Hewlett Packard; Kellogg’s; Teton Gravity Research; Dell; Mars, Incorporated; NRG; Ingersoll Rand

ENVIRONMENTAL ENTREPRENEURS (E2)

Ameristar SolarStream, Big Kid Science, Bloom Energy, Canadian Solar, Inc., Carbon Lighthouse, Clean Blue Technologies, Inc.

Clean Edge, Clean Energy Collective, Decent Energy, Inc., Drew Maran Construction, Inc., Creep Optimizers, USA, Ideal Energy, Intex Solutions, iSpring Associates, Jacobs Farm—Del Cabo, Krull & Company, Lenox Hotels, LIVINGPLUG, Make Good, Want MEI Hotels, Inc., Microgrid Energy, National Car Charging LLC, Next Step Living, NLine Energy, Inc., Nth Power, one3LED, Recurrent Energy, Sequoia Lab, Sierra Energy, Sustainable Farming Corporation, Terviva, Tonic, Uswharrie Bank, Vigilant, Wall @ Law

Coordinated by Business Council for Sustainable Energy, CDP, Ceres, C2ES, Environmental Defense Fund, Environmental Entrepreneurs, The Climate Group, We Mean Business, and World Wildlife Fund in collaboration with the above businesses.

[From the New York Times, Dec. 1, 2015]

THE GREEN TECH SOLUTION

(By David Brooks)

I’ve been confused about this Paris climate conference and how the world should move forward to ameliorate climate change, so I seanced up my hero Alexander Hamilton to see what he thought. I was sad to be reminded that he doesn’t actually talk in hip-hop, but he still had some interesting things to say.

First, he was struck by the fact that on this issue the G.O.P. has come to resemble a Soviet dictatorship—a vast majority of Republican politicians can’t publicly say what they know about the truth of climate change because they’re afraid the thought police will knock on their door and drag them off to an AM radio interrogation.

This week’s Paris conference, I observed, seems like a giant Weight Watchers meeting. A bunch of national leaders get together and make some resolutions to cut their carbon emissions over the next few decades. You hope some sort of peer pressure will kick in and they will actually follow through.

I’m afraid Hamilton snorted.

The co-author of the Federalist papers is the opposite of naïve about human nature. He said the conference is nothing like a Weight Watchers meeting. Unlike weight loss, the pain in reducing carbon emissions is individual but the good is only achieved collectively.

You’re asking people to impose costs on themselves today for some future benefit they will never see. You’re asking developing countries to forswear growth now to compensate for a legacy of pollution from richer countries that they didn’t benefit from. You’re asking richer countries that are facing severe economic strain to pay hundreds of billions of dollars in “reparations” to India and such places that can go on and burn mountains of coal and take away American jobs. And you’re asking for all this top-down coercion to last a century, without any enforcement mechanism. Are the Chinese really going to police a local coal plant efficiently?

This is perfectly designed to ensure cheating. Already, the Chinese government made a grandiose climate change announcement but then was forced to admit that its country was burning 17 percent more coal than it had previously disclosed. The cheating will create a cycle of resentment that will dissolve any sense of common purpose.

I countered by pointing out that policy makers have come up with some clever ways to make carbon reductions more efficient, like cap and trade, permit trading and carbon taxing.

The former Treasury secretary pointed out that these ideas are good in theory but haven’t worked in reality. Cap and trade has not worked out so well in Europe. Over all,

the Europeans have spent \$280 billion on climate change with very little measurable impact on global temperatures. And as for carbon taxes, even if the U.S. imposed one on itself, it would have virtually no effect on the global climate.

Hamilton steered me to an article by James Manzi and Peter Wehner in his favorite magazine, *National Affairs*. The authors point out that according to the United Nations Intergovernmental Panel on Climate Change, the expected economic costs of unaddressed global warming over the next century are likely to be about 3 percent of world gross domestic product. This is a big, gradual problem, but not the sort of cataclysmic immediate threat that's likely to lead people to suspend their immediate self-interest.

Well, I ventured, if you're skeptical about our own policies, Mr. Founding Father, what would you do?

Look at what you're already doing, he countered. The U.S. has the fastest rate of reduction of CO₂ emissions of any major nation on earth, back to pre-1996 levels.

That's in part because of fracking. Natural gas is replacing coal, and natural gas emits about half as much carbon dioxide.

The larger lesson is that innovation is the key. Green energy will beat dirty energy only when it makes technical and economic sense.

Hamilton reminded me that he often used government money to stoke innovation. Manzi and Wehner suggest that one of our great national science labs could work on geoengineering problems to remove CO₂ from the atmosphere. Another could investigate cogeneration and small-scale energy reduction systems. We could increase funding on battery and smart-grid research. If we move to mainly solar power, we'll need much more efficient national transmission methods. Maybe there's a partial answer in increased vegetation.

