

program, veterans don't like it, and come back to Congress and tell us that it is no longer needed.

If I were home in Kansas, I would explain it this way: Again, my hometown, Plainville—population now 1,900—used to have rail service, and over time the rail service diminished and became less effective. The rates went up, and fewer people used the rail service, the railroad, to haul grain in particular. Then the railroad could go to the regulators and say: Nobody is using the railroad; can we just abandon it?

I worry that that kind of attitude and approach could happen with this issue if we don't make certain our veterans see the benefit and actually receive the benefits that come from the Choice Act. I don't want to give anybody—the Department of Veterans Affairs or other Members of Congress—the opportunity to say “The Choice Act doesn't matter. People don't like it. It is not popular. Let's do something different” when the reality is that it would be popular if it were working effectively and in a timely way and veterans were being cared for.

Mr. Guinn lives in Oberlin, a small town, a county seat town in Decatur County, almost in Nebraska. It is one of those typical Kansas small farming communities. The closest VA facility to him is actually in Grand Island, NE. Although he is a Kansas resident, he is part of the Nebraska VA network because of its proximity to Grand Island. He is eligible under the Choice Program, and he needed to schedule spinal surgery with the community provider. That is what he wanted to do. So the VA referred him to HealthNet. HealthNet is the organization that manages this program for the Department of Veterans Affairs. HealthNet then referred him to TriWest because he is a Kansas resident. TriWest covers Kansas while HealthNet covers Nebraska. The health care providers were arguing about who is responsible for his care because he lives one place and his VA provider is in an adjoining State.

My complaint is that it shouldn't matter where he lives. He is stuck in a bureaucracy. The burden ought not fall to him to solve all of his problems. The VA ought to step in and solve the problem for him and tell him what it is that ought to be done and get him out of the back-and-forth between the Nebraska and Kansas networks.

He has now gone a year without the surgery. He is going to now drive to another VA medical center in Omaha—300 miles one way—so he can get the surgery he is entitled to have by his hometown provider or a regional hospital in his area.

Many of our veterans—I don't know the age of this particular veteran, Mr. Guinn, but many of the veterans who live in those communities are World War II veterans and now more likely Vietnam veterans. The opportunity for them to have family around them, the

ability for them to get long distances is a complete challenge. To have to go 300 miles, when the law says that he is a veteran and he, who served our country, is entitled to services at home, is a terrible mistake, and it ought to be something that can be sorted out, but every time he has attempted to do that, the burden still rests with him. We want the Department of Veterans Affairs to step in and figure this out and get it done and get it done quickly.

Another veteran who reached out to my office for assistance was Mr. Francis Wierman, a 92-year-old veteran. He lives in La Crosse. It is a county seat town of a couple thousand folks. Because of his age, it is difficult for him to travel for his annual physical appointments.

Mr. President, I ask unanimous consent to speak until I conclude my remarks.

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

Mr. MORAN. I thank the Chair.

Because of his age—Mr. Wierman needs to travel. It is difficult for him to do it. What he needs is an annual physical. So Mr. Wierman has attempted to utilize the Choice Program, and he was told there was no flexibility to be seen in La Crosse by a hometown doctor or go to a hometown hospital due to his proximity, his location next to an outpatient clinic.

Mr. Wierman sacrificed for our country, and he deserves to be able to receive his care in his own community given the burden and strain traveling imposes upon him, a veteran of 92 years of age. We need to make certain he receives the care he is entitled to, and we need to make sure the VA is doing what needs to be done to accomplish that.

My final example today is Mr. Dabney, who suffers from post-traumatic stress. He was also told he was eligible for Choice, so he set up an appointment with the local care provider. Despite the OK from the VA practitioner about getting care outside of the VA, the handoff got lost in the shuffle, and somehow the VA determined that it was Mr. Dabney's fault that the paperwork didn't follow him, leaving him with the bill for the services provided by the outside-the-VA practitioner.

I shared this case with Secretary McDonald at a hearing the Presiding Officer and I attended several months ago. The conclusion months later by the VA was that Mr. Dabney simply didn't understand the Choice Act and he should have tried harder to get an official authorization before setting up the appointment; therefore, the bill still rests with him. Thankfully, the provider, the network TriWest, disagreed, and they are now elevating his case to try to make certain he doesn't have to pay the bill for the services the VA originally authorized him to receive outside of the VA.

The Choice Act was designed specifically to help these veterans. They gave of themselves to serve our country and

fought on our behalf, and they deserve the care and respect they should be receiving today from our country and its Department of Veterans Affairs. Our country must fulfill its commitments to these individuals and to others who provide for those who sacrificed for our Nation, regardless of the community they call home.

Last week I joined my Senate colleagues in sponsoring the Veterans Choice Improvement Act of 2016. This legislation is designed to fix problems with the original Choice Act that the VA has been unable to resolve on their own to make sure these veterans receive what they are entitled to. As a member of the Senate Veterans' Affairs Committee, I look forward to working with the Presiding Officer and other members and with our chairman, JOHNNY ISAKSON from Georgia, as well as the ranking member, Senator BLUMENTHAL, for purposes of making sure that we get this right and that we make certain the VA does its job in caring for these men and women who served our country.

I will continue to make certain that happens, and I continue to express my gratitude to those who served our country and renew my willingness and my desire to make sure they receive the health care they are entitled to.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

(The remarks of Mr. COTTON pertaining to the introduction of S. 2708 are printed in today's RECORD under “Statements on Introduced Bills and Joint Resolutions.”)

Mr. COTTON. I yield the floor.

The PRESIDING OFFICER (Mrs. FISCHER). The Senator from Rhode Island.

CLIMATE CHANGE

Mr. WHITEHOUSE. Madam President, I come to this Chamber for the 131st time to urge this body to break free and wake up to what carbon pollution is doing to our atmosphere and our oceans.

Last week, scientists at NOAA reported that carbon dioxide levels at their Mauna Loa Observatory jumped in 2015 by the largest year-to-year increase in 56 years of research.

Pieter Tans, lead scientist at NOAA, said:

Carbon dioxide levels are increasing faster than they have in hundreds of thousands of years. It's explosive compared to natural processes.

We see the effects of this runaway carbon pollution everywhere, in ever-climbing temperatures, in ever-changing weather patterns, and in ever-rising, warming, and acidifying seas. But the Republican-controlled Congress refuses to take responsible action. They put their climate effort elsewhere, such as attacking former Vice President Al Gore for raising awareness of the real and looming climate crisis.

One Republican colleague has railed against Mr. Gore, calling him “the

world's first climate billionaire," claiming that he is "drowning in a sea of his own global warming illusions" and faulting him for "desperately trying to keep global warming alarmism alive today."

Another prominent Republican, this one running for President, suggested "the Nobel committee should take the Nobel Prize back from Al Gore."

Others claim that cold or snowy weather proves Mr. Gore wrong. After one snow in DC a few years ago, a prominent Republican TV personality claimed the storm "would seem to contradict Al Gore's hysterical global warming theories." A Senator gloated after that storm, "Where's Al Gore now?"

Another Senate colleague said while campaigning for President in Iowa:

I have to admit, I was really confused. Al Gore told us this wasn't going to happen, but it was cold there.

These are all profoundly ignorant comments if you know anything about climate change, but they cannot resist. They inhabit what Politico's Daniel Lippman and Mike Allen this week called "a political reality indifferent to the exigencies of climate change."

So let's catch up on what Al Gore is up to on climate change. He has a TED talk on the ted.com Web site, and I highly recommend it. Mr. Gore's presentation opens with the fact that our atmosphere is not as big as most people think. He shows this picture taken from the International Space Station to remind us that the atmosphere surrounding our planet is really just a thin shell. It is into this thin shell that we continue to spew megatons of heat-trapping carbon pollution day in and day out. Mr. Gore explains that this thin atmosphere "right now is the open sewer for our industrial civilization as it's currently organized."

Here is how he shows our carbon dioxide emission rates through time. You can see the amount of carbon emissions really started to increase here after World War II. Vice President Gore explains: "[T]he accumulated amount of man-made, global warming pollution that is up in the atmosphere now traps as much extra heat energy as would be released by 400,000 Hiroshima-class atomic bombs exploding every 24 hours, 365 days a year."

He continues:

[T]hat is a lot of energy. . . . And all that extra heat energy is heating up . . . the whole earth system.

The Vice President didn't mention it, but the Associated Press has used a similar analogy about the heat from climate change that is going into our oceans, a piece that said: "Since 1997, Earth's oceans have absorbed man-made heat energy equivalent to a Hiroshima-style bomb being exploded every second for 75 straight years."

Mr. Gore showed this depiction of average temperatures between 1951 and 1980. The blue is cooler-than-average days, the white is average days, and the red is warmer-than-average days.

Now we are going to look at what happened in the next three decades after this 1951 to 1980 period. What is going to stay the same is this green line. That will be the constant against which you can see the change. Let's go to the next chart.

This is 1983 to 1993. You will notice that everything has moved against the constant. You will also notice down here that a new category has emerged. This category is extremely hot days.

The next chart is 1994 to 2004. Again, the average continues to move against this green line which is a constant, and now you see that new category of extremely hot days growing even more.

Here is our last decade, 2005 to 2015. What we experience in this last decade has moved completely away from the historic norm indicated by that green line, and this extreme temperature, the extremely hot days category, is now bigger than the cooler-than-average category. Remember, 1950 to 1980, this category didn't even exist. Now it is bigger. Well, it might have existed, but it wasn't visible on the graphs; let me put it that way. Now it is bigger than the cooler-than-average category. Mr. Gore points out that these extremely hot days in the last 10 years "are 150 times more common on the surface of the earth than they were just 30 years ago." By the way, we measure this stuff. This is not a theory.

Worldwide, 2015 was the hottest year since we began keeping records in 1880, according to NOAA and NASA. That Republican colleague who went to Iowa and thought that the cold disproved climate change dismissed that finding as "pseudo-scientific theory." You know what. NASA is driving a rover around on the surface of Mars right now, so I will go with them knowing what they are talking about.

The last 5 years have been the warmest 5-year period on record, according to the World Meteorological Organization, and 14 of the 15 hottest years ever measured have been in this young century. We are a terrestrial species. We live on the land, so naturally we pay more attention to the land and not so much to what is happening in our warming and acidifying oceans. This chart shows the oceans absorbing over 90 percent of the excess heat trapped in the atmosphere by greenhouse gas emissions. This is the effect of those Hiroshima bomb equivalents warming up the oceans that the Associated Press used as their example.

What does all that extra heat mean for the oceans? Well, unless you are going to dispute the law of thermal expansion, it means that warming things expand.

Last month, a study of tidal flood days along my east coast came out. The author's conclusion? I will quote him:

It's not the tide. It's not the wind. It's us.

There is one industry, the insurance industry, that pays serious attention to climate change as their losses have been mounting. This is insurance com-

pany data from the Insurance Information Institute in January of 2006 showing the climate rate of worldwide extreme weather catastrophes. Why? Well, Dr. Kevin Trenberth works at the National Center for Atmospheric Research. He says:

All storms are different now.

Do you hear that?

All storms are different now. There's so much extra energy in the atmosphere, there's so much extra water vapor. Every storm is different now.

Well, the challenge of climate change is urgent, but Mr. Gore points out that we have the understanding and engineering prowess to generate energy from new sources, and we are doing unexpectedly well. Vice President Gore says:

The best projections in the world 16 years ago were that by 2010, the world would be able to install 30 gigawatts of wind capacity. We beat that mark by 14 and a half times over.

It is the same story for solar capacity, which is taking off even more quickly than wind. Again quoting Vice President Gore: "The best projections 14 years ago were that we would install one gigawatt [of solar] per year by 2010."

The Vice President continues:

When 2010 came around, we beat that mark by 17 times over. Last year, we beat it by 58 times over. This year, we're on track to beat it 68 times over.

Look at that curve. These innovations helped renewable energy costs become comparable with fossil fuel power even though, as Vice President Gore points out, "fossil energy is now still subsidized at a rate 40 times larger than renewables."

If you look at what the International Monetary Fund has said about the "effective subsidy" of fossil fuel, the subsidy for fossil is actually way bigger than that.

Most importantly, society is moving. More than 150 major U.S. companies signed onto the American Business Act on Climate Pledge, supporting a strong outcome in the Paris climate negotiations. Fifty-three percent of young Republican voters—that is, young Republican voters under the age of 35—have said they would describe a climate change denier as "ignorant," "out-of-touch" or "crazy." Those are not my words; these are the words in the poll that the young Republicans chose.

Despite the recent stay of the administration's Clean Power Plan, 19 States are continuing with EPA to develop compliance strategies for their economies and their energy sectors. Roughly 6 in 10 Republicans and GOP-leaning Independents under age 50 think the government should limit greenhouse gases even if it causes a \$20 increase in their monthly bill. So people are moving.

Mr. Gore uses a line from the great American poet Wallace Stevens: "After the final no, there comes a yes, and on that yes the future world depends."

Well, Al Gore has faced a lot of "no." The fossil fuel industry and its minions

have mocked and derided him. The climate denial machine keeps working its poison. In fact, we just learned that Arch Coal's bankruptcy filing shows they were funding an extremist group dedicated to harassing and threatening scientists.

As the evidence comes in, as every major science agency and organization lines up with all our National Labs and military services and our home State universities across the country, it turns out the mockers and the deniers were wrong. In fact, in all decency, Al Gore deserves an apology, as do the countless men and women who scrutinize these data, who labor in the real science, and who call us to action. If we continue sleepwalking in Congress, we will need to apologize not just to Al Gore but to future generations. We will need to apologize to our own grandchildren for our negligence when we knew better.

So let us wake up from our fossil fuel-funded make-believe and meet our moral obligation.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

BACKPAGE.COM

Mr. CORNYN. Madam President, this afternoon the Senate will proceed to a vote on S. Res. 377, a resolution that would hold backpage.com in contempt of Congress for not complying with an investigation being conducted by the Permanent Subcommittee on Investigations. Unfortunately, concerns have been raised that the Web site has connections to sex trafficking. Backpage has refused to comply with the subpoena request from the subcommittee. We all know that sex trafficking is a heinous, evil practice, and we should not and we will not tolerate it.

In 2012 I sponsored an amendment to the Violence Against Women Act that included a sense of Congress demanding that the owners of backpage.com remove the adult services section of their Web site.

Last year this Chamber passed the Justice for Victims of Trafficking Act, and it was signed into law by President Obama in the spring. This law contains language offered by Senator KIRK from Illinois which gives law enforcement officials additional tools to prosecute individuals such as those behind backpage.com who knowingly facilitate the sale or advertisement of human trafficking victims online.

Today's resolution is another opportunity for the Senate to stand up for the victims of human trafficking.

As a reminder, when we debated the Justice for Victims of Trafficking Act,

we talked about the profile of a typical victim of human trafficking—not that any of them are typical, but on average it is a girl between the ages of 12 and 14. This is a horrific business and sordid business, and I encourage every Member to support this resolution.

I thank the chairman of the subcommittee, Senator PORTMAN from Ohio, who has been working tirelessly to highlight this issue and bring it to the Senate's full attention. I am grateful for his bipartisan efforts and strong leadership and look forward to voting yes on the resolution later today.

FILLING THE SUPREME COURT VACANCY

Mr. CORNYN. Madam President, on another matter, we all know that yesterday President Obama exercised his authority under the U.S. Constitution to suggest to the Senate a nominee for the Supreme Court of the United States. During the announcement, President Obama spent time talking about the serious task of selecting a Supreme Court nominee, particularly one to succeed a legal lion such as Justice Scalia, whom the President appropriately called one of the most influential jurists of our time. His point was that the Supreme Court of the United States—the highest Court in the land—is an institution of unparalleled importance. What happens at the Supreme Court affects the lives of every American. So lifetime appointments to this most powerful Court in the land should not be taken lightly. As the President put it, our Supreme Court Justices have been given the role as the “final arbiters of American law” for more than 200 years. Of course, today they consider and answer some of the most pressing and challenging controversies and questions of our time. I agree with what the President said to that point.

We all know the Supreme Court is critical to our form of self-government and our democracy, and the role it serves is an essential one. When it plays a role our Founders did not intend, it really undermines respect for the rule of law and for the Court as an institution. So the selection of the next Supreme Court Justice should be handled thoroughly and thoughtfully.

I understand the President is taking his authority seriously, but under the same Constitution—the same Constitution that gives the President the authority to nominate a person to fill this vacancy—that same Constitution has a separate responsibility for the U.S. Senate either to grant or to withhold consent to that nomination.

With the passing of Justice Scalia, the Senate must exercise its constitutional authority as well. Regardless of how we come down on the controversy of the day with regard to when this vacancy should be filled, we all take this responsibility seriously, and because of that, I believe we should follow the examples set by the minority leader, Senator REID; the senior Senator from New

York, Mr. SCHUMER; and Vice President BIDEN when he was chairman of the Senate Judiciary Committee—their admonitions made over the years when they were in the majority—and not move forward with the President's nominee at this time.

I think it is only a matter of fundamental fairness to apply the same rules to the same situation no matter who is in the majority and who is in the minority. When they were in the majority, they argued that these vacancies should not be filled the last year of the President's term of office. JOE BIDEN did that in 1992 during the Presidency of George Herbert Walker Bush. Senator REID made that same argument when George W. Bush was President of the United States. And in 2007, 18 months before George W. Bush left office, Senator SCHUMER, the heir apparent to the Democratic leader, said there should be a presumption against confirmation. So it is only fair to play by the same set of rules which they themselves advocated.

Based on the conduct, based on the behavior of our Democratic colleagues when they were in the majority—well, first when they were in the minority, when they filibustered judges for the first time, and later when they were in the majority, before they saw the majority flip to Republicans, the Democratic leader packed the DC Circuit Court of Appeals by invoking the so-called nuclear option, breaking the Senate rules in a raw display of political power in order to pack a court that many people call the second most important court in the land. So this lifetime appointment to the Court is a critical check on the executive branch—a check this administration has proved over and over again we need desperately.

As others and I pointed out long before the President announced this nominee, this nomination will change the ideological balance of the Supreme Court for a generation. Justice Scalia served for 30 years. Because of that, because of all of this, I believe the American people should have their voices heard in the selection of the next Supreme Court nominee. We have already undertaken the process here of the Democrats choosing their nominee for President, and Republicans are doing the same. There is simply too much at stake to leave this decision in the hands of a President who is headed out the door—a decision that will have dramatic consequences on the balance of the Court and the direction of the country for a generation to come.

I believe we should listen to the voices of the American people and allow them to cast their vote and to raise their voice and determine who will make that selection.

I know there have been some members of the press who have asked: Well, if not now, how about in a lameduck session of the Congress; that is, after the election and before the new President is confirmed?