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### EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. SCHATZ. Mr. President, in late October, people who lived in a place called Donora shrugged off the thick, yellow smog that had covered their small town. It was 1948. It wasn't unusual to see a smog blanket the town, thanks to the zinc plant and the steel mill that smoked endlessly into the Pennsylvania sky. It wasn't unusual to see people coughing as they went about their day. As one reporter put it, "People are always coughing in Donora."

What was unusual is that the smog did not clear as the day went on. It lingered, hanging around the town, wreaking havoc for the next 5 days. At first, life seemed to go on. The Halloween parade went on as planned, even though no one could really see the people marching. The high school football game went on as planned, although the quarterbacks avoided passing plays since the wide receivers couldn't see the ball. But then someone died. People couldn't breathe. As the local hospital started to fill, the town hotel set up beds for overflow patients. By the fourth day, the hotel had to set up another emergency section—this time, a temporary morgue. The town's three funeral homes were overwhelmed. On the fifth day, the stacks of a zinc plant stopped their endless streams of smoke, and the smog that would become known as the Donora death fog finally lifted but not before nearly 7,000 people fell ill and 20 died.

This is one of the many stories that show us what life was like in the United States of America before the EPA was created. In the early 1960s, millions of freshwater fish and rivers around the country were poisoned by insecticides—hurting consumer trust and the countless fishermen and their families who relied on the fish to make a living. Pollution was so bad that de-

bris floating in the Cuyahoga River actually caught on fire, causing thousands of dollars in property damage. The water in Lake Superior, one of the most beautiful lakes in the United States, became so toxic from companies dumping asbestos-laden waste that local communities had to start filtering their water. Think about that. People could drink the water from local reservoirs, unfiltered, until pollution came along. This was the path our country was on.

Pollution was destroying some of the most beautiful places in this country—on the planet, in fact—putting the health of the public and the health of our economy at grave risk.

There was another event in the early 1960s that helped our country to see clearly that the path we were on would only lead to destruction. Rachel Carson, scientist, public servant, and author, published a book called "Silent Spring." This book laid out in simple, beautiful prose the threats that pesticides and pollution posed to our environment or what Carson called a "Fable for Tomorrow." She wrote: "The most alarming of all man's assaults upon the environment is the contamination of air, earth, rivers and sea, with dangerous and even lethal materials."

Carson's book made clear that we were contaminating the environment and that this could not go on. Her book sounded a call for change, as millions of Americans began demanding that the government take action, but there was also a backlash. Here is what one industry spokesman said as public opinion began to coalesce around addressing pollution:

The major claims of Miss Rachel Carson's book *Silent Spring* are gross distortions of the actual facts, completely unsupported by scientific experimental evidence and general, practical experience in the field. Her suggestion that pesticides are in fact biocides destroying all life is obviously absurd in the

light of the fact that without selective biologicals, these compounds would be completely useless.

This is how the controversy went on for the next few years. The public, the science, and the reality all pointed toward the truth, but a few loud voices persisted. They did not want the movement to go forward. This continued even after Rachel Carson passed away, tragically and prematurely, of cancer in the year 1964.

Here is what the New York Times published in her obituary:

The most recent flare-up in the continuing pesticide controversy occurred early this month when the Public Health Service announced that the periodic huge-scale deaths of fish on the lower Mississippi River had been traced over the last 4 years to toxic ingredients and three kinds of pesticides. Some persons believe that the pesticides drained into the river from neighboring farm lands.

A hearing by the Agriculture Department of the Public Health Service's charges ended a week ago with a spokesman for one of the pesticide manufacturers saying that any judgment should be delayed until more information was obtained.

The line of argument captured in the New York Times is familiar to anyone who has watched our Nation struggle to come to a shared set of facts around a number of difficult issues, but even in the face of so much controversy, the country did the right thing. In addressing the threats to our environment, the U.S. Government—with substantial and commendable support from Republicans—began to lay the foundation for a new America, one that would preserve and protect our country and its resources for the next generation.

I would like to highlight three of the critical cornerstones in the foundation: the EPA, the Clean Air Act, and the Clean Water Act.

Let's start with the EPA itself. It was established in 1970 by President Nixon. He united several offices and bureaus already in the Federal Government into a single agency—one that

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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would oversee all of the laws, protections, research, and policies about the Nation's environment. The mission of the EPA was clear from the start, to protect human health and the environment. Almost immediately, something really exciting happened. There was a feeling of hope and anticipation for what this Agency could do for the country. Within the first few months, tens of thousands of resumes came flooding in from across the country as people clamored to work for the EPA.

Here is how one man who worked for the Agency described it:

There was a palpable sense of excitement that we were about to do something big. We had to do things big because the newspapers and news magazines were filled with stories about Lake Erie dying. I think it was a year or two before that the Cuyahoga had indeed caught on fire. I believe the Houston Ship Channel had the same issue. We knew we were there to really deal with substantial problems, and we were going to meet with immediate pushback.

For the next 40 years, the EPA would build a legacy of preserving and protecting the country's air, water, and natural resources, working to make our country a better place to live.

I just want to say that whatever the final disposition of this nomination ends up being—and I know we will push as hard as we possibly can for the delay of this decision, until we are able to see the contents of Mr. Pruitt's emails as directed by the court this afternoon—but whatever the decision is of the Senate under advice and consent, it is really important that this be said: EPA employees still have an obligation under Federal law to do their job, to protect air and water, to administer the Clean Air and Clean Water Act, to enforce the Endangered Species Act. We are confirming a head of an Agency, but this new head of an Agency is not the Emperor of the Agency.

This new head of an Agency has obligations under the statute to enforce the laws on the books, and he has a current role as the lead of the Republican Attorneys General Association and as a plaintiff in multiple lawsuits against the EPA, and that is a reason many of us object to his confirmation. If he is confirmed, every EPA employee has rights. They have whistleblower rights, they have protections, and they have obligations under the statute so that if this EPA tries to do anything unlawful, anything that contravenes the Clean Air Act, the Clean Water Act, the Endangered Species Act, then all of the EPA employees are dutybound under the law to follow the law.

No one in the Federal Government should be forced to do anything unlawful, and we support the EPA employees, in particular, who we know work so hard and are so dedicated to such an important cause. We know they are under intense scrutiny and pressure, and I think it is worth saying that we support them but also that the law supports them.

One of the first actions of the Agency was to ban DDT, a pesticide used in

World War II. At first, DDT seemed like a dream chemical. It was used to protect soldiers from pests and then to protect crops like cotton, but soon it became clear—thanks to Rachel Carson and others—that this chemical was creating far more harm than good. Public health was really in danger. The bald eagle and other wildlife were being poisoned, and the pests that were supposed to be put off from bothering the crops were adapting, becoming more resistant, even as the chemicals became more potent and ultimately more dangerous.

Thanks to the EPA, the use of DDT came to an end. The health of children, families, and wildlife immediately improved. The bald eagle slowly recovered, to the point where it is no longer a threatened or an endangered species.

The Agency also found a solution to acid rain, which was a major problem that killed fish, hurt American farmers, and caused damage to forests and infrastructure alike. After studies showed how high concentrations of lead were hurting our kids, the EPA took action to remove it from gasoline and from the air. Because of that action, lead levels in both kids and adults have dropped by more than 80 percent since the late 1970s. We have a lot more work to do on lead, but that is one of the many EPA success stories.

The EPA then took on secondhand smoke, banning smoking in indoor public places. It pushed the auto industry to design technology that would reduce the amount of pollution created by cars, a step that would reduce the amount of pollution per mile emitted by cars by up to 90 percent. It provides technical assistance to State and local governments that otherwise don't have the resources or the know-how to tackle problems on their own.

The Agency has also empowered the public through right-to-know laws that give people access to information about chemicals, toxic substances, and pollution in their own communities. After studies show how low-income and minority communities face greater environmental risks, the EPA formed an Office of Environmental Justice, dedicated to making these communities as safe as any other in the country. As is so often the case, this Federal Agency set the bar for the rest of the world on how governments can protect and preserve the environment.

One leader of the EPA who served under President George H.W. Bush recalled that the Agency worked with countries as varied as Morocco and Mexico to battle fires or spills. After the EPA sent people to help with a Russian spill that was impacting Estonia, the Prime Minister wrote the EPA a letter, saying their visit was the most important visit of any American's since Charles Lindbergh had flown from Russia to Estonia in 1933.

So the EPA has had incredibly important impacts, from boosting diplomacy around the world to protecting the lungs of little ones right here at home.

The second cornerstone of our efforts to protect the environment is the Clean Air Act. Before the EPA opened its doors, States set their own standards for clean air, and most States had weak standards because they were in a race to the bottom to attract companies that didn't want to have to deal with the damage they caused. Imagine you are in a State and have three or four adjacent States and someone wants to cite a factory. Well, it is very difficult to have a strong environmental standard because that factory is no doubt going to find the place where they are allowed to pollute the most, which is why you have Federal standards. Not surprisingly, these low standards were fueling air pollution.

Every day, the average American takes between 17,000 and 23,000 breaths. If the air we are breathing is filled with toxic chemicals, we are at risk for cancer, birth defects, and damage to our lungs, our brain, and our nerves. That risk is even higher for people with asthma and for senior citizens.

Remember, humans are not the only ones that rely on clean air. Trees, crops, wildlife, lakes, fish are all at risk of damage when we have dirty air. So eventually the American public demanded that something be done to clean up our air.

In 1970, Congress on a bipartisan basis, passed the Clean Air Act. This law, along with later amendments, makes up the complete Federal response to air pollution. It is a beautifully written law. It gives the EPA the authority to limit air pollutants and emissions from industry plants. It empowers the Agency to research and fund different approaches to keeping the air clean. It creates partnerships between Federal, State, and local governments to reduce air pollution. Who could argue with that?

As soon as it was passed, people knew that this law was a game changer. President Nixon said: "I think that 1970 will be known as the year of the beginning, in which we really began to move on the problems of clean air and clean water and open spaces for the future generations of America."

That is exactly what happened. The impact was actually felt very quickly, starting with the auto industry. The Clean Air Act called on the auto industry to drastically reduce the amount of nitrogen oxide, carbon monoxide, and other harmful chemicals that came out of the tailpipes across the country within 5 years.

Consider that today there are more than three times the amount of cars on the road than they were in the 1970s. Now imagine that the chemicals coming out of each of those cars' tailpipes were 90 percent more harmful. That is where we would be without the Clean Air Act.

It was not so long ago that communities would cancel high school for kids because the air pollution was so bad, not in Beijing but in California. That is no longer the case, not for numerous

reasons, not for a dozen or so causes but because of the Clean Air Act. This law has literally saved millions of lives. It has improved the health of millions of others.

Because the EPA has been there to enforce it, air pollution has fallen by 70 percent since 1970. Smog levels in Los Angeles have fallen from their peak by two-thirds. Nationwide, lead in our cars is down 98 percent, carbon monoxide is down 85 percent, sulphur dioxide is down 80 percent, acid rain is down 50 percent, and all at a fraction of anticipated costs.

Let me make two points here. First of all, it is actually rare that a law works this well. I mean, it is hard to make a good law. Everybody talks about it as a sausage-making process; you don't want to see what goes into it. But not all laws work over time.

This law actually worked. This law actually cleaned up our air. That is a really important thing to remember. If you undermine this law, if you undermine the agency that enforces it, the air does not clean up itself. This is not an automatic thing. The air is clean because the government protects the air.

I understand that, including the Presiding Officer and many Members of the Republican Party, we have tough debates about how big the government should be, what its responsibility should be. But if you go from BERNIE SANDERS, a democratic socialist, to RAND PAUL, the sort of Republican libertarian—and I am not sure if you just sat down and had a cup of coffee with either of them or everybody in between on the political spectrum, in terms of their view of what the Federal Government ought to do, gosh, I can't imagine that anybody—if you kind of get them in a private moment—does not think that it is a Federal role to keep the air clean.

There are moments where I see a program within a Federal agency and I might love it, right, because of my political persuasion. But I can understand how a BEN SASSE or a RAND PAUL or a MARCO RUBIO might object to it because they might say: Well, that sounds like a good idea, but my goodness, if that is so important, why don't we let communities decide whether or not to do that?

This is not one of those issues. Go and talk to your constituents about whether they want clean air. I don't know that you are going to find too many Republicans out there—I mean voters, not elected officials—voters, who think clean air is, take it or leave it, not a Federal role.

The truth is, that first of all, clean air is important enough to make a Federal law about in the first place. But there is also a technical reason, not a very complicated technical reason, but a technical reason that you need a Federal law that is about clean air as opposed to a State-by-State patchwork, and that is because the air travels. You cannot pollute in one State and expect that it will not impact the other State.

So one State having tough clean air standards doesn't really function in terms of the ecology because pollution knows no boundaries. The same study that I referred to found that air pollution has improved in the United States, thanks to environmental protection. But our work is not done. Nearly 90,000 people every year in the United States are at risk of a premature death because of air pollution. That number will rise if we chip away at this basic foundation.

The third and final cornerstone of that foundation is the Clean Water Act. It is really important to remember how bad things were before the Clean Water Act. I mean, we are not where we need to be in terms of protecting our water resources. But it is kind of unfathomable how bad it was before this law was passed.

Water in communities across the country was dirty. You could not swim or fish in two-thirds of the lakes, rivers, and coastal waters in the country. You couldn't swim or fish in two-thirds of the lakes, rivers, and coastal waters in the country. That is a data point that you would expect in a country that is still industrializing, that just doesn't have the pollution controls.

When you go to certain parts of the planet and you see essentially a very dirty environment, you would assume two-thirds, maybe more, of those lakes and streams and waterways are too polluted to fish or swim. But this is the United States. It was allowable to dump untreated sewage into open water. You could dump untreated sewage into open water before the Clean Water Act.

But that changed in 1972, when what is now known as the Clean Water Act became law and cleared the way for the Federal Government to restore and protect the health of our water.

According to a study by the Aspen Institute, the Clean Water Act stopped billions of pounds of pollution from fouling the water and dramatically increased the number of waterways that are safe for swimming and fishing. Twenty years ago, you would have had to have a death wish to go swimming in Boston Harbor. Today, you don't have to think twice. That is because of the Clean Water Act.

But this is not just about enjoying the beauty of the water that it provides to so many communities, although not is not a small thing. Look, a lot of people—left, right, and center—people who are not political, people on the progressive side, people on the conservative side, people like lakes. People like the beach. People like the ocean.

It is not unreasonable, whoever you voted for, to think that there are a few things that government should do: They should probably have some kind of transportation infrastructure. There should probably be a law enforcement function. Make sure that the water is clean, the air is clean, and we have some national defense. Right? That is

some basic stuff. Even if you are a libertarian, if you are not nuts, you think that the government should do a couple of very basic things, and among them is to keep the water clean.

I wanted to share some interactions I have had with the craft beer industry. They wrote a letter this week about how important clean water is to them. Here is a section of it:

Beer is about 90 percent water, making local water supply quality and its characteristics such as pH and mineral content, critical to beer brewing and the flavor of many classic brews.

Changes to our water supply—whether we draw directly from a water source or from a municipal supply—threaten our ability to consistently produce our great-tasting beer, and thus, our bottom line.

Protecting clean water is central to our business and our long-term success. Not only does great-tasting beer we brew depend on it, but so do the communities in which we operate.

Some of the largest and best craft breweries in the country signed onto this letter, from the Allagash Brewing Company in Maine to the New Belgium Brewing Company in Colorado. They are right to be concerned because it will not take much for our water to go back to where it was in the 1970s. So it is in the interest of many industries for our country to have clean water, but not all of them.

Publicly traded companies will do the minimum. In a lot of ways, the way these companies are set up, they are actually obligated under the law to do the minimum. They have to maximize shareholder profit. They have boards of directors, they have earnings reports, they have quarterly obligations. Whether you like it or not, that is the way our system works. So, if you have a fiduciary obligation to maximize profits, then you may give short shrift to environmental concerns.

Compliance costs money. So most companies will comply only if they have to. If they are good companies, they feel that their obligation is to sit down with their lawyers and have the lawyers explain to them what they must do to comply.

But it is a rare company that says: Hey, I want to do much more than that. I mean Patagonia is great. There are other companies that do good work in the environmental space. But let's be very clear: There are a handful of companies that are so motivated, either as a brand strategy or a mission-driven approach, that they are going to exceed their obligations under the law. Most companies are going to do what is required under the law and not much more.

We can count on someone saying on a board of directors in some corner office or someplace on Wall Street: Hey, we can save 3 percent here if we don't clean the water. That is why we need a Clean Water Act. That is why we need the EPA. It is not a matter of left or right; this is a matter of right or wrong. This is a matter of clean or dirty.

This is especially important because our work is not done. We still have a ways to go. We still can't swim or fish in about one-third of our waterways. So these three cornerstones—this foundation of more than 40 years of progress—have prepared us to tackle what is the challenge of our lifetime, climate change. There was a time when this was primarily the concern of the conservation minded among us, people like me: hikers, swimmers, surfers green groups, bird and butterfly people. Right? I understand that.

There was a time where this was mostly an ecological concern. You had science people, you had hiking types who said: Hey, this thing is happening. I read Al Gore's book. This is a big deal. They were 10 years ahead of the curve. But climate change is no longer just an ecological issue; it is an economic issue. It is a quality of life issue. It is an American way of life issue. It is causing real harm to people and costing us billions of dollars now—not in the future, but now.

In recent years, the United States has experienced a record number of devastating storms, extreme temperatures, severe floods and lasting droughts. It is not a coincidence. As the climate changes, normal weather patterns are altered, and this affects our environment, our health, and our economy by influencing everything from the price of produce at the grocery store to our home insurance rates.

So we know that climate change is real. The science makes that clear. In fact, our own personal experience makes that real. A lot of people fish or hunt or hike or surf or snorkel or go to the lake or just go outside and experience something that seems to be changing.

There is a difference between weather and climate. The weather is tomorrow morning's temperature and whether it is raining or not and whether it is windy or not. The climate is the conditions that create the weather. It is not arguable anymore by anybody credible that the climate has changed and, therefore, the weather is getting absolutely more volatile.

Now we can, unfortunately, rely on our own experience and our own eyes to confirm that the climate and the weather are getting weirder—in some cases, more dangerous and certainly more unpredictable. Make no mistake, this is caused by humans, and that means we can do something about it.

Climate change deniers need to know that they are on the wrong side of history. They can't just cite the cost of transitioning to a clean energy economy—a cost that continues to decline, I should point out—while ignoring the cost of doing nothing, because the cost of doing nothing on climate change is absolutely astronomical, whether in storm aid, infrastructure mitigation, private property loss, or disruption in financial and insurance markets. It is much less expensive to move toward a clean energy economy than to allow se-

vere weather to drain our economy as a whole.

As a Senator from the State of Hawaii who has led the way in building a clean energy infrastructure—producing clean, renewable energy and cutting our dependence on fossil fuels—I know that we can achieve meaningful change across our Nation, but we need the EPA and an Administrator to achieve this.

By law, the EPA has the authority to take steps to cut any pollution that threatens human health and welfare, including carbon pollution. Even the Supreme Court agreed that if EPA found carbon pollution to be a danger, the Agency was obligated to act to reduce the threat. So EPA has begun undertaking efforts to rein in those emissions.

Every protection that the EPA creates is the result of years of scientific inquiry, stakeholder involvement, public comments, and technological feasibility studies.

For all the talk of Federal overreach, EPA gives an enormous amount of authority to the States. For instance, in the Clean Power Plan, EPA sets emissions targets—that is true—but it was up to each State to develop a plan that is best suited to its unique circumstances.

The State of Hawaii has a really unique situation because we have lots of clean energy opportunities. But in terms of baseload power, we get all of our fuel from Asia, and it is LSFO. It is low sulfur fuel oil. So what we do is we bring in oil on tankers, which is costing three and a half times the national average for electricity, and we light it on fire, and that creates electrons. That is not smart. So we are in a transition.

But there are other States that have geothermal resources or biofuel resources. So the EPA said: Hey, carbon is a pollutant. You have to reduce carbon pollution because, under the law, under the Clean Air Act, any airborne pollutant must be regulated, right? You have to reduce the airborne pollutants.

The EPA said: You have to do this over time, but we understand you are going to have your own energy mix and your own challenges. All you have to do is submit a plan that is kind of like thought through. So West Virginia's plan is different from California's plan and is different from Hawaii's plan. They empowered the States to endeavor to come up with their own energy mix.

Here is the good news about EPA's rules. This news is on the Clean Air Act. It is on the Clean Power Plan. This is always the case. It always comes in below the estimated cost because what happens is, if you tell industry to innovate, even if they don't want to, frankly, even if they complain about it, even if they tell you that it is going to crash the American economy, which they often say, they end up driving innovation in the private sector.

In the case of electricity generation and transportation, the Clean Power Plan and the CAFE standards, the fuel efficiency standards for cars, accelerated the technological transition that was already underway.

Here are a couple of examples. When the auto bailout came in, President Obama negotiated very hard for an increase in fuel efficiency standards. You can imagine that the American auto industry was basically on the ropes. It was about to die without a major bailout. So they got the bailout, but there were also some strings attached, which were that they bring up fuel efficiency standards. They freaked out. And you know what happened? They met the standards. And you know what happened after that? The American auto industry has never been stronger because people like fuel-efficient cars, right?

What has happened with the Clean Power Plan and with the Paris climate accord and the investment tax credit and the production tax credit is that the cost of solar and wind energy is declining. But when utilities began thinking about long-term investments in a carbon-constrained world, the increased demand for clean energy drove down these costs even further, which is good for both consumers and the environment. In fact, more solar capacity was added in 2016 than any other energy source, by far. Solar and wind combined to make up almost two-thirds of the new capacity last year.

I want people to understand that the clean energy revolution is underway. The only question is whether we are going to have to take a 4-year break from this clean energy revolution and give the keys to the car to China and other countries, which would be pleased to let the United States abdicate its role as the leader of the clean energy revolution. We are going to lose all of those solar jobs, we are going to lose the innovation opportunities, and we are going to lose all of those wind energy opportunities.

The question is not whether we are going to make a transition to clean energy. The question is how quickly and whether the United States will drive it or not.

Consumers loved the first generation of hybrid vehicles so much that there were waiting lists to buy them. CAFE standards, along with similar fuel economy standards around the world, drove the automotive industry to innovate even further. Now we have unprecedented numbers of hybrid and hybrid electric vehicles on the road, and we stand at the precipice of a new age of electric vehicles.

So we find ourselves at a crossroads. If we continue down the path President Obama set us on, I have no doubt that American ingenuity and innovation will allow us to continue to lead the world in the clean energy economy, but if we turn back the clock and hand our future back over to the dirty fuels of the past, we will cede economic leadership to China, India, Germany, and the

rest of the world. Those countries are moving toward clean energy so quickly that we may never catch up; we may never be able to take full advantage of the economic opportunities that clean energy represents. It is sad, but it is true, that this is the path that our country will go on if Scott Pruitt is confirmed to lead the EPA.

I know for the public, after so many troubling nominees, that it is hard to wake up outraged for yet another nominee. But the reason to freak out about this one is very simple—clean air and clean water. Ask anyone who lived in L.A. or in Boston since the 1970s, and they can tell you that our country has clean air and clean water because of the laws that were put in place and the Agency that has done its job to implement them.

All of this will be in jeopardy with Scott Pruitt at the helm. He made his political bones trying to shred the EPA's ability to enforce the laws that protect clean air and clean water. Now this administration wants to give Mr. Pruitt the ultimate opportunity to lead the Agency that he has worked so hard to undermine. And he hasn't hidden the fact that he is utterly opposed to the EPA.

Let me highlight four statements that he has made that illustrate this point. He said: "The EPA was never intended to be our Nation's frontline environmental regulator."

The reality is that the opposite is true. The EPA was created for exactly that reason. Before the EPA existed, there were a number of offices and bureaus across the Federal Government that worked on protecting the environment, but the government saw—Congress saw—that it wasn't enough. Our Nation's waters were polluted, and the air was not clean. People were getting sick and even dying because there wasn't enough being done to protect the environment. So the intention behind the EPA was absolutely to put a single Agency on the frontlines of protecting and preserving clean air and clean water.

Not only does Mr. Pruitt disagree with the very mission of the EPA, but he also doesn't seem at all interested in the work being done by this Agency. He was asked during the confirmation process to name a single protection on the books at the EPA. Here is his answer:

I have not conducted a comprehensive review of existing EPA regulations. As attorney general, I have brought legal challenges involving EPA regulations out of concern that EPA has exceeded its statutory authority based on the record and the law in that matter.

I mean, just as a parent—forget my job as a Senator—as a parent and as a citizen, this really concerns me. I don't want to see the EPA led by someone who is basically given a softball question in the confirmation hearing: Name something you like about the EPA. But he declines to go on the record supporting clean air or clean water.

I mean, you would think that he could just say: Well, I like the Clean Water Act; I like the Clean Air Act. He could even offer caveats, saying: I think there has been overreach, and I think there needs to be a recalibration. Say whatever you want, but he couldn't even bring himself to say he supports the Clean Air Act or the Clean Water Act. That was the second comment that he made that was disturbing.

The third one relates to a Federal standard that targets pollution that decreases visibility. Mr. Pruitt had this to say about these standards:

[They] threaten the competitive edge Oklahoma has enjoyed for years with low-cost and reliable electric generation. This low-cost energy not only benefits Oklahoma manufacturers, but gives our State a considerable edge in recruiting new jobs.

What Mr. Pruitt is referring to is actually another reason why the EPA was created in the first place. When States were in charge of environmental protections, it was often a race to the bottom. Everyone would try to lower their standards so that companies would move plants and factories to their State. And the result is exactly what you would imagine. Companies were happy to meet the lowest standard possible, leaving huge messes for the State to clean up, and that is not a good use of our taxpayer dollars.

It isn't the government's job to allow companies to make a huge mess and say: Hey, we will clean that up for you. There is no need to clean it up. We have it.

Let's look at how this has worked out for Oklahoma. I would like to read an article by journalist, author, and climate expert Eric Pooley, which was published by Time magazine:

Mercury is a deadly neurotoxin that damages the brains of the "developing fetus and young children," according to the American Academy of Pediatrics. It is spewed into the air from coal-fired power plants and other industrial sources before settling into lakes and waterways and contaminating the fish we eat.

But Pruitt's challenges against the EPA's mercury standards include a tidy piece of scientific denial, claiming "the record does not support the EPA's findings that mercury . . . pose[s] public health hazards."

After that legal challenge failed, Pruitt sued a second time to block the mercury rules—even though virtually all power plants had already complied with them at a fraction of the expected cost.

Thanks in part to the EPA rules Pruitt opposed, mercury levels in Atlantic Bluefin tuna are rapidly declining.

This isn't an abstract thing. If there are high mercury levels in fish and people eat the fish, they actually get the mercury poisoning. This happens in Honolulu all the time. We like our fish. And people go to the ER all the time. They don't know what it is, and it turns out that it is mercury poisoning.

But Oklahomans aren't so lucky. While Pruitt was busy trying to kill national mercury rules, the number of Oklahoma lakes listed for mercury contamination was climbing. This year, the state lists 40 lakes with

fish consumption advisories due to mercury levels—up from 19 listed in 2010. Eight lakes were added just this year.

Another Attorney General might have been trying to identify the sources of the pollution. But Pruitt was apparently too busy suing the EPA.

Pruitt also attacks limits on ground level ozone. The ground level ozone—better known as smog—despite the fact that ozone problems are huge and worsening in Oklahoma. The latest American Lung Association report gave all Oklahoma counties surveyed an "F" for ozone problems and found that the number of high ozone days had increased in most counties as compared to 2010 to 2012.

The argument in this article can be boiled down to a single phrase: With Mr. Pruitt leading the EPA, we can bet that as goes Oklahoma, so goes the Nation. I can't speak for the people of Oklahoma, but I can say that when it comes to these kinds of statistics on polluted air and water, we would like to pass. If you ask most people in this country, they would agree that this is not the kind of environment they want their kids to grow up in.

The fourth disturbing statement Mr. Pruitt has made is about lead. Because of the EPA we have seen lead levels in both kids and adults drop by more than 80 percent in the past few decades. This is one of the legacy achievements of this Agency. This is something the next leader of the EPA should understand, but the senior Senator from Maryland, Mr. CARDIN, raised this during a confirmation hearing. The Senator asked Mr. Pruitt if "there is any safe level of lead that can be taken into the human body, particularly a young person." Another softball question.

Here is how Mr. Pruitt answered him: "Senator, that is something I have not reviewed nor know about." This is pretty alarming because clearly he does not understand that in just 30 years this is an issue that the EPA has taken on as a high priority. This is an issue that we need the next leader to take seriously so we don't see any kind of backsliding. If you look at Mr. Pruitt's actions, they do, in fact, speak loudly about his approach to the EPA. Here is another news report:

The new administration is reportedly looking to close the Office of Enforcement and Compliance Assurance, and instead let individual program offices handle enforcement. The outlet inside EPA quoted "a source familiar with the plan" who says the Trump administration intends to "disassemble the enforcement office . . . take it, break it up, and move it back into the program offices."

Environmental advocates were quick to point out that Scott Pruitt—the Oklahoma Attorney General Trump picked to lead the EPA—made almost the same move back home. Pruitt closed his office's Environmental Protection Unit not long after he took office in 2011.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 14 minutes remaining.

Mr. SCHATZ. But Mr. Pruitt did more than close Oklahoma's Environmental Protection Unit. He also started a new unit solely dedicated to suing the EPA. He closed the Environmental

Protection Unit and set up a unit to sue the EPA. That is all they do—the other unit that people in Oklahoma might count on to investigate water contamination or illegal dumping. Mr. Pruitt's new unit has been quite active. Their office has filed more than a dozen lawsuits against the EPA. He has sued the EPA because of the way it tackles cross-state air pollution and the Agency's limits to oil and gas pollution. He sued to allow air pollution when facilities start up, shut down, malfunction, and to stop plans to address air pollution in his home State.

He sued the EPA because he disagrees with the Clean Power Plan, which will prevent an estimated 90,000 asthma attacks every year while saving American families money on their electric bill. He sued EPA to end protections against carbon pollution from new powerplants, even though these protections will cost companies very little to implement, and he challenged the clean water rule, which the EPA says protects the streams and wetlands that form the foundation of our water resources.

This is not a comprehensive list. I think there are 17 lawsuits he has filed. Guess what. Some of them are still pending. Mr. Pruitt was asked: Will you recuse yourself from the lawsuits in which you are the plaintiff? And he refused. So he is going to be the plaintiff and the defendant.

I am sure Mr. Pruitt is a good person, I am sure he is good to his family, but he also needs to be good to the American people and faithful to the law: the Clean Air Act, Clean Water Act, and Endangered Species Act. This is the foundation of what the EPA does. He doesn't get to have an opinion about those laws. He gets to implement those laws. If he wants to run for office, he can run for office and change those laws. If he wants to referee what authorities exist on those lawsuits, he can litigate, but if he is going to be the EPA Administrator, he has to check his ideological baggage at the door, and there is only one way we can be sure that he will not take his biases to the EPA.

I don't understand why in his confirmation hearing he didn't say: Look, anywhere I brought suit, anywhere I am a plaintiff, I am out. It is not unusual for a nominee to say on certain issues: I will recuse. There is ample precedent. It was done this year. It is also just plain common sense. It is the moral thing to do, the ethical thing to do, and it is politically smart because it is a problem that this person wants to remain plaintiff and defendant.

So it is disappointing and it is worrying. The agenda needs to uphold the Agency's mandate not to dismantle what the EPA has already done.

Senator BOOKER asked Mr. Pruitt how many kids in Oklahoma had asthma. Fair question to ask when you consider how many lawsuits Mr. Pruitt has filed against the EPA that if he wins will increase air pollution, and you can

bet that more air pollution will hurt those kids who already have trouble breathing. Mr. Pruitt did not know how many kids in his home State have asthma, but here is the answer: 1 in 10—1 in 10 kids have asthma.

If Mr. Pruitt takes over the EPA, he is no longer responsible for just the kids in Oklahoma who have asthma. He is also responsible for the kids across the country and in my home State of Hawaii. There are millions of people in the United States who suffer from asthma, and for each and every one of them, not to mention the countless others at risk, Scott Pruitt guarantees that it will become harder to breathe. Scott Pruitt is going to guarantee that it becomes harder to breathe because he has sued the EPA to end the regulations that keep our air clean enough for us to breathe. Never before in the history of the Environmental Protection Agency has a President nominated someone so opposed to the mission of the EPA. Look, this administration has made it very clear where it stands on climate, on science, on protecting clean air and clean water.

We have seen climate change called the Chinese hoax. We have heard rumors that scientists will be muzzled and research stopped. We have seen the President sign a law that allows oil companies to hide what kinds of payment it is making to foreign governments in exchange for extracting oil. So there is no question that dirty energy is preferred by the current administration, but that doesn't mean the Senate has to be a rubberstamp here.

We are the Senate, and the United States Senate has a specific role under our Constitution and in our history. There comes a time where issues related to party have to be subsumed by issues related to the health and welfare of the country, and we have strayed from the bipartisan consensus that existed for decades and decades and decades, the basic premise that it is an American value in every small town, in every urban place from coast to coast, and everywhere in between, everybody likes clean air and clean water. Everybody at some point on a weekend wants to drive someplace or walk someplace and just be outside and be able to take a deep breath, enjoy your family, enjoy your friends, enjoy not having to work for 2 or 3 hours—go fishing, go hunting, go hiking, go surfing, go snowboarding, go skiing, whatever it is that people like to do to kind of restore themselves, that depends on our commitment to a legacy, and it depends on a commitment to these statutes. It really does. It depends on our commitment to the Clean Air Act and to the Clean Water Act and to the Endangered Species Act.

I will just close with this. I have never seen the Senate in such a rush when there is not an actual deadline. I mean, we hurry when the government may shut down—and sometimes we screw that up too—but usually when we are in a hurry like this, when we are

doing all night, there is a reason for it. I think it is just weird that congressional delegation trips overseas were canceled, multiple Members on a bipartisan basis were supposed to be meeting with NATO allies about 2 hours from now, but all of that got canceled.

Normally our vote is on a Thursday afternoon or a Friday morning, and this vote is at 1 p.m. on Friday. That is because somebody is bound and determined to get this vote done before those 3,000 emails between Scott Pruitt and a bunch of energy companies are disclosed. It is not a theoretical thing anymore. There was some talk about whether this was going to be disclosed. Now a judge is ordering that these emails get disclosed. Now everybody seems to be in an incredible hurry to make sure that we conduct this vote before those emails are disclosed.

I was talking to Senator WHITEHOUSE and Senator MURPHY about the content of those emails. I don't know what is in those emails, but here is what I know. I know the attorney general spent 750 days trying not to disclose those emails. I know they are between him and a bunch of energy companies. I know there seems to be a strong motivation on the Republican side to conduct the vote before we get the emails. And in the world's greatest deliberative body, it seems absolutely reasonable and consistent with our constitutional obligation to provide advice and consent on nominees and especially for a Cabinet position as important as this.

It just seems like we should probably wait to see what is in those emails. If I were a Republican on the other side, I would be very uncomfortable casting a "yes" vote, and I would be waking up Tuesday morning, probably at 1 a.m., and checking on the Internet and hoping there was nothing explosive in those emails. I hope there is nothing explosive in those emails. I don't want to know that we just confirmed someone who is inappropriate for the EPA, but we are going to know by Tuesday.

If my concerns are not well-founded, great. We can vote two Mondays from now, and we will have a new EPA nominee, but why not wait to find out what is in the emails. So I urge a "no" vote tomorrow, but more than that, I urge that we give ourselves the time to deliberate and to be a Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Ms. DUCKWORTH. Mr. President, I would like to take this time to share with my colleagues why Scott Pruitt is unqualified to be Administrator of the EPA and why I oppose his nomination.

I just got a new job here in the Senate when the people of Illinois elected me last November, and I have a little advice for Mr. Pruitt on how to succeed in an interview. No. 1, don't go to a job interview and spend the entire time dodging questions. You don't tell the people interviewing you to go file document requests, which Mr. Pruitt can



reject as attorney general, and you don't oppose policies that strengthen our energy security like the renewable fuel standard. I am concerned that the RFS will be gutted under a Scott Pruitt-led EPA.

As someone who fought to defend this great Nation, I see firsthand the price we pay for our dependence on oil imported from our adversaries. I already fought a war over oil, and I would rather run my car on American-grown corn and soybeans than oil from the Middle East. During Operation Iraqi Freedom, 50 percent of all casualties occurred during convoy operations, and 80 percent of all convoy operations were conducted to transport diesel fuel. I think it is high time we invest more energy and more money and more support into development of biofuels like ethanol.

In addition to risking lives, we are wasting resources. Annually, we spend approximately \$67.5 billion protecting global oil supplies. At home, Americans are using more gas than ever before. Yet OPEC has made it clear they are controlling the price we pay at the pump.

For example, in November of 2016, OPEC decided to cut its oil production to increase prices, and it caused a 10-percent increase in prices that very day. By December 12, prices had reached an 18-month high. We should not be risking lives and wasting money when we can use energy grown right here at home in States like mine. When we are producing more oil at home than ever before, that doesn't mean we can gut policies that are helping our Nation become energy independent. We need an EPA Administrator who will work with Congress to help us find ways to cut, not increase, our use of oil.

Scott Pruitt called the RFS unworkable. He clearly doesn't know that the renewable fuel standard is delivering triple bottom-line benefits. It is good for our security, it is good for our economy, and it is good for our climate. In my State of Illinois alone, the RFS employs more than 4,000 people and generates more than \$5 billion in economic impact. Nationwide it is supporting 86,000 direct jobs. Those are good jobs with good wages. Those are people who are going home and paying their mortgages, sending their kids to school, and saving money toward retirement. It has helped to generate \$8.7 billion in tax revenues that go to schools, roads, and first responders.

Mr. Pruitt's failure to support the RFS is not the only reason I oppose his nomination.

During his confirmation hearing before the Environment and Public Works Committee, which I sit on, Mr. Pruitt gave vague, hollow, and evasive answers. It was clear that he either doesn't support or understand the mission of the very Agency he would like to lead.

Mr. Pruitt, the mission of the Environmental Protection Agency is to pro-

tect the basic ingredients that people need for a good life. It is to protect our air and our water. These issues, public health issues, are what he has spent his career in helping Big Oil to dismantle.

Take the issue of lead poisoning. One of the responsibilities of the EPA is to enforce our lead contamination laws that keep lead out of our air and water. When questioned at his confirmation hearing, I was shocked that Mr. Pruitt was unaware that there was no safe level of lead for children.

As a mom, this terrifies me. I remember sitting in the House Oversight and Government Reform Committee when we had hearings on the Flint water crisis. I am a mom of a 2-year-old, and at the time my baby was just 1 year old. I remember being pregnant and having my daughter. I looked out into that audience, and I saw a mom holding a baby bottle that looked exactly like one my daughter drank out of—a little bottle with a pink top on it. The water in her baby bottle that she had to make her formula with was brown. It was brown. I thought about what it would have been like for me to have been drinking that water while I was pregnant and to have fed that water to my child and to have had the choice of: Could I have afforded bottled water or would I have to feed my daughter that water? It is not acceptable, not in the greatest country on the face of the Earth.

Mr. Pruitt doesn't know there is no safe level of lead allowed in the drinking water for children? Even low levels of lead can cause permanent brain damage in kids, lower IQs, and inflict other cognitive damage. There is no excuse for our Nation's EPA Administrator to not know that basic fact. That is a serious oversight, especially in the aftermath of the Flint water crisis. Lead in schools and in public waterways is a serious problem for Illinois children as well as for the children of Michigan. It is a problem for families. It is a problem for families and for children all across this Nation.

The EPA should work proactively to prevent crises like in Flint and to protect America's water supplies, but Mr. Pruitt's record of filing lawsuit after lawsuit that challenge the EPA's authority to carry out its mission doesn't inspire much confidence that his goals are the same as the Agency's that he seeks to lead. The American people simply cannot afford to have someone with a well-documented history of putting corporate polluters' profits before our clean air and water leading the Agency that is meant to safeguard them—the EPA.

We are only starting to learn the extent of Mr. Pruitt's conflicts of interest, and we have an opportunity to learn more about these conflicts now that a State judge in Oklahoma has ordered Mr. Pruitt to release by Tuesday potentially thousands of emails he exchanged with fossil fuel interests in his job as the Oklahoma attorney general. Senate Republicans are forcing us to vote on Mr. Pruitt before Tuesday be-

cause they know the American people will be alarmed and shocked by what his correspondence will reveal.

Mr. Pruitt has shown he is unwilling and unable to do this job. I remember, during questioning in committee, he was asked what was the role of the EPA. He spent the majority of his answer talking about the Federal Government not infringing on States' rights and talking about pulling the Federal Government and the EPA out of the States' business. Only at the very end did he add, almost as an afterthought—oh, yes—"and to safeguard the water and the air." The name of the Agency is the Environmental Protection Agency. That should have been the first thing he said, not the last.

He doesn't understand the central public health and environmental challenges that face us. Instead of siding with people, he has chosen to side with corporate polluters. He doesn't have a single environmental accomplishment to his name. He is unqualified, and I urge my colleagues to join me in opposing his nomination.

As someone who represents a farming State, I remember when President Trump came out to the Midwest and promised the American farmers that he would support the renewable fuel standard. I am deeply disappointed he has nominated someone to head the EPA who is clearly opposed to the renewable fuel standard.

I asked Mr. Pruitt several times in committee, in several different ways, if he would stand by the American farmer. I even told him what the right answer was—side with, stand with, protect the producers, and he refused to answer. He gave vague, evasive answers and refused to commit and refused to support the American farmer.

It is a no-brainer. Support the American farmer. Don't break the President's promise. Don't back away from the RFS.

Mr. Pruitt is continuing his administration's tradition of using alternative facts. The alternative to facts is fiction, and we cannot afford to have an Administrator who questions climate change. Climate change is an urgent threat to our Nation. Increasing temperatures are causing extreme weather events at alarming rates. We are witnessing more intense droughts, wildfires, and extreme weather across this country. If we put our heads in the sand and fail to curb the pollution that drives climate change, the effects will be devastating as our air quality will worsen, which will trigger more asthma attacks and other respiratory issues for our children; our coastal communities will be threatened by sea level rise; our national security will be threatened as climate change creates instability around the world.

ADM Mike Mullen, who served as Chairman of the Joint Chiefs of Staff under the Bush and Obama administrations, had this to say about climate change:

Whatever the cause, climate change's potential impacts are sobering and far-reaching. Glaciers are melting at a faster rate, causing water supplies to diminish in Asia; rising sea levels could lead to a mass migration and displacement similar to what we saw in Pakistan's 2010 floods.

The National Intelligence Council's report, "Global Trends 2030," made similar observations.

Their report states: "Many developing and fragile states, such as in Sub-Saharan Africa, face increasing strain from resource constraints and climate change, pitting different tribal and ethnic groups against one another and accentuating the separation of various identities."

Climate change, clean air, clean water, and fighting lead contamination are not partisan issues. We don't only have these issues in red States or blue States—they are universal—and the American people expect us to make sure the head of the Agency that is charged with safeguarding these vital health priorities will be able and willing to do the job.

Since Mr. Pruitt was nominated, I have heard concerns from thousands of my constituents. Let me share a few words that I have received from my home State.

This letter is from one of my constituents from Illinois.

He writes:

I am asking you to vote "no" on Scott Pruitt's nomination as Administrator of the Environmental Protection Agency. America's clean water and air are a shining example for much of the world, and the EPA is their defender. Mr. Pruitt demonstrates no understanding of ocean acidification and the urgent risk it poses to American marine life, fishermen, and the communities that depend on them. Americans must protect our water and air from further pollution while we work collaboratively toward win-win solutions to challenges like ocean acidification. Mr. Pruitt ignores established science, and he is the wrong choice to lead the EPA. As my Senator, please vote "no" on my behalf.

I hear you, and I share your concerns, and I will be voting no on Mr. Pruitt as Administrator of the EPA.

As you may know, EPA region 5 is based in my State, in Chicago. I have heard from a number of EPA employees as well as from constituents—employees, both past and present—who are worried about the Agency they have served and loved. Here are some words from a former region 5 employee.

He writes:

Dear Senator Duckworth, I and many other former employees of the Environmental Protection Agency want to share our concern about Attorney General Scott Pruitt's qualifications to serve as the next Administrator of the EPA. Our perspective is not partisan. Having served under both Republican and Democratic Presidents, we recognize the right of a new administration to pursue new policies that protect our environment, but the EPA's Administrator must act in the public's interest and not simply advance the agendas of the industries that it regulates.

Decisions that affect the public's health or natural resources should respect the law and reflect the best scientific evidence available. Mr. Pruitt's record and public statements

suggest that he does not share these values. As Oklahoma's attorney general, Mr. Pruitt issued more than 50 press releases celebrating lawsuits to overturn EPA standards to limit mercury emissions from powerplants, reduce smog levels in cities and regional haze in parks, clean up the Chesapeake Bay, or control greenhouse gas emissions. In contrast, none of Mr. Pruitt's press releases refer to any action he has taken to enforce environmental laws or to actually reduce pollution.

Of even greater concern, his statements frequently ignore or misrepresent EPA's authority to regulate or its obligation to do so under the Clean Air or Clean Water Act. Mr. Pruitt has shown little interest in the kind of scientific and factual evidence that must guide EPA decisions. Mr. Pruitt has said that humanity's contribution to global warming is subject to considerable debate. That statement is at odds with the consensus among scientists. Mr. Pruitt fails to understand the difference between the public interest and the private interest.

It is just amazing to me that we are even here, that this man was even nominated—someone who has sued the EPA, someone who has so clearly been in partnership with the fossil fuel industry and who has not put the interests of families and children first as opposed to the interests of the fossil fuel industry, which have been guiding him all the way.

I, in fact, was shocked to learn that Mr. Pruitt closed the Oklahoma Environmental Enforcement Unit established by his predecessor. Instead, he established a new litigation team to challenge the EPA and other Federal agencies. Let me say that again. When he became the Oklahoma attorney general, he closed the Oklahoma Environmental Enforcement Unit. Instead, he chose to start a new litigation team to challenge the EPA and other Federal agencies.

I did not see any indication from him, in his confirmation hearing, that he would not do the same once he gets to the Federal EPA. Perhaps that is the intent of the Trump administration, to bring someone in who will dismantle the EPA. That is why I am here tonight. That is why I am opposing him—because I put the needs of our children, the needs of our environment, and the needs of our national security in front of the needs of the biofuel industry. We need an Administrator who has the patience, skill, and commitment to public service in order to steer the EPA through challenges that are associated with protecting our public health.

I, too, cannot believe Mr. Pruitt has demonstrated that he has the qualities needed to lead the Environmental Protection Agency. I hope you will be happy to know that is why I am opposing his nomination.

A constituent from Deerfield, IL, wrote to me:

I am writing to ask that you raise your voice in Washington against Scott Pruitt as President Trump's nominee for EPA Administrator.

The EPA is an organization driven by science and dedicated to protecting the climate and environment, not just for Ameri-

cans but for all citizens of the Earth. Mr. Pruitt, on the other hand, disagrees with a vast majority of the scientific establishment as to the extent of climate change and humanity's role in it. He has made a name for himself by opposing EPA's policies and missions in the past.

It is beyond me that anyone believes Mr. Pruitt could effectively head the EPA and lead it further in its mission to ensure we are responsible stewards of this planet's environment and resources. I ask that you do your duty as a citizen of this planet and vote "no" on Mr. Pruitt for this position.

The EPA is an organization driven by science and dedicated to protecting the climate and environment, not just for Americans, but for all nations of the Earth. Mr. Pruitt, on the other hand, disagrees with the vast majority of the scientific establishment. Vote no on Mr. Pruitt for this position.

I hope you all do your duty as representatives of the American people by vocalizing our concerns with Mr. Pruitt to your fellow Senators, urging them to see the fault in President Trump's nomination.

Respectfully, Ethan, Deerfield, IL.

Well, Ethan, I am doing exactly that. That is why I am here today—to make sure that our colleagues understand how poorly suited Mr. Pruitt is to this job of Administrator of the Environmental Protection Agency.

Here is a letter from a Ph.D. student from Northwestern University.

As a Northwestern University doctorate student, I have chosen to devote my life to the pursuit of scientific knowledge. I am deeply troubled by the nomination of Scott Pruitt, and I am really concerned about the upcoming Senate vote.

The head of the EPA must uphold basic science and should not be colluding with the polluters they are required to regulate. Scott Pruitt cannot be trusted to head the EPA, an agency that is charged with protecting all Americans from threats to their water, air, and health.

Pruitt is also out of step with the vast majority of scientists, not only those working in the field of climate change, but also those who have dedicated their lives to protecting our air and water. As a scientific agency charged with protecting the public's health according to the best and most recent science, the EPA deserves to be headed by someone with a scientific background, or at least an appreciation for scientific truth.

I strongly urge you as my Senator to stand up for me and my neighbors, and I oppose this nomination.

Thank you so much, Amanda Cook, from North Lakeview Avenue in Chicago.

Well, Amanda, I get it. I am with you. I, of course, did not pursue a Ph.D. in a scientific field, but it doesn't take a Ph.D. in a scientific field to know that a man who has sued the EPA over a dozen times is not someone suitable to lead the EPA; that a man who said that he doesn't know whether climate change truly is scientific fact should not be the man who is going to head the Agency enforced with dealing with the effects of global warming. He should not be the person who is in charge of the Agency that will be protecting our air and our water supply.

We have not even touched on what the costs will be to this Nation if we continue to neglect the well-being of our environment. Rising rates of asthma of our children will mean higher



medical costs. Lead in the water supply causing cognitive damage to our children will mean that additional resources must be spent in our schools in order to provide those children with the best opportunities that they can have to grow and thrive and will also result in greater medical bills to treat those children for the rest of their lives.

If you don't believe me, just ask the people of Flint, MI. They are dealing with it every single day—every single day—those parents of children who have now been affected by the lead in that water supply. And Mr. Pruitt chooses to defend and protect the needs of the biofuels industry over the needs of our children. That is not someone worthy of representing the American people. That is not someone worthy of heading this Agency.

Let's just stick to Mr. Pruitt's own words, not the words of others, not the words of my constituents, but his own words. This is what he said about the Agency that he has been chosen to lead. Mr. Pruitt describes himself as "a leading advocate against the EPA's activist agenda." He said this on his LinkedIn page. We accessed this in January of 2016.

On the role of the EPA he says:

I believe the EPA has a role to play in our Republican form of government. Air and water quality issues can cross State lines and can sometimes require Federal intervention. At the same time, the EPA was never intended to be our Nation's frontline environmental regulator.

This was his testimony before the House Committee on Science, Space, and Technology in May of 2016.

I disagree with you. I disagree with you, Mr. Pruitt, because I was there at that hearing where there were both State EPA officials as well as Federal EPA officials trying to explain why they allowed Detroit's children to be poisoned. And the Federal EPA official knew about the lead in the water supply—in fact, had discovered it—and they were so timid about pursuing it that they waited too long and allowed the State to continue to move forward. Those Federal EPA officials were indeed on the frontline.

I asked the Regional Administrator, Would you not rather be in front of this committee today explaining why you acted too quickly to save the health and the future well-being of the children of Flint than to be here in front of us today explaining why you allowed them to be poisoned, and not exercise your right as the Federal EPA to step in when the health and well-being of American citizens were at stake?

So Mr. Pruitt, I disagree with you. The EPA was indeed intended to be one of our Nation's frontline environmental regulators.

On climate change, Mr. Pruitt has said:

Global warming has inspired one of the major policy debates of our time. That debate is far from settled. Scientists continue

to disagree about the degree and extent of global warming and its connections to the actions of mankind. That debate should be encouraged in classrooms, public forums, and the halls of Congress.

Really. He is actually arguing that we should be teaching false science and should be encouraging it in classrooms and public forums. I can't think of something that would be a greater disservice to America than for the EPA Administrator to be someone who actually looks at scientific data—proven scientific data, facts—and rejects them. Yet, we know why he does. We know from his history. We know from his record in Oklahoma. He does it because the fossil fuel industry tells him so.

This is what he said about the Clean Power Plan:

The President could announce the most "state friendly" plan possible, but it would not change the fact that the administration does not have the legal authority under the Clean Air Act to regulate carbon emissions.

Yes, it does. Yes, it does, Mr. Pruitt.

He just said that in August of 2015.

Here is what he said on methane regulation:

My concern is that EPA is employing its flawed methodology in order to rationalize new and unjustified Federal regulations to solve a methane emissions problem that simply does not exist.

This man does not believe in global warming. This man does not believe in scientific data.

If you don't believe the scientists, at least look at what is happening with the storm systems, with what is happening to the climate that is changing and affecting this Nation with increased drought, increased flooding, more severe weather, and erosion. We had the first climate change refugees of Louisiana where people who have lived for generations in the gulf have now seen their islands washed away and have to be resettled.

Even if you don't believe in the data, believe your eyes and believe the facts.

Mr. Pruitt also said:

The record does not support EPA's finding that mercury poses public health hazards. Human exposure to methylmercury resulting from coal-fired EGUs is exceedingly small.

That is simply untrue.

On legislating, he has said:

Legislation should not be "we like clean air, so go make clean air." That is what bothers me, that Congress gives this general authority to EPA.

On Oklahoma's race to the bottom on environmental regulations—this has to do with the Federal regional haze standards—Mr. Pruitt said:

These standards threaten the competitive edge Oklahoma has enjoyed for years with low cost and reliable electric generation. This low-cost energy not only benefits Oklahoma manufacturers but gives us a considerable edge in recruiting new jobs.

He would rather increase the haze and the pollution in the environment. He would rather have an economic edge at the expense of the people of Oklahoma who must live and breathe more polluted air.

This is what he said on the renewable fuels standard:

The evidence is clear that the current ethanol fuel mandate is unworkable. The decision by the EPA to lower that standard is good news for Oklahoma consumers.

What he means is that it is good news for Oklahoma's fossil fuel producers. In fact, the renewable fuel standards have been a success and we should be adhering to them and we should be keeping the renewable fuel standards and supporting the producers.

I will bet on the American farmer any day of the week. Our farmers work hard. Our farmers produce the corn for ethanol right here in the United States. I would rather invest in them than in foreign oil. I would rather invest in them and in a fuel that is clean-burning versus a fuel that pollutes the environment for the next generation of our Nation.

Even if you don't believe in the science, believe in the dollars. Ethanol and biofuels employ tens of thousands of hard-working Americans all across this great Nation. It accounts for large proportions of the economies of the farming States, including Illinois, Iowa, Ohio. So even if you don't believe, you should at least support our farming communities.

It is a fact that Scott Pruitt is simply too extreme to lead the EPA. He once wrote an entire op-ed questioning the science of climate change. He said:

Global warming has inspired one of the major policy debates of our time. That debate is far from settled. Scientists continue to disagree about the degree and extent of global warming and its connection to the actions of mankind.

This is according to an op-ed written by Scott Pruitt in the Tulsa World.

He goes on:

Healthy debate is the lifeblood of American democracy, and global warming has inspired one of the major policy debates of our time. That debate is far from settled.

I agree that healthy debate is important to democracy, but when that debate is over and becomes an item of fact, it is just simply silly, and in the case of clean air and clean water and climate change, it gets to be dangerous.

His climate denial goes against the scientific community. Ninety-seven percent of scientists, including those at NASA, agree that human activities are causing climate change.

The 18 major national scientific organizations issued a joint statement with the following conclusion:

Observations throughout the world make it clear that climate change is occurring and rigorous scientific research demonstrates that the greenhouse gases emitted by human activities are the primary driver.

Mr. Pruitt's climate denial is also against the will of the American people. In fact, a New York Times/Stanford poll from 2015 showed that 77 percent of Americans support government action to combat climate change. This poll found that 83 percent of Americans, including 61 percent of Republicans, say that if nothing is done to

reduce emissions, global warming will be a serious problem in the future. Seventy-seven percent of Americans, according to this poll, say that the Federal Government should be doing a substantial amount to combat climate change.

In a Wall Street Journal/NBC poll from 2009, 67 percent of Americans stated that they supported EPA action to curb carbon pollution from powerplants, while only 29 percent opposed them. In that same poll, 57 percent supported requiring companies to cut emissions even if it means higher power bills. This was an increase from 48 percent in October of 2009 to the poll that was conducted in June of 2014.

Mr. Pruitt's blatantly anti-environment agenda threatens public health. He is unfit to lead an Agency that he sued at every turn to block protections for clean air and water. He sued the EPA over the legality of the Clean Power Plan. He claims that the EPA does not have the authority under the Clean Air Act to regulate greenhouse gas emissions.

Since becoming Oklahoma's top legal officer in 2011, Mr. Pruitt has unsuccessfully attempted to stop vital protections of public health—unsuccessfully. This includes standards for reducing soot and smog pollution that crosses interstate lines; protections against emissions of mercury, arsenic, acid gases, and other toxic pollutants from powerplants; and standards to improve air quality in national parks and wilderness areas. Each time he has done this, he has failed. Yet he continues to file suit.

He did many of these suits in conjunction with the fossil fuel industry. Some of those suits are still outstanding. Yet he has said—he has refused to commit to recusing himself from any of these lawsuits that may come in front of the EPA while he is the Administrator of the Agency. That is a conflict of interest. He will simply become the plaintiff, the judge, and the jury if he does not recuse himself. But of course that is his goal. His goal is to dismantle the EPA. His goal is to dismantle the Clean Water Act. His goal is to take away the authority of the EPA to regulate and protect those activities that affect our environment.

Mr. Pruitt launched three separate failed lawsuits against EPA's clean air rules, the regional haze cross-state air pollution rule, and the mercury and air toxics protections, otherwise known as MATs. The Supreme Court flat-out rejected Mr. Pruitt's challenges to the EPA's mercury standards. Thank God, because it protects millions of children from the effects of mercury, arsenic, and other dangers neurotoxins from coal plants.

Mr. Pruitt wants to block the EPA's clean water rule, which will protect the drinking water for over 117 million—that is one in three—Americans. One in three Americans gets drinking water from streams that lacked clear protections before the clean water rule.

According to analysis of over 1,200 peer-reviewed scientific reports, small streams and wetlands play a critical role in the health of larger downstream bodies, such as rivers, lakes, bays, and coastal waters.

Mr. Pruitt doesn't even want the EPA to study fracking's potential links to water contamination. As recently as 2014, he sent a letter to the EPA Office of Inspector General warning against preliminary research into threats to water resources posed by hydraulic fracturing. He said he believed EPA's efforts to study whether fracking was linked to groundwater contamination was politically motivated. He is even afraid of a study. Not only is he trying to block the EPA's ability to regulate, he doesn't even want the EPA to study it. He doesn't even want it to have the chance to develop the data to show that our water supply is under danger from fracking.

This man doesn't believe in scientific data, but he is afraid of it. If he weren't afraid of it, he would support these studies because they would show that he was right. But here is the problem: He is not right. He is wrong. The scientific data shows that such activities pollute our water supply.

Mr. Pruitt has repeatedly failed to act to protect the people of Oklahoma from increasingly powerful earthquakes caused by fossil fuel extraction through the process of fracking as well. We have had a string of level 5 magnitude earthquakes hit the State of Oklahoma. Scientists have indicated that they are being caused by a dramatic rise in the use of hydraulic fracturing—fracking—to produce oil and gas. The problem lies in the massive volumes of wastewater unearthed in the process of unlocking oil and gas. Operators typically dump salty wastewater, injecting high volumes of fluid into the disposal wells dug thousands of feet below the Earth's surface, but the pressure from wastewater is wreaking havoc on Oklahoma's fault lines.

The Oklahoma Geological Survey bluntly concluded last year that it was very likely that the majority of earthquakes that ripped through the central and northern regions of the State were caused by this process of injecting wastewater into disposal wells. This was reported by NBC News in November of 2016.

In 2016, the National Review reported that Mr. Pruitt compared taking on Big Oil to offenses committed by the British leading to the American Revolution. It said:

The United States was born out of a revolution against, in the words of the Declaration of Independence, an "arbitrary government" that put men on trial for "pretended offenses" and "abolish[ed] the Free System of English laws." Brave men and women stood up to that oppressive government, and this, the greatest democracy of them all, one that is governed by the rule of law and not by men, is the product.

Some of our States have forgotten this founding principle and are acting less like Jefferson and Adams and more like George III.

A group of Democratic attorneys general has announced it intends to criminally investigate oil and gas companies that have disputed the science behind manmade global warming. Backed by green energy interests and environmental lobbying groups, the coalition has promised to use intrusive investigations, costly litigations, and criminal prosecutions to silence critics of its climate change agenda. This is from the National Review.

He is comparing the efforts to take on Big Oil to offenses committed by the British leading to the American Revolution. I will take on Big Oil any day. I think it is important for our Nation's future.

As we have heard during the course of this debate, those of us who are troubled by the prospect of Mr. Pruitt becoming EPA Administrator believe that the process to this point has been marred by his failure to provide us with the information we feel we need to evaluate his suitability to serve in this critical role. Meanwhile, our colleagues on the other side of the aisle argue that Mr. Pruitt has been fully forthcoming. So let's put this dispute aside and turn our attention to a question Mr. Pruitt did answer. It may be among the most revealing of his responses. Unfortunately, what his answer reveals is the precise reason so many of us and so many of the people we represent are opposed to his confirmation and convinced he is absolutely the wrong person to head the agency.

Senator CARPER asked Mr. Pruitt: Are there any other EPA regulations that are on the books today that you do support?

Mr. Pruitt declined to name a single one. Not one. He has many that he could choose from. In fact, the question should have been something of a softball, in my view, giving him a chance to embrace the EPA's core mission as a public health Agency. He couldn't find a single regulation that he could support within the EPA. The man who is supposed to be heading the EPA could not think of a single regulation of this Agency that he could support.

Instead, what Mr. Pruitt does not seem to grasp is that EPA regulations are not simply policies to be litigated. In reality, they are lifesaving protections for so many Americans, and they create millions of dollars of net benefits.

Let's take a look at some of the public health environmental protections Mr. Pruitt cannot bring himself to support.

The mercury and air toxic standards have been projected to save up to 11,000 lives annually from premature deaths—11,000 lives annually from premature deaths, saved because of these regulations. They also prevent heart attacks and avoid 5,700 emergency room visits. That translates into over \$80 billion in net benefits in a single year. That is a lot of lives saved, illnesses avoided, and economic benefits created that a

would-be EPA Administrator can't bring himself to support.

Of course, we should have expected Mr. Pruitt to name that rule since he has sued to block it twice, the second time being after EPA modified the rule to address concerns raised by the Supreme Court. Perhaps the number of rules we could expect Mr. Pruitt to support is a bit smaller than we might have thought since he blocked so many of them. In case after case after case, he has sued to block the EPA from working to save lives, prevent illnesses, and create economic benefits.

He has sued on behalf of Oklahoma to block the cross-state air pollution rule, otherwise known as the good neighbor rule. That rule cuts the pollution that leads to dangerous, sometimes deadly, urban smog and soot. When he sued, he was suing to block the American public from enjoying the following benefits: up to 34,000 lives saved per year, along with some \$280 billion in health benefits.

When Mr. Pruitt brought an action against EPA's health-based standards for ground-level ozone, he was standing in opposition to the protections that would help avoid 660 premature deaths and over 230,000 asthma attacks, while creating \$4.5 billion in health benefits net of cost. Even if you don't believe in the science, you should at least believe in the dollars and cents of the lives saved. Yet he continues to sue the EPA to oppose these regulations.

Although Mr. Pruitt has been a tireless litigator, he has not challenged every one of EPA's public health protections. But still, when asked, the man who wants to become the Administrator of the EPA could not name a single regulation of the Agency that he is about to take charge of that he supported. That means, for example, Mr. Pruitt probably doesn't support a rule that reduces the sulfur in gasoline so that emission control devices on cars can work more effectively. Don't we all want cars to work effectively? I guess he doesn't. This particular rule stands to create net benefits of up to \$17.5 billion by 2030. Those dollar figures include the benefit of saving up to 2,000 lives and preventing 2,220 hospital admissions and asthma-related emergency room visits.

In 2015, the EPA set standards for the emissions of toxic air pollutants at refineries. As a result, 1.4 million fewer people will be exposed to cancer risks, yielding a 15- to 20-percent reduction in cancer incidents linked to refinery air pollution. According to his answer, Mr. Pruitt—who is seeking to be the EPA Administrator—doesn't support those advancements in public health.

He also doesn't support rules that are protecting the brain development of our children from exposure to lead in both gasoline and paint. Otherwise, he may have answered my colleague Mr. CARPER by saying that he supported the highly successful gasoline lead phaseout that dates all the way back to 1988. That regulation produced

health benefits to the tune of over \$6 billion. He didn't even indicate that he supports a rule addressing childhood lead exposure and renovation repair and painting.

Mr. Pruitt didn't even tell us that he supports rules that put or keep money in the pockets of families and businesses along with the environmental benefits they deliver.

EPA's greenhouse gas and fuel efficiency standards for cars and light-duty trucks are calculated to save families \$1.7 trillion—that is a “t”—in fuel costs.

The EPA's 2012 rule limiting the emissions of volatile organic compounds in natural gas production were calculated to create up to \$19 million in cost savings in 2015 alone because of the value of the material recovered in the process of controlling emissions. Those benefits, however, did not inspire Mr. Pruitt to support them.

The list of health protections Mr. Pruitt does not support goes on and on. It includes health-based standards for fine particles or soot which will achieve between \$3.7 billion and \$9 billion in health benefits net of cost.

All of the rules I have mentioned are just a representative sample, nowhere near an exhaustive list.

When Mr. Pruitt declined to name a single environmental regulation he supported, he showed us how little he supports the central mission of the EPA, which is not to produce rules and regulations but to take action that creates health, environmental, and economic benefits for the American people.

Clearly, along with much of the rest of his record, Mr. Pruitt is declining to tell us he does support the health and environment protection EPA has established. It shows why he is not a suitable candidate to lead this Agency. He has shown throughout his career that he has a blatantly anti-environmental agenda, and this agenda threatens public health. He is not fit to lead this Agency—an Agency that he has sued every single chance he has gotten to block protections for clean air and water. I wonder why he does that. I wonder why.

Well, this might be a reason why. According to the National Institute on Money and State Politics—we accessed this in December of last year, just a few months ago—it appears that Mr. Pruitt has received over \$314,000 from fossil fuel industries since 2002. According to them, Scott Pruitt has received a total of \$314,996. He received \$8,201 in 2002, \$76,970 in 2006, \$112,150 in 2010, and \$117,775 in 2014.

It keeps growing and growing. I guess he is being rewarded by the fossil fuel industry for suing the EPA over and over. I can't imagine why they would continue to give him more money, other than the fact that he keeps suing the EPA.

He has used letters written by Devon Energy lawyers to send to the EPA. According to the New York Times, he

sent a letter to the EPA from his own office that was written by lawyers of Devon Energy, one of Oklahoma's big oil and gas companies, and was brought to him by their chief lobbyist. Their chief lobbyist, Mr. William Whitsitt, at the time directed government relations for the company, and had presented a note to Mr. Pruitt's office. Mr. Pruitt had taken Devon's draft, copied it onto State government stationery with only a few word changes and sent it to Washington with the attorney general's signature.

I don't think that is acceptable, and I certainly don't think that it is a suitable way for someone who is going to head the EPA to conduct himself.

Mr. President, I ask unanimous consent to have printed in the RECORD a January 17 letter from the African American environmental justice community leaders.

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

JANUARY 17, 2017.

Hon. JOHN BARRASSO,  
*Chairman, Committee on Environment and Public Works, U.S. Senate, Washington, DC.*

Hon. THOMAS R. CARPER,  
*Ranking Member, Committee on Environment and Public Works, U.S. Senate, Washington, DC.*

DEAR SENATORS BARRASSO AND CARPER:

Please name one achievement by Scott Pruitt, as Oklahoma State Attorney General, that has improved the environment or protected civil rights. Don't bother to Google it because the answer is NONE.

As the African American leaders of environmental justice organizations, we urge the Senators serving on the Environment and Public Works Committee to oppose the confirmation of Scott Pruitt as Administrator of the U.S. Environmental Protection Agency. We are outraged that Mr. Pruitt promises to set back and dismantle the policies and programs we have worked for more than 30 years to develop with community organizations across the nation. These policies were developed pursuant to both federal civil rights laws and environmental laws in order to remove racial disparities in environmental protection.

As you know, the Senate's Environment and Public Works Committee has scheduled a hearing on January 18, 2017 to examine the nomination of Mr. Pruitt to the office of the EPA Administrator by President-Elect Donald Trump. There is nothing in Mr. Pruitt's record as the current Oklahoma State Attorney General to demonstrate that he would be dedicated to the mission of the EPA, which is to protect human health and the environment. Nor does his career indicate any action to improve environmental conditions in people of color communities, who are disproportionately burdened with pollution.

Mr. Pruitt seeks to rise to the position of EPA Administrator as a reward for his efforts to block the EPA from mitigating the harmful effects of pollution “outside the fence-line” of toxic industries.

Let's be clear: the people who live beyond the fence of polluting industrial facilities and suffer the acute, chronic, cumulative and synergistic effects of exposure to pollution are predominantly African American and other people of color.

Mr. Pruitt appears to relish the opportunity to remove standards that are protective of our basic rights to a healthy and safe

environment. Case in point: Mr. Pruitt's dogged effort to axe the Obama Administration's Clean Power Plan would have devastating effects on predominantly African American communities. The Clean Power Plan requires the reduction of carbon pollution from power plants. It is the first federal air quality standard to establish requirements for states to achieve environmental justice. These requirements are based on the egregious fact that 78% of power plants are disproportionately located in close proximity to people of color and poor communities. The Clean Power Plan recognizes the vulnerability of people of color and poor communities to the disastrous effects of climate change, which is brought on by the burning of fossil fuels. In the U.S., the largest source of pollution driving climate change is power plants. Additionally, this air quality standard direct states to ensure meaningful and effective participation of vulnerable communities in developing state plans for reducing power plant pollution.

We recognize that the biggest climate and environmental threats to our nation and planet are fueled, in part, by racial disparities in environmental protection. Industrial sites and major transportation routes are disproportionately located in and around predominantly African American neighborhoods, where residents are daily exposed to the smokestack and vehicle emissions that warm the planet as well as trigger asthma attacks and cause other severe health problems. We cannot effectively confront the threats of climate change by confirming Mr. Pruitt, a climate denier, to the post of EPA Administrator. We also cannot pursue remedies for racial disparities in environmental protection with Mr. Pruitt at the helm of the EPA, as he has shown himself to be hostile to preventing pollution that occurs disproportionately in communities of color.

We need an EPA Administrator who will work to remedy the persistent and pervasive problem of environmental racism that results in:

79% of African Americans living in polluted neighborhoods;

African American children being three to five times more likely than white children to be hospitalized or die from asthma;

African Americans in 19 states being more than twice as likely as whites to live in neighborhoods with high pollution levels, compared to Hispanics in 12 states and Asians in 7 states;

more than 68% of African Americans living within 30 miles of a coal-fired power plant—the distance within which the maximum negative health effects of the smokestack plume are expected to occur—compared with 56% of whites and 39% of Latinos who live in the same proximity to a coal-fired power plant;

African Americans being more vulnerable than whites to climate change, and less likely than whites to recover from disastrous weather events;

the percentage of African Americans living near the fence line of a chemical plant is 75% greater than for the US as a whole, and the percentage of Latinos is 60% greater; and

predominantly African American neighborhoods with households incomes between \$50,000 and \$60,000 being more polluted than predominantly white neighborhoods with households incomes below \$10,000.

There is nothing in Mr. Pruitt's record as Oklahoma State Attorney General to indicate that he would be sensitive to and willing to help communities throughout the United States, where African Americans and other people of color disproportionately suffer and die from unhealthy environmental conditions, which also contribute to climate change. For all of the reasons stated above, we urge you to take a stand in opposing the

confirmation of Mr. Pruitt as EPA Administrator.

Should you have any questions, please do not hesitate to contact Dr. Beverly Wright, Executive Director of the Deep South Center for Environmental Justice, Inc.

Sincerely,

Dr. Beverly Wright, Executive Director, Deep South Center for Environmental Justice, Inc.; Dr. Robert D. Bullard, Distinguished Professor, Urban Planning and Environmental Policy, Texas Southern University; Ms. Peggy Shepard, WeACT for Environmental Justice; Rev. Lennox Yearwood Jr., President/CEO, Hip Hop Caucus; Ms. Francis Gilcreast, President, NAACP—Flint Branch; Dr. Charlotte Keys, Executive Director, Jesus People Against Pollution; Rev. Leo Woodberry, Director, Kingdom Living Temple; Mrs. Sylvia Scineaux-Richard, President, East New Orleans Advisory Commission; Mr. Hilton Kelley, Founder & Director, Community In-Power & Development Association; Mr. Kali Akuno, Co-Director, Cooperation Jackson; Mr. David Fellows, Dehlsion Chair of Environmental Studies, Director, Global Environmental Justice Project, University of California, Santa Barbara; Ms. Sharon E. Lewis, Executive Director, Connecticut Coalition for Environmental Justice.

Major Joe Womack, Vice-President, Mobile Environmental Justice Action Coalition; Mr. Arthur Johnson, Chief Executive Officer, Lower Ninth Ward Center for Sustainable Engagement; Ms. Katherine T. Eglund, Chairperson, Environmental and Climate Justice Committee, NAACP National Board of Directors; Ms. Rebecca O. Johnson, Consultant, Road Map Consulting, c/o Common Counsel Foundation; Ms. Donele Wilkins, President/CEO, Green Door Initiative; Rev. James Caldwell, Executive Director, Coalition of Community Organizations; Dr. Mildred McClain, Executive Director, Harambee House, Inc.; Ms. Ruth Story, Executive Director, Education, Economics, Environmental, Climate and Health Organization; Mr. Derrick Evans, Director, Turkey Creek Community Initiatives; Mrs. Dorothy McWilliams, Concerned Citizens for Melia; Rev. Calvin Avant, Director, Unity in the Family Ministry; Ms. Bridgett Murray, Director, Achieving Community Tasks Successfully; Mr. Brian Butler, Communications Outreach, Director, Air Alliance Houston.

Ms. DUCKWORTH. Mr. President, as is stated in this letter, it says:

As the African American leaders of environmental justice organizations, we urge the Senators serving on the Environment and Public Works Committee to oppose the confirmation of Scott Pruitt as Administrator of the U.S. Environmental Protection Agency. We are outraged that Mr. Pruitt promises to set back and dismantle the policies and programs we have worked for more than 30 years to develop with community organizations across the nation.

There is nothing in Mr. Pruitt's record as current Oklahoma State Attorney General to demonstrate that he would be dedicated to the mission of the EPA, which is to protect human health and the environment. Nor does his career indicate any action to improve environmental conditions in people color communities, who disproportionately burdened with pollution.

Mr. Pruitt appears to relish the opportunity to remove standards that are protective of our basic rights to a healthy and safe environment. Case in point: Mr. Pruitt's dogged effort to axe the Obama Administration's Clean Power Plan would have devastating effects on predominantly African American communities.

Mr. President, I ask unanimous consent to have printed in the RECORD a

January 17 letter from the leaders of over 20 regional and nationwide Latino civic organizations to Members of the Senate.

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

[January 17, 2017]

LATINOS OPPOSE SCOTT PRUITT FOR EPA ADMINISTRATOR

DEAR SENATOR: As Latino leaders, members and representatives of the undersigned organizations committed to efforts that support our communities' health, advancement, safety and well-being, and on behalf of the concerned communities we represent, we strongly urge you to oppose the president-elect's nominee to lead the U.S. Environmental Protection Agency, Oklahoma Attorney General Scott Pruitt.

Mr. Pruitt has made a career of suing the Environmental Protection Agency, and has used his office to attack lifesaving public health protections time and time again. His record exhibits a reckless disregard for public health and a deeply troubling contempt for the very mission of the agency he has been nominated to lead. Mr. Pruitt denies the science of climate change, suing to block national standards to fight this crisis; he has fought against clean air protections, opposing the Mercury and Air Toxics standard which would prevent premature deaths and asthma attacks; he has sued the EPA to overturn clean water safeguards for more than half of the nation's waterways, including streams that feed into the drinking water supplies of hundreds of millions of Americans. Scott Pruitt is simply unfit to lead the EPA and, if confirmed, would pose a danger to our communities.

Latinos overwhelmingly support actions to fight climate change. We recognize the importance of protecting the environment: 97 percent of Latinos agree we have a moral obligation to take care of our environment. In December, the National Hispanic Leadership Agenda, a coalition of 40 of the leading Latino organizations nationwide, voiced their opposition to Mr. Pruitt's nomination, stating that they were "particularly troubled by this choice," and pointing to the prevalence of asthma and other respiratory diseases among Latinos living near polluting power plants, truck routes, and factories; as well as the large number of Latinos who are employed in outdoor occupations, including agriculture, where they are exposed to health hazards, bad air quality, and the impacts of extreme weather.

Americans did not vote for more air pollution, toxics, or dirty water, nor did they vote to undo critical protections that safeguard our children and communities. We did not vote for more climate change or dirty energy. Putting the EPA in Mr. Pruitt's hands does just that: he will threaten our children's health, turn back the clock on landmark efforts to clean up our air, water and climate, and imperil the United States' position as a global clean energy leader.

We call on you to publicly declare your commitment to stand up for our right to breathe clean air, drink clean water, and be protected from pollution. We urge you to vote against all legislative proposals that would in any way repeal, weaken or undermine these rights, laws and safeguards. Our community is counting on you to protect us by voting to reject Scott Pruitt's nomination for Administrator of the U.S. EPA.

Ms. DUCKWORTH. Stated in this letter, it says:

As Latino leaders, members and representatives of the undersigned organizations committed to efforts that support our communities' health, advancement, safety, and

well-being, and on behalf of the concerned communities we represent, we strongly urge you to oppose the president-elect's nominee to lead the Environmental Protection Agency. Latinos overwhelmingly support actions to fight climate change. We recognize the importance of protecting the environment: 97 percent of Latinos agree we have a moral obligation to take care of our environment. In December, the National Hispanic Leadership Agenda, a coalition of 40 of the leading Latino organizations nationwide, voiced their opposition to Mr. Pruitt's nomination.

Putting the EPA in Mr. Pruitt's hands will threaten our children's health, turn back the clock on landmark efforts to clean up our air, water and climate, and imperil the United States' position as a global lead energy leader.

I am also deeply concerned that we are holding this vote so quickly, when not all of the evidence of Mr. Pruitt's activities has been brought to light.

The fact of the matter is that we are still waiting for almost 2,000 emails to be released from his time as the Oklahoma State attorney general. Only on Thursday afternoon was there a ruling that said those emails must be released. Yet we are going to hold a vote, and my colleagues will be forced to make a decision on behalf of the constituents of their great States based on incomplete information.

I don't understand the need to rush this. I don't understand why we would hold this vote so soon, so quickly, when there are other nominees for other positions in the President's Cabinet whom we could vote on, who do not have 2,000 hidden emails waiting to be released, waiting to be reviewed.

I served on the Benghazi Committee in the House. I have to tell you that one of the refrains I heard over and over from my Republican colleagues, Republican voices, was that they just wanted to pursue transparency, and they wanted to see all the emails, and yet the very same people who were so dogged not too long ago now don't care to look at any emails when it comes to Mr. Pruitt.

Why is that? Why are we so eager to have this vote? Do you just want him to start dismantling the EPA that much sooner? Can't we wait a week? I think we are doing a disservice to the gentlemen and women who serve in this body. They deserve to have complete information before we hold this vote. I think those emails that would be disclosed deserve to be looked at. They deserve the light of day—transparency—so that we can continue to evaluate and truly have more complete information on Mr. Pruitt and his time as the Oklahoma State attorney general before we pass this vote.

Mr. President, I ask unanimous consent to have printed in the RECORD a February 6 letter from nearly 500 former employees of the EPA to Leader McConnell.

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

FEBRUARY 6, 2017.

Subject: Concerns about Scott Pruitt's qualifications to serve as EPA Administrator.

Hon. MITCH MCCONNELL,  
Washington, DC.

DEAR SENATOR MCCONNELL AND THE U.S. SENATE: We write as former employees of the Environmental Protection Agency (EPA) to share our concerns about Oklahoma Attorney General Scott Pruitt's qualifications to serve as the next EPA Administrator in light of his record in Oklahoma. Our perspective is not partisan. Having served under both Republican and Democratic presidents, we recognize each new Administration's right to pursue different policies within the parameters of existing law and to ask Congress to change the laws that protect public health and the environment as it sees fit.

However, every EPA Administrator has a fundamental obligation to act in the public's interest based on current law and the best available science. Mr. Pruitt's record raises serious questions about whose interests he has served to date and whether he agrees with the longstanding tenets of U.S. environmental law.

Our nation has made tremendous progress in ensuring that every American has clean air to breathe, clean water to drink and uncontaminated land on which to live, work and play. Anyone who visits Beijing is reminded of what some cities in the U.S. once looked like before we went to work as a people to combat pollution. Much of EPA's work involves preserving those gains, which should not be taken for granted. There are also emerging new threats as well as serious gaps in our environmental safety net, as the drinking water crisis in Flint, Michigan, painfully demonstrates.

Our environmental laws are based on a partnership that requires EPA to set national standards and gives states latitude when implementing them so long as certain minimum criteria are satisfied. This approach recognizes that Americans have an equal right to clean air and water, no matter where they live, and allows states to compete for business without having to sacrifice public health or environmental quality.

Our environmental laws include provisions directing EPA to allow for a "margin of safety" when assessing risks, which is intended to limit exposure to pollutants when it is reasonable to expect they may harm the public health, even when all the scientific evidence is not yet in. For example, EPA's first Administrator, Bill Ruckelshaus, chose to limit the amount of lead in gasoline before all doubt about its harmfulness to public health was erased. His action spared much of the harm that some countries still face as result of the devastating effects of lead on human health. Similarly, early action to reduce exposure to fine particle pollution helped avoid thousands of premature deaths from heart and lung disease. The magnitude and severity of those risks did not become apparent until much later.

Mr. Pruitt's record and public statements strongly suggest that he does not share the vision or agree with the underlying principles of our environmental laws. Mr. Pruitt has shown no interest in enforcing environmental laws, a critically important function for EPA. While serving as Oklahoma's top law enforcement officer, Mr. Pruitt issued more than 50 press releases celebrating lawsuits to overturn EPA standards to limit mercury emissions from power plants, reduce smog levels in cities and regional haze in parks, clean up the Chesapeake Bay and control greenhouse gas emissions. In contrast, none of Mr. Pruitt's many press releases refer to any action he has taken to enforce environmental laws or to actually reduce

pollution. This track record likely reflects his disturbing decision to close the environmental enforcement unit in his office while establishing a new litigation team to challenge EPA and other federal agencies.

He has claimed credit for an agreement to protect the Illinois River that did little more than confirm phosphorus limits established much earlier, while delaying their enforcement another three years.

In a similar vein, Mr. Pruitt has gone to disturbing lengths to advance the views and interests of business. For example, he signed and sent a letter as Oklahoma Attorney General criticizing EPA estimates of emissions from oil and gas wells, without disclosing that it had been drafted in its entirety by Devon Energy. He filed suit on behalf of Oklahoma to block a California law requiring humane treatment of poultry. The federal court dismissed the case after finding that the lawsuit was brought not to benefit the citizens of Oklahoma but a handful of large egg producers perfectly capable of representing their own interests. To mount his challenge to EPA's rule to reduce carbon pollution from power plants, he took the unusual step of accepting free help from a private law firm. By contrast, there is little or no evidence of Mr. Pruitt taking initiative to protect and advance public health and environmental protection in his state. Mr. Pruitt's office has apparently acknowledged 3,000 emails and other documents reflecting communications with certain oil and gas companies, but has yet to make any of these available in response to a Freedom of Information Act request filed more than two years ago.

Contrary to the cooperative federalism that he promotes, Mr. Pruitt has suggested that EPA should refrain from trying to control pollution that crosses state lines. For example, he intervened to support a Farm Bureau lawsuit that would have overturned a cooperative agreement between five states and EPA to clean up the Chesapeake Bay (the court rejected the challenge). When asked how a state can protect its citizens from pollution that originates outside its borders, Mr. Pruitt said in his Senate testimony that states should resolve these disputes on their own, with EPA providing "informational" support once an agreement is reached. But the 1972 Clean Water Act directs EPA to review state water quality plans, require any improvements needed to make waters "fishable and swimmable," and to review and approve plans to limit pollutant loads to protect water quality. EPA's power to set standards and limit pollution that crosses state lines is exactly what ensures every American clean air and water, and gives states the incentive to negotiate and resolve transboundary disputes.

We are most concerned about Mr. Pruitt's reluctance to accept and act on the strong scientific consensus on climate change. Our country's own National Research Council, the principal operating arm of the National Academies of Science and Engineering, concluded in a 2010 report requested by Congress that human activity is altering the climate to an extent that poses grave risks to Americans' health and welfare. More recent scientific data and analyses have only confirmed the Council's conclusion and added to the urgency of addressing the problem.

Despite this and other authoritative warnings about the dangers of climate change, Mr. Pruitt persists in pointing to uncertainty about the precise extent of humanity's contribution to the problem as a basis for resisting taking any regulatory action to help solve it. At his Senate confirmation hearing, he stated that that "science tells us that the climate is changing, and that human activity in some manner impacts

that change. The ability to measure with precision the degree and extent of that impact, and what to do about it, are subject to continuing debate and dialogue, and well it should be." This is a familiar dodge—emphasizing uncertainty about the precise amount of humanity's contribution while ignoring the broad scientific consensus that human activities are largely responsible for dangerous warming of our planet and that action is urgently needed before it is too late.

Mr. Pruitt's indulgence in this dodge raises the fundamental question of whether he agrees with the precautionary principle reflected in our nation's environmental statutes. Faithful execution of our environmental laws requires effectively combating climate change to minimize its potentially catastrophic impacts before it is too late.

The American people have been served by EPA Administrators, Republicans and Democrats, who have embraced their responsibility to protect public health and the environment. Different administrators have come to different conclusions about how best to apply the law in view of the science, and many of their decisions have been challenged in court, sometimes successfully, for either going too far or not far enough. But in the large majority of cases it was evident to us that they put the public's welfare ahead of private interests. Scott Pruitt has not demonstrated this same commitment.

Thank you for considering our views.

Ms. DUCKWORTH. The unemotional appeal lays out the facts directly and clearly and, as such, reads as a scathing condemnation of the Oklahoma attorney general. Stated in this letter it says:

Our perspective is not partisan. . . . Having served under both Republican and Democratic presidents, we recognize each new Administration's right to pursue different policies within the parameters of existing law and to ask Congress to change the laws that protect public health and the environment as it sees fit.

In the large majority of cases it was evident to us that they put the public's welfare ahead of private interests. . . . Scott Pruitt has not demonstrated this same commitment.

Mr. President, I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

Ms. CANTWELL. Mr. President, I come to the floor this morning to join my colleagues to speak on the nomination of Scott Pruitt to be Administrator of the EPA. Like my colleagues who have been out here tonight, the great Senator from Illinois, Senator DUCKWORTH, and my colleague from Hawaii who preceded her, we are here to talk about the importance of our environment and what a critical asset it is to each of our regions of the United States.

Certainly, you can say for the State of Washington that the environment is our economy—the beautiful aspects of our clean water, the resources of our beautiful mountains and wonderful streams, Puget Sound itself, our moun-

tains that so many of my colleagues ask me about. These are all assets that make Washington State a great place to live, work, and recreate in.

Our companies would tell you that one of the great things they have in recruiting people to the State of Washington is that it is a competitive advantage to say their business is located in Washington. People understand what that means to the quality of life and to the opportunities for those workers. It is with that in mind that I rise in strong opposition to this nomination.

I had a chance yesterday to discuss Mr. Pruitt and to discuss some of the concerns that I have with his role as Administrator, and in Oklahoma in the attorney general slot, and also his nomination process. Many of my colleagues this morning have brought up his record, what that record represents, and their concerns about his answers to very important questions.

This is about stewardship. Stewardship is about how we are going to manage our resources and apply the laws of clean air and clean water to protect not just this generation of Americans, but future generations of Americans.

Mr. Pruitt's poor environmental record—in my opinion, he is choosing to side with those companies that have been polluters of clean water and failed to protect in an aggressive way the important public health issues that were before people in his State.

Obviously, there is a big discussion tonight. My colleagues have been out here discussing whether there is transparency in Oklahoma regarding his ability to discuss with them his failures or his successes, if you will, in a public process. That is why people have been demanding these emails. These important documents are things that, not only the people of Oklahoma, but people in the U.S. Senate have a right to have answers to as we consider his nomination.

I join my colleague from Hawaii in saying, What is the rush? What is the rush to push forward somebody as an administrator for something that is about the stewardship of our air and water—something that is going to be important, not just to our generation but future generations? We want an EPA Administrator who is going to protect that. That is what we want to know: Are you going to be an aggressive steward for future generations?

I had an opportunity a couple of years ago to hear one of the great authors who has written all these books about economics. He was talking about the great implosion of the economy in 2008, 2009. His point was that was going to cost future generations—not just this generation, but maybe three generations of Americans were going to be affected by that big great recession of our economy. It is the same issue tonight.

Our future environment is going to be impacted, not just for today, but for future generations by what the next

EPA Administrator does. It is critical that we recognize the important need for clean air and clean water now and take steps to be aggressive about it.

This is something that is important to our State because it is affecting us economically. It is affecting us with water and ocean acidification, challenging our seafood industry and our food chain, and challenging us with wildfires. We want to make sure that we have an EPA Administrator who is going to do their job.

In my opinion, Mr. Pruitt has ignored big polluters and discharge in drinking water in Oklahoma. In my opinion, he has not been strong enough with regards to the big oil and big mining companies who have attempted to undermine what is EPA law. As attorney general, he tried to undermine the laws that are already on the Federal books. It leaves my colleagues and I questioning, How could he ever stand up for those laws if he has spent so much time trying to undermine them?

He has helped organize strategies and discussions about how to aggressively stop the EPA from doing its job. Some of these discussions used the example of the Pebble Mine. The Pebble Mine is a mine that companies are proposing in Alaska at the headwaters of the largest sockeye salmon run in the world, one of the most important sockeye salmon runs in the world. So as EPA Administrator, when he is supposed to be protecting clean water, is he going to side with those mining companies? He spent a whole strategy session with them trying to figure out how to overrun EPA. Is he going to be the kind of person who is going to help us stand up for clean water so we can have salmon on the west coast? Or is he going to join with those who think that you can degrade the environment and still preserve these incredible resources?

I know that people think Mr. Pruitt and his statements about climate change are important. I agree because part of that stewardship on clean air is basically implementing and carrying forward strategies to make sure that polluters reduce pollution in our air and that we come up with a plan to diversify energy sources to reduce that pollution. I should say his job is not that, but it is clearly to call out what the Supreme Court has said is implementation of the Clean Air Act.

My colleagues, I think, are failing to recognize that Mr. Pruitt's hesitancy on this issue is really going to cause problems or challenges for us here in the Senate. It is going to cause challenges for us to move ahead when we are seeing so much impact.

I know my colleague from Maine, Senator COLLINS, and I have asked the GAO for an analysis of what climate change is costing us. What is the impact of climate change costing us? Why did we ask for that letter over a year ago? Because we are seeing devastating impacts in the shellfish industry, in the timber industry, in various aspects of our economy as it relates to that.



In the Tulsa World Mr. Pruitt said: "Scientists continue to disagree about the degree and extent of global warming and its connection to the actions of mankind."

That is what he said in the newspaper in Oklahoma.

I know several of my colleagues and I have further discussed exactly this issue, but the United States has made great strides to reduce carbon dioxide, and we need to have someone who is going to be aggressive about doing more work on this. The consequences of increased carbon dioxide have been everything from extreme weather patterns to impacts on water quality, which causes impacts to our salmon, to drought conditions, which a lot of legislation—various committees have been discussing exactly what to do about the drought situation in Washington, Oregon and California. I am sure it is going to continue into many other States. It is impacting even the chemistry of Puget Sound—something I will get into in a minute with ocean acidification.

To have somebody who doesn't get how aggressive we have to be on addressing these issues is very problematic. It is an economic issue.

I would like to say, as I mentioned earlier, it is about good stewardship because it is about future generations and whether someone did their job in leaving this place to the next generation, but it is also about economic issues.

Mr. Pruitt failed to be accountable as attorney general in releasing emails, and that is so much of the discussion today about his nomination. During his confirmation hearing, he repeatedly failed to answer questions. And he told Senators: Submit an open records request to the attorney general's office—his own office. It is as if Mr. Pruitt is taunting our colleagues, not answering the questions about his policy, hoping that my colleagues on the other side of the aisle and this side of the aisle will support him, even though he will not give us answers on his policies. And then he says: Well, if you want to know, you can submit an open records request. We have; people have. We want the answers, and a court today has said: Let's give people those answers.

We don't have those answers today, yet my colleagues want to rush to have his nomination pushed through when something as important as the environment is at stake.

On average, Oklahoma State government agencies complied with their open records request within 68 days. That was the average, yet Mr. Pruitt, as attorney general, has taken over 2 years. A few weeks ago when a lawsuit was filed against Mr. Pruitt on this very issue, the suit requested that he respond to 9 open records requests, asking for as many as 3,000 emails.

As I just said, yesterday, a judge said that he has to turn over those records, those documents, and he has to do so by Tuesday. It is not a long time to

wait. It is not a long time to discuss the concerns that our colleagues have with this position. In fact, I would be happy to come back on Wednesday and make sure we have consideration then, giving people time until Tuesday. But people are pushing us to vote for this nomination tomorrow or, I should say today.

What do my colleagues not want to see in the Pruitt emails? What is it that they don't want to know? Attorney General Pruitt has been part of close to 30 anti-environmental legal actions. Is that what they don't want to see?

I know one of my colleagues has said he is going to make polluters pay. He is going to assure that these issues are implemented.

Scott Pruitt has sued the EPA 14 times. He fought the cross-state air pollution rule. He fought the regional haze rule. He fought the clean air standards for oil and gas production sites. He fought the clean water rule. He fought the mercury rule twice, and he fought the Clean Power Plan four times.

So are my colleagues interested in giving this job to someone who has fought the EPA and tried to stop them from making sure that polluters pay? This is what the responsibility of the Environmental Protection Agency is, to make sure that we have good stewardship.

In one case, Attorney General Pruitt failed to pursue a Phillips 66 refinery in an Oklahoma City, which the EPA found was one of the worst polluting refineries in the entire country. Phillips 66, in this case, impacted groundwater. That was the pollution in this case. Yet Scott Pruitt failed to enforce the environmental laws there.

As attorney general, Scott Pruitt has been absent in other cases. There was a groundwater case and pollution by Halliburton. Where was the attorney general in that case?

In another case, in Bethany, the city's water wells were impacted by a toxic plume of chemicals that impacted access to safe drinking water.

This case is still going on. But the attorney general failed to step in and protect those citizens.

So this is what we want to understand, given what Attorney General Pruitt said in his testimony: Ask for requests. Get the emails. See the positions.

That is what we have done. As we can see from his record, he knew very well it took a long time, that he had every tool to make this a very hard process for people to get the answers. Yet we are now within days of having those answers. My colleagues want to go ahead and vote.

During his confirmation hearing, Mr. Pruitt was asked to identify lawsuits he filed against private companies in Oklahoma for violation of pollution laws. Despite these examples I just mentioned, Mr. Pruitt could think of only one specific instance in which he

filed a settlement after his predecessor completed an investigation into how a dozen or so poultry producers illegally disposed of animal waste. So let's take a closer look at that case.

The poultry companies in the northeast corner of Oklahoma were not properly disposing of 300,000 tons of animal waste per year. Attorney General Pruitt's predecessor had sued the companies for damages caused by pollution and forced the companies to change disposal practices. But Mr. Pruitt in this case, rather than advocating for the judge to make a ruling, negotiated an agreement with the company to do a study on the appropriate levels of phosphorus in the Illinois River.

So while some might say "Well, isn't that a good step?" he let the agreement expire that was already in place to reduce that waste and did not seek a formal extension. He shut down the environmental unit that helped start the lawsuit against those companies. This unit was in charge of making sure that agricultural waste cleanup and millions of dollars to clean up those toxic sites were in place. Yet he let that expire.

So I have grave concerns about whether he is going to be aggressive about these issues all across the United States. Is he going to work to make sure these laws that are on the books already continue to be enforced? Is he going to fight to make sure that clean air and clean water—the rights of the citizens here in our country—are preserved and preserved for future generations?

I noticed that in Oklahoma there was question 777, a ballot measure. On that ballot measure was Oklahoma's right-to-farm statute that was proposed by the Oklahoma Legislature. If the voters in Oklahoma approved it, it would have created an amendment to the Oklahoma Constitution prohibiting the legislature from enacting laws restricting agricultural production unless laws were needed to advance a "compelling State interest."

I think this is a very interesting demonstration of how people are trying to use a process, just like the House colleagues are sending over regulatory reform bills. They are going to hide behind regulatory reform when in reality they are trying to curtail clean water and clean air rules.

Well, the people of Oklahoma were a little smarter than that. Right-to-farm laws are not uncommon, and there are currently variations in all 50 States. But many such statutes, including Oklahoma's current law, protect farmers and ranchers from nuisance claims as long as they operate in acceptable practices.

This question that was put on the ballot to Oklahomans went further than the typical right-to-farm law; it would have amended their State constitution. The State constitution holds a higher authority than these State statutes. So if that initiative was enacted, it would have guaranteed that

agriculture can engage in farming practices without interference from the legislature, and it would even have prohibited the public from suits. Can you imagine that? I know that that is what some of the proponents of these issues want; they want to do whatever they want on the land whether it impacts the neighbors or impacts clean air or clean water. They just want to keep moving it forward.

So Mr. Pruitt was in support of question 777. He talked about the “intrusive rules from government regulators” that often “fail to achieve the stated health, safety and environmental goals.” Well, we know we want to have a balance. We can have jobs, we can have agriculture, and we can have environmental stewardship. I think we, in Washington, work very hard to achieve that.

Drought issues like we are experiencing in the Yakima Basin got everybody to the table—farmers, Native Americans, fishermen, everybody. Instead of trying to pass initiatives like this—which, by the way, failed in Oklahoma—people said: We need to work together in these challenging times of a changing climate and work on preserving what is most important to all of us. They have done a good job in doing that.

So what we are looking for is an Administrator who is going to help in that process, who is going to continue to make sure we live up to these laws that are on the books and help in the challenging times of drought and environmental impact.

Of Attorney General Pruitt’s 14 cases against EPA, 13 of those suits were joined by the fossil fuel industry. The attorney general has been known to send letters to Federal agencies that basically were identical to the fossil fuel industry letters; that is, as attorney general, he wasn’t making his case, he was just making the case for the fossil fuel industry.

The CEO of Continental Resources, a top oil producer in the United States—their organizations basically were trying to push Mr. Pruitt during his time as attorney general, instead of standing up for clean air and clean water. And we want to know what he is going to do in this new job—work with Members here in the Senate on continuing to implement the law.

One of the best examples of what I would expect him to do is to continue the good work of the Federal Government in protecting salmon. Of particular importance, as I mentioned earlier, is the issue of Pebble Mine. During his time as attorney general, Scott Pruitt, as I said, planned the Summit on Federalism and the Future of Fossil Fuels. That is a pretty interesting task to take if you are the attorney general of a State, the Summit on Federalism and the Future of Fossil Fuels. That summit brought together energy executives with attorneys general to strategize against what they thought was so-called EPA overreach and how to defeat it.

One of the key examples they brought up was the Environmental Protection Agency’s efforts to protect Bristol Bay, AK, from a proposed mine that is called Pebble Mine. Pebble Mine is a proposed large hard rock mine, as I mentioned earlier, in the headwaters of Bristol Bay. Each year nearly 40 million sockeye salmon return to Bristol Bay. In total, Bristol Bay supports 29 species of fish, including all 5 North American salmon species. That is why Bristol Bay is called one of the greatest fisheries on Earth. Bristol Bay supports a \$1.5 billion sockeye salmon fishery, which provides 14,000 jobs throughout the Pacific Northwest.

Even my colleague, the late Ted Stevens, was opposed to the Pebble Mine. I think he knew the great resource and the importance of Bristol Bay.

This fishery, and the people in that fishery, and the tribes of Bristol Bay, petitioned the EPA to evaluate the impact of the proposed Pebble Mine and what it could do to salmon.

In 2014, after years of research, EPA finalized a science-based assessment of the Pebble Mine called the Bristol Bay Watershed Assessment. This assessment found that Pebble Mine posed a direct threat to Bristol Bay salmon.

I am not sure this is a picture of Bristol Bay salmon, but this is definitely an iconic symbol of what we are talking about here tonight, that thousands of jobs in our State rely on salmon, and the subsistence culture of many Native Americans also rely on Bristol Bay salmon. That is why so many people weighed in at meetings with EPA and agencies in various parts of the Northwest to talk about this issue, because so many jobs would be impacted. That mine would destroy up to 94 miles of salmon spawning streams, devastate up to 5,350 acres of wetlands, and create 10 billion tons of toxic mine waste.

So you can imagine my concern when the attorney general out of Oklahoma decided he was going to take a very lenient attitude on animal waste and hold the summit trying to basically figure out ways to disrupt EPA’s questioning and assertions about Bristol Bay. How far he is going to go as EPA Administrator to basically have a negative impact on our salmon economy?

He could have said: It was just a session, and I support EPA’s actions. But that is not the message we are receiving. The toxic mine waste that would exist at Bristol Bay would contaminate massive amounts of areas behind the second largest dam in the world, and that mine waste would be there in perpetuity in Bristol Bay.

So the science was very clear. The Pebble Mine was in the wrong place, and it was the wrong idea. Large mining companies have come to that same conclusion. Just a few weeks ago, an analyst issued a report that said Pebble Mine is “not commercially viable.” That is because of the tremendous costs that are associated with it and the risks associated with it.

After the EPA assessment found that salmon were at risk from the Pebble Mine, I definitely want to make sure that Bristol Bay salmon are protected forever. The EPA had the authority to basically use a section of the Clean Water Act to make sure those Bristol Bay salmon were protected. That is what I expect. That is what I expect after public hearings, an open process, using the authority. Why would it be a good idea to let a mine be located at the headwaters of one of the most important salmon runs in the world? Why would we do that? Yet Mr. Pruitt took time to join an effort to say: How can we overturn EPA’s efforts here?

I need an EPA Administrator who is going to stand up for our environment in the Pacific Northwest and protect us on clean air and clean water. It is critical that those individuals who were proposing this mine continue to be thwarted.

While the EPA has been close to making sure there are permanent protections for Bristol Bay, I am very concerned that this EPA Administrator could start this process all over again. That is something we can’t afford. We cannot have an EPA Administrator who is on the wrong side of the Pebble mine issue. They need to protect Northwest salmon.

I would also like to talk about another threat to our environment, to our fishing economy that is certainly happening today and why we need an EPA Administrator not to be spending their time joining forces with polluters, figuring out ways to avoid law, but figuring out ways to implement the Clean Air Act that the Supreme Court says we must follow through on.

Last year, Attorney General Pruitt stated that there is a disagreement about whether human activity has had an impact on climate. When he was pressed on this issue during his hearing, he continued to question scientific facts. He said he believed climate change is irrelevant to his role as EPA Administrator. Well, I disagree. Climate change is not a future hypothetical issue. We are seeing it today, and we are seeing it in our State.

Our fishermen want to continue the great legacy that we have in our fishing traditions, and we are going to get to why this picture is affected by what I am going to talk about next, but we want to continue to have thriving Northwest fisheries. We want to continue to have a healthy environment and food chain that is going to allow us to have a robust fishery in the Northwest.

I think our fisheries can be cited as some of the best managed fisheries in the entire world. That is how good we are at it. That is how scientific we are at it. That is how collaborative we are at it. That is how much hard work has been put into stewardship and managing the resources and making sure the jobs still exists. I would match that with any other part of the United States or this planet. The Northwest

fisheries are managed well, but they are being challenged. They are being challenged by the fact that our climate is changing and that the oceans absorb 25 percent of the carbon dioxide emissions, which resulted basically in a changing of the chemistry in our waterways. That is right; the oceans absorb 25 percent of carbon emissions. So basically they become this sink for the emissions.

We have scientists who are out on the Olympic Peninsula studying this very issue, not for us in the Northwest; they are studying it for the entire United States. It is part of our National Laboratory system. They are looking at this very important issue and the challenges we face from it.

The fact that the oceans have been the sinks for that carbon has made the rate of ocean acidification 10 times faster than anything we have seen on Earth in the last 50 million years. In Puget Sound, that means that ocean acidification has resulted in massive die-offs of young oysters. Juvenile shellfish cannot survive in these corrosive waters, and their shells actually dissolve.

So this economy for us is in the hundreds of millions of dollars, the shellfish industry. A few years ago, we were successful in getting some very minor—I think it was in the definitely thousands of dollars—to help that industry figure out what was happening because the shells weren't forming. We were able to see that ocean acidification was having such a corrosive impact, we helped the industry figure out when a better time for seeding was and to get to a point where those extreme conditions weren't having their most devastating impact.

This die-off in 2005 caused a major plummeting of the shellfish industry. An industry that employs over 3,000 people in the State of Washington. I have met shellfish growers who are fourth-generation shellfish growers in our State. So this way of life around Puget Sound is important to us. You can go to probably a dozen restaurants here. I am sure you could have gone across the street to Johnny's Half Shell and ordered a product from Washington State. It would be one of the premier products on the menu.

We have to fight to keep this industry. We have to make smart decisions about our environment. We have to make good stewardship decisions or those four generations of shellfish growers are not going to be here anymore.

The pollution that is coming from carbon into our water is a big deal. How big a deal is it? Well, it is a big enough deal to put on the front page of the Seattle Times above the fold—and probably not just once, probably several times. Why? Because we live and have a huge population around the shores of something called Puget Sound.

Almost everyone, everyone there understands the importance of clean

water and a healthy environment to protect this maritime economy and to make the right decisions moving forward.

We don't want to see what happened in 2005 and in 2006. We don't want to see that. We want to see more of our shellfish actually able to survive the seeding process, and we want to continue to be smart about this. This is where the science question comes in.

If we have an EPA Administrator who doesn't believe this impact is happening, if he is going to thwart the efforts to do the research and the science, if he is going to spend more time trying to thwart these laws than implement strategies to mitigate the impact of climate change, we are not going to be successful economically. We need technology like ocean acidification sensors.

Why were we successful at turning that situation around with the shellfish industry and making sure? It is because we were able to locate buoys in the water to give us data and information about these warming temperatures, what problems it was causing, and come up with a strategy to lessen the impact of acidification. They measured our waters and how to modify growing practices. That is basically what they did. If you are denying that climate change is even happening or that it is having this impact and you are not planning for it, you are not going to go out and help our growers strategize for the future.

They use that real-time information to increase the production from the 20 percent of historical levels that it was to 70 percent, but without that data in collaboration with places like NOAA, our shellfish industry would have continued to just decline.

I need an EPA Administrator who is going to support monitoring; that is going to understand this impact and do something about it.

Now why did I have the other picture of the salmon fisherman? Because ocean acidification, as I mentioned, basically dissolves the shells of important prey species we call pteropods, and they are the base of the food chain. So not only am I just talking about the thousands of jobs and millions of dollars associated with the shellfish industry, if you have so much carbon sinking into our waters that you are destroying this part of the food chain, it impacts the rest of the food chain. It impacts all the way up the species, including salmon, herring, mackerel, and other species. So this is why we have to have an EPA Administrator who is going to follow science and be aggressive at protecting these issues.

Last month, a new study published by scientists at the University of Washington and NOAA found that even Dungeness crabs are at risk because of these pteropods. I think that is what it says right there: "Scientists fear ocean acidification will drive the collapse of Alaska's iconic crab fishery." Thank you, thank you, Seattle Times.

That is what this is about, are we going to leave it up to the newspapers of America to describe the scientific impact of what is happening so we can force people whose job it is to be the stewards here to do their jobs?

They should be the leaders, the people we put in this position. They should be the ones who lead our Nation in protecting our most valuable natural resources and making sure these pristine areas that we need for our economy, for our quality of life, for our recreation are there, and we need an EPA Administrator who is going to be aggressive about that.

So that is a little preview of this issue and what it looks like in the State of Washington, but on this climate issue, as I mentioned, my colleague from Maine and I actually joined forces probably 6 or 7 years ago on this issue when the Senator from Maine was aggressive about pushing legislation, asking Federal agencies to make sure they had a response to climate change. I think the Senator from Maine probably saw then how important this issue was, and it was legislation we actually passed out of the Commerce Committee. I don't think it was actually implemented into law, but it was a very good directive at saying to agencies: This is going to impact us, and what is your mitigation plan.

We, in the Commerce Committee, held a hearing about this because what we were finding was that a huge part of the U.S. economy—it was definitely a high number, maybe as much as 50 percent—was driven by States with coastal economies. A report was issued about how all of these changes impacted sea level rising, impact in ocean acidification, all of these things were going to impact these coastal economies and thereby have a dramatic effect on the U.S. economy.

For example, just because it might not be front and center for somebody from Oklahoma, it was going to become very front and center for the U.S. economy if we didn't have a mitigation plan and did something about it, and this report was a heralding call for the United States to wake up to this issue.

I will never forget that hearing because the actress Sigourney Weaver was there to testify. She was there to testify because she really wanted to make the point about how important these issues were, as it related to our waters and the impact.

You would think a brilliant actress like Sigourney Weaver would steal the show. You would think her testimony before the Commerce Committee would be it. That would be the news of the day, and that is what would be written about, but it was actually a fisherman from a Southern coastal State who stole the show because he spoke about how his job was threatened, how fisheries were threatened, how, if we don't protect our oceans and our air, we are going to have devastating effects on our fisheries. This gentleman, whose family and livelihood was dependent

upon it, spoke in such an unbelievably meaningful way, he upstaged her.

So this isn't something we are coming at just because President Trump has nominated Scott Pruitt; this is something we are going to fight for every single day because it is important that our Nation have a response to it.

My colleague from Maine was on it a long time ago. She said: Let's make sure that every agency is going to have a plan for what we are going to do about mitigation and impact as a result of climate.

As I mentioned just recently, in the last year or so, she and I joined and sent a letter to GAO asking them to actually give us an estimate across the whole Federal Government. What is going to be the cost and impact of these changes to climate on our economy and the Federal Government? This is a very important answer to have from the GAO because my guess is that they are going to show that it costs a lot of money. It is not surprising to me because I have seen it in my own State, with catastrophic wildfires that have burned up hundreds of thousands of acres of land at an unbelievable cost to the Federal Government.

We are trying to come up with a better strategy for combatting these wildfires. We can't get our House colleagues to engage in a serious Energy bill process. Hopefully someday we will get them to understand that the Senate in a bipartisan fashion did its homework and had approval.

But these issues are not going away. Next summer there will be another part of the United States that will be in the hot spot again, and instead of making sure we are addressing that, some of our colleagues just want to ignore it, just like they are ignoring Mr. Pruitt's emails and his answers to these important questions.

That is the Northwest. Let's look at other parts of the country on ocean acidification. Here is an example of a coral reef in the State of Florida. In 2016, the University of Miami published a study which found that Biscayne Bay coral reefs are already suffering the impacts of ocean acidification. I would expect that coral reefs in Florida are probably as important to their economy as salmon is to our economy. I say that because I know people go to visit those coral reefs. Actually, their reefs, according to economic analysis, are worth over \$7.6 billion. That is what coral reefs are worth, apparently, due to their importance in recreational and commercial fisheries and tourism.

Everybody wants to stand up for the fossil fuel industry because they have jobs, but they forget the jobs that are related because of our environment and how important it is to our economy.

In this particular picture, we are seeing the devastating impact and changes of this coral reef in just a very short period of time.

This upper picture taken in 1976 shows a very vibrant coral reef. I think

this is an area where there has been a lot of discussion. I am not exactly sure where Carysfort Reef is, but I think there has been a lot of discussion here in the Senate about making sure people have access to it or what ways the public can enjoy this particular site. But when I look at this picture and I look at the devastating impact we see on this coral reef, I question what our strategy is to preserve what is an important recreational and commercial asset to Florida. What is our strategy?

When I think about an EPA Administrator, are they going to act now in balancing this issue and making sure that things like the Clean Power Plan, which is saying to polluters: You must reduce pollution—are they going to do that for the fishermen and recreationists and those who believe in the beauty of these coral reefs in Florida? Just like the Washingtonians in my State who go out and recreate on Puget Sound and want to fish salmon and want to make sure our fishing economy stays strong—are they going to have an Administrator who is going to do this?

I can tell you that next summer I guarantee you there are going to be unbelievable discussions about fishing in the Northwest. Why? Because there is going to be an impact on salmon, and everybody is going to want to fish—commercial fishermen, sports fishermen—everybody is going to want to fish, and unless we have an EPA Administrator and a NOAA Administrator and people who are implementing great conservation strategies, we are not going to be successful because this pollution is impacting our natural areas.

I can see here that it is impacting Florida's economy the same way.

During an interview, Scott Pruitt's predecessor, former Attorney General Drew Edmondson, who served as Oklahoma attorney general from 1995 to 2001, stated:

"Under his tenure as attorney general, I don't think environmental crimes have disappeared. It is just the filing of cases alleging environmental crimes that has largely disappeared."

So I think that somebody knows something about this.

I have constituents who are also writing and communicating to me about these issues, about whether they think Mr. Pruitt is the right person to be EPA Administrator. It is not surprising that we have a quote here from one of my constituents from Poulsbo, WA. I just talked about the Puget Sound economy. I just talked about this economy. Puget Sound is town after town of communities with fishermen who go out and take advantage of that economy within our waters and also go as far away as Alaska to fish. So I am not surprised that somebody from Kitsap County has written to the Kitsap Sun and said: "I voted for Trump, but I certainly did not vote for a government takedown of my State's most important asset, our water and our economy."

It doesn't surprise me that that is what somebody in Kitsap County said—not somebody in Poulsbo. You should just go look it up, people who are listening. People listening, anybody listening tonight from other parts of the United States, go look up Poulsbo, WA. It is a beautiful community that is all about what Puget Sound can deliver for us, and they will be the first part of our State to tell you what ocean acidification is doing in Hood Canal to impact our fishermen. They will be the first people. They know because this has been part of their livelihood.

So I want to close tonight—this morning, I should say—by saying that I hope our colleagues will at least consider the fact that we are raising concerns, because we have great concerns about the economy of the future, and that economy of the future depends on clean air and clean water and an Administrator who is going to fight to implement the law.

We need an Administrator who is going to be there not on the side of the polluters but on the side of the people in dealing with some of the thorniest environmental problems because of the change in climate this country has seen. We want someone who is going to use that science and information to help provide the stewardship for future generations. I don't think that is Mr. Pruitt.

I ask my colleagues to help turn down his nomination and to move forward—at least give us the chance to look at his emails so we know exactly what we are dealing with and to make sure that our country is going to continue to be committed to these men and women who work in this resource economy that depends so much on clean water and air.

I thank the Presiding Officer, and 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. 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.

Mr. WHITEHOUSE. Thank you, Mr. President.

There is a lot we don't know about Scott Pruitt. We know that thousands of emails between this man and the industry that he is supposed to be regulating as EPA Administrator have been suppressed by him for years. We know that just yesterday a court found that suppression of his emails unreasonable, an abject failure of his duties under the law to disclose. Those ought to be alarm bells for the side of the aisle that is forcing, jamming this nomination through.

He told us he couldn't get these emails released for more than 2 years, and the court ordered him to release the first chunk Tuesday, just days from now; the second big chunk, 10

days from now. So clearly there has been some mischief here, when on the one hand this office pretends that it can't get the emails out for more than 2 years, and a court looks at the situation and says: No. You make them available Tuesday. That is not a sign of good things.

No. 2, this is a guy who, as part of his political money operation—a political money operation that is heavily funded by big fossil fuel industry players about whose carbon emissions he will be making vital decisions as EPA Administrator. So far, his relationship with them has been to take their money and to be their lawyer. That is not a good start, either, for an EPA Administrator.

Here is the other thing we don't know: We don't know about his dark money operation. The Rule of Law Defense Fund—the whole reason you set up something like that is to hide the source of money that you use in politics. That is why the entity exists. It is to take groups like this and launder their identities right off of them so that, when money shows up, for instance, at the Republican Attorneys General Association, it is not attached to Devon Energy; it is not attached to ExxonMobil; it is not attached to Murray Energy; it is not attached to the Koch brothers or to their front groups—Freedom Partners and Americans for Prosperity—it is not attached to the company whose billionaire president was his finance chairman for his campaign, Continental Resources; it is not attached to the Southern Company and to other big energy companies. It just comes out of the Rule of Law Defense Fund. The identity of the donor has been scrubbed away. It is an identity laundering machine.

These are the relationships that are forged when you are asking people for hundreds of thousands of dollars, and \$1 million a year was the budget for the Rule of Law Defense Fund. If you are asking for that kind of money from these people, it is elementary that the Senate should know about that, but our colleagues on the other side of the aisle have completely stonewalled this—zero inquiry into the dark money operation that this individual was allowed.

Why is that? That is pretty unusual. Why were we not allowed to get these emails? Why were we told: Oh, you will have to line up behind everybody else in this FOIA line that I have maintained for 2 years. That was an adequate answer to the majority on the EPW Committee, but the judge who took a look at that same situation said: No, you get them Tuesday. If the chairman had said: No, you get them Tuesday, we wouldn't be having this problem. We would have seen them weeks and weeks and weeks ago.

All of the pressure from the majority on this nominee has been to cover up this stuff. Don't let it in. Nothing to see here, folks. Move along. Move along.

That is not right. That is not the way the Senate should behave. That is not consistent with our advice and consent responsibilities, and, frankly, it sets up Republican Senators. If and when it ultimately does come out that there is significant mischief exposed in those emails or if there are significant conflicts of interest created by that dark money operation, the Senate does not look great for having used its energy and effort in this nomination to cover that stuff up.

There is a doctrine called willful blindness, which is the wrongful intention to keep oneself deliberately unaware of something. It is a culpable state of mind in criminal and civil law. That is the state of mind that is being maintained by the majority with respect to this individual, and one has to wonder why. Why are there these big things that we don't know about Scott Pruitt?

It is not that we didn't ask. It is that we got told by the majority: Run along; it doesn't matter. You will have no support from us. We are going to clear this guy anyway. It doesn't matter if his answers to you make no sense. It doesn't matter if his answers aren't truthful. It doesn't matter if his answers put you at the end of a long FOIA line when this is the Senate's advice and consent process. None of that matters.

Just by one point of evaluation, the difference is that, when the Senate Committee on Environment and Public Works looked at this, they said: Run along; nothing here. We are not interested. Don't show us a single email.

And the judge looking at it said to get them out Tuesday—a local State judge.

Since when is the double standard in which Senators are deprived of seeing highly relevant evidence? What is being covered up and why? Who is pulling the strings around here so that these obvious questions don't get answered when you put it side by side with a State court proceeding that asks the same question and the questions get answered like that. Something is rotten in Denmark.

It hasn't fooled Rhode Islanders. My correspondence is running about 50 to 1 against Scott Pruitt. Over 1,000 Rhode Islanders have written in against him. Let me just read a couple of their communications with me.

This is from Amanda Tarzwell:

As a member of the Committee on Environment and Public Works, I urge you to do all you can—

"All you can," she says—

to block Mr. Pruitt's nomination as the head of the EPA. My grandfather, Clarence Tarzwell, worked for the EPA and opened the EPA lab in Narragansett.

Narragansett is a Rhode Island town.

It is located on Tarzwell Drive in his honor. He is now deceased, but I believe in the work he did and the necessity to protect our environment and continue to work on climate change. Please do everything you can to urge your fellow committee members

on both sides of the aisle to do the same. Thank you.

On the next, her name is right in the letter. So I will read it:

I am a 23-year-old woman with a bachelor of science degree in wildlife and conservation biology from the University of Rhode Island.

I am writing to respectfully demand you vote "no" on the approval of Scott Pruitt for Administrator of the Environmental Protection Agency. It is extremely clear that Pruitt is the WRONG choice to head the EPA.

As someone with an extensive education in environmental sciences, conservation, wildlife and plant biology, chemistry, and physics, I am deeply concerned with Pruitt's capabilities. A climate change skeptic, with no formal science-based education, Pruitt has zero concept of what it takes to make informed decisions about the current and future stakes of our environment.

Rhode Island is leading the country in many environmental fields, such as renewable energy, environmental protection, and sustainable agriculture and aquaculture. We cannot allow a climate change skeptic, with a love affair with fossil fuels, to make important decisions regarding our precious environment and those working hard to protect it.

I urge you to vote no on the approval of Scott Pruitt for Administrator of the Environmental Protection Agency.

Catherine Hoyt wrote in:

I have a special concern for the upcoming vote on the EPA Director, Scott Pruitt. I know you are on the Committee for Environment and Public Works so you are more informed than most people—

Although, as I just explained, we are deliberately underinformed in some very telling ways—

and I trust that you are unlikely to vote contrary to the interests of our beautiful and environmentally unique coastal State.

Among other things I do, I am a sailing instructor in Edgewood, in Cranston.

Cranston is another one of our municipalities.

I have been sailing in the Upper Bay for about 10 years. Even in that amount of time, the bay is noticeably cleaner. The water is clearer, and there are more birds and fish and crabs and other creatures that signify, through my direct experience, that the environment is healthier in the Upper Bay.

My anecdotal evidence is also confirmed by scientific reports from URI—

The University of Rhode Island—

over the summer that Narragansett Bay is cleaner now than it has been in 150 years. Wonderful. I would be very sorry to see that trend reverse. I am old enough to remember what it was like before the EPA, and I do not want to go back to smog-filled skies, polluted waters, and tragedies like Love Canal and Woburn's poisoned well water.

I am sure that, if it were not for the EPA and groups like Save the Bay—which is a local environmental organization—that the Upper Bay would have become more toxic and polluted due to industrial use, sewage, rainwater runoff, pesticides, and road salt. What is more, I believe that the EPA regulations have been good for business. Because pollution is, ultimately, wasteful and counterproductive, and clean businesses often are efficient and, therefore, more successful businesses. Look at the careful reutilization of materials by companies like Apple, who are investing in the future and their profitability by going further than required. They are nearly cash neutral at this point.

Some of that is through buying carbon credit, but, clearly, they are not

afraid of being environmentally responsible.

As a concerned citizen of Rhode Island and America, regarding President Trump's nomination for head of the Environmental Protection Agency, Scott Pruitt, I believe deeply that this is not the person for the job, that there is nothing in his background that suggests he has any interest in protecting American citizens and their health and environment from harm. I have never written any of my congressional Representatives in my many, many years on this planet until today.

I remember the air quality in Rhode Island in the late sixties and through the seventies-plus. Those visible brown clouds, especially in the summer, as pollution and smog drifted from New York or Connecticut towards Rhode Island. I remember the pollution in our beautiful Narragansett Bay. I see the changes ocean rise has already effected.

Climate change is real, and it is scientifically accepted across the world. I am deeply troubled by Mr. Pruitt's statements and legal actions he has instigated against this Agency. I am asking you to take a stand for the health of the citizens of Rhode Island and the American people. Please vote no when the votes are called for Mr. Scott Pruitt's nomination.

Here is the last one I will read:

As a retired Federal scientist, meteorologist, I am deeply concerned that the EPA continue to be an agency that makes decisions about our environment that are based on the best science available.

Scott Pruitt has a record of supporting policies that are pro-business at the expense of the environment despite what the science shows. How can he possibly be considered as the voice that will fight for clean air and clean water? Despite excellent progress over my lifetime, pollution continues to be a major problem for the air we breathe and the water that sustains us.

Please join the voices on the Hill that block the appointment of Scott Pruitt as EPA Administrator. Thank you.

I wish we could block the appointment of Scott Pruitt as EPA Administrator. It is really rare to see a nominee for a Federal agency who is as unqualified—indeed, as disqualified by conflict of interest—as this individual. As for the idea that he is being jammed through just as thousands of emails are going to be released about him—between him and his big funders and the groups that they funded him through—something is wrong. This is not the way the Senate should behave.

The people on that side—in taking all of this mystery, all of this mischief, all of the emails, all of the dark money—who are being asked to vote are being told: Don't even look at that.

I can promise you that if the shoe were on the other foot, Republicans would be clamoring for emails.

This is a grim day for this Chamber—what we are doing here, knowing of this man's record, knowing of his record of shutting down the environmental agency in his home State while attacking the environmental agency of the Federal Government while pretending that his concern is federalism; right? He has pretended that he thinks that the enforcement responsibility shouldn't be at the Federal level, that it should be down at the State level.

But if that were even remotely sincere, he wouldn't have shut down his own office's environmental enforcement unit as the attorney general of Oklahoma.

The common thread here is that he doesn't want any environmental enforcement at the Federal level and he doesn't want any environmental enforcement at the State level. He shut down the unit. He zeroed out the budget. He gave us a bunch of soft soap about how actually he moved the environmental unit into something called a federalism unit. But if you look at his own website for the federalism unit, the word "environmentalism" or "environment" doesn't appear. It is news that that is his environmental enforcement section, because it doesn't say so on his own website. That was an invention just for the hearing.

When you look at his own budget, the amount he budgets for environmental enforcement disappears. It has gone to zero. When you look at the Environmental Enforcement Task Force that his office's environmental unit had participated in under the previous attorney general, Drew Edmondson, that has disappeared too. He has gotten rid of every element of environmental enforcement that he controlled at the State level, while taking money from all of the big polluters, while having the CEO of Continental Resources—a billionaire—as his fundraising chair.

He took money from the fossil fuel industry through all of these different entities—through his leadership PAC, Liberty 2.0; through his campaign, Pruitt for Attorney General; through his super PAC, Oklahoma Strong PAC—sorry, that is his leadership PAC, and Liberty 2.0 is his super PAC—through the Rule of Law Defense Fund, which is his dark money operation. By the way, whatever the attorney general needs is a dark money operation. Really? Through the Republican Attorneys General Association, which he raised money for, and who knows what else.

This guy is fully fossil fuel funded. And in his entire career, he has dedicated himself to getting rid of and attacking environmental enforcement wherever he finds it—at the State or Federal level. You can't beat shutting down the environmental unit in your own office.

So that is what we are looking at. When you look at that combination and throw in the secrecy about the dark money operation and this mad rush to get this guy through before the week is out in which these emails come out, it stinks.

What we are doing here is a deliberate act of sabotage of the orderly and honest operation of an agency of our government. We are putting in a person who can demonstrably be shown to be incapable of and disqualified for those duties. I think that is actually not a bug in this program; that is the feature. That is the feature because these same forces that have been behind Scott Pruitt all his life, as he has fought all environmental enforce-

ment—State and Federal—are awfully powerful in this Chamber as well, and they are obviously calling the shots at the White House, where a nominee like this would come from.

We are in the process of deliberately sabotaging the orderly and honest operation of an agency of the U.S. Government, not at the behest of a foreign power but after a special interest—the biggest and, in my view, the foulest special interest in the world today—the fossil fuel industry.

The fossil fuel industry has become so big and so powerful and so mercenary that it has decided its best investment is no longer in oil fields or coal seams or fossil fuel processing plants, but in acquiring a controlling interest in the Government of the United States. And it turns out we come pretty cheap.

According to the International Monetary Fund, we give the fossil fuel industry a subsidy every year in the United States alone of \$700 billion. That is a more valuable prize than any drilling rights or any mining lease. To protect it—to protect \$700 billion a year—acquiring a controlling interest in the U.S. Government is a bargain. One fossil fuel front group spent \$750 million in the last election. That is a 1-to-1,000 payback—a 1,000 times ROI—each year that they keep the \$700 billion subsidy if they keep plowing \$700 million a year into politics to produce results like this nominee for EPA.

You get benefits once you have acquired that controlling interest.

Only one Republican has publicly taken a stand against Scott Pruitt, the most compromised and corrupted nominee in memory, with huge holes of secrecy still around his relationship with the industry he is supposed to regulate—nobody else, just the one. No Senators from States whose big cities are flooded by rising seas on sunny days, no Senator from States whose historic native villages are washing into the sea, no Senators from States who are losing ancient forests to pine beetles and wildfires, nor from States whose farmers see unprecedented extremes of flood and drought, and whose home State universities assign responsibility for those new extremes to climate change caused by carbon emissions from companies like these—none from the States whose fisheries are imperiled by warming and acidifying seas—no one. There is just that one Senator. How well this industry is succeeding.

This EPA nominee may be compromised and corrupted, but he is compromised and corrupted by the fossil fuel industry. So there is no talking about it on that side. Everybody just studies the ceiling tiles when the subject comes up. Nobody will help us find out about the thousands of stonewalled emails with his fossil fuel industry patrons. Nobody will help us inquire into the nominee's fossil-fuel-funded dark money operation. Nobody challenges



his nonsense answers in the confirmation process. He answered, he answered; let's move along, let's move along.

The dark hand of the fossil fuel industry is all over this nomination. This is the wolf being deliberately inserted into the lamb fold. It is from the fossil fuel money that fueled his politics—unknown fully because we refuse to shine the Senate's light into his dark money operation—to the thousands of emails between him and his fossil fuel industry patrons, only a fraction of which have been brought to light throughout our confirmation process, and which were only uncorked after his office was sued—not because of any effort on the other side in the confirmation process—to the fossil fuel front groups that have come out supporting this nominee and are spending millions to push him through. Think about that. These groups are funding ad campaigns to push this guy through. Obviously, they have expectations about how well they are going to be treated by him. Through all of that, the sting of this industry's influence is profound.

Just reflect on that last point. A dark money operation is being cranked up by polluters to ram the EPA nominee through.

Here is a headline:

Energy executives, secretive nonprofit raise money to back Pruitt.

New group warns that EPA nominee's confirmation "is not a certainty" and millions of dollars are