Hamilton pointed out that when America was just a bunch of scraggly colonies, he was already envisioning it as a great world power. He used government to incite, arouse, energize and stir up great enterprise. The global warming problem can be addressed, ineffectively, by global communiqués. Or, with the right government boost, it presents an opportunity to arouse and incite entrepreneurs, innovators and investors and foment a new technological revolution.

Sometimes like your country you got to be young, scrappy and hungry and not throw away your shot.

Mr. WHITEHOUSE. Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

POLICY ISSUES AND APPROPRIATIONS BILLS

Mr. MORAN. Madam President, I rise to visit for a moment with my colleagues, both Republican and Democratic, about the ongoing debate we are having over the appropriateness of having policy issues debated and then decided in appropriations bills.

We are now at the stage in our legislative process in which it looks as if we are going to complete our work on the final spending bill for the fiscal year that ended a few months ago and that by December 11, when the continuing resolution concludes, we very well may have an appropriations bill that takes us into the new year completed.

There are some in the Senate who have argued that within this appropriations bill there is no place for policy riders, for provisions in that bill that direct in a more specific way how we spend money. I would say that is a terrible mistake on the part of Members of the Senate to reach that conclusion, and I would say it is wrong for our country. It is wrong based upon the Constitution of the United States that creates three coequal branches of government.

In the legislative branch, we know that our role is to legislate, to create the laws, to appropriate the money. There cannot be a distinction between legislating and appropriating money. They end up being the same thing. When we appropriate money, we are directing an administration to conduct itself according to that appropriations bill. Particularly in this case, we have a few Democrats who are arguing that there shouldn't be any policy riders included in that appropriations bill. I doubt that we would hear that from Democrats if this were a Republican President and a Democratic Congress. In my view, it ought not to be any different. Congress's role is to make decisions about how money is spent. For too long, Congress has given up the power of the purse strings.

This is a significant development in our constitutional history because in giving up the power of the purse strings, we authorize the executive branch—that branch of Government that is to execute the laws, to administer the laws—to have significantly more power. The American people and our Constitution are harmed when any Executive—this President, previous Presidents, future Presidents—exceeds the authority granted to them by the U.S. Constitution. Sometimes I think we end up supporting Presidential decisions that we agree with and oppose those, obviously, that we disagree with. But the reality is that if those decisions are unconstitutional, if they exceed the authority that Congress has granted an executive branch, they ought to be denied, regardless of whether we agree with those decisions or not. In other words, the Constitution should trump.

In my view, this Congress and many who preceded us have taken the opportunity to be in the back seat, granting authority or allowing Presidents to consume additional power well beyond the Constitution. I am here to encourage my colleagues—Republicans and Democrats—to reexert our constitutional grant of authority to legislate. We ought not to pay undue deference to an executive branch, whether the President is a Republican or a Democrat.

I would say that in the time I have been a Senator, in this first term of my term in office, we have seen an executive branch that has continued to increase its power and authority and exceeded, in my view, its constitutional grant of authority and in so many in-

stances has exceeded the authority granted to them by a statute—a piece of legislation passed by the House, passed by the Senate, and sent to the President.

The President should only be able to do those things which are granted to him or her by the Constitution or by legislative enactment pursuant to the Constitution. That seemingly has been forgotten during the recent history of our country. Congress holds the power of the purse strings.

There are many of us—Republicans and Democrats—who would like to direct the executive branch in how money is spent. The appropriations bill ultimately will determine how much money is spent. But in addition to that, we have the ability to direct whether that spending can occur, shouldn't occur or how it should occur. I think all of you have heard me speak previously, and some of you may remember about a particular provision that I wanted included in the Interior and Environment appropriations bill related to the U.S. Fish and Wildlife Service—the designation of the lesser prairie chicken as a threatened species.

We have had this conversation. In fact, in a bipartisan way, that issue was voted on here on the Senate floor. It was approved, but the legislation it was attached to did not become law. Now the opportunity to instruct a Federal agency arises as we appropriate the money for them to operate. There are five States in the middle of the country—New Mexico, Texas, Colorado, Kansas, and Oklahoma—that have felt the consequences of a decision made by the U.S. Fish and Wildlife Service to list the lesser prairie chicken as a threatened species. The issue that is so troublesome to me is that those five States have come together to solve this problem on their own without the heavy hand of the Federal Government. Conservation practices were being put in place. The U.S. Department of Agriculture was providing technical and financial assistance for conservation efforts to landowners to provide the incentives to put voluntary conservation practices in place across those five States. In my view, the U.S. Fish and Wildlife Service only paid lip service to those conservation efforts. Their actions spoke louder than the words, and they listed the lesser prairie chicken as threatened.

This decision at that point in time didn't provide enough time for local plans to prove their effectiveness, and the reality is the problem in our State and across that region of the country was that we didn't have moisture. We didn't have adequate snowfall. We don't have adequate rainfall. When you have little or no rain, you have little or no habitat. You can't solve that problem without moisture. Now the rains have returned. Over the last 2 years, just as you would predict and as common sense would tell us, if there is more rain, there is more habitat and there are more birds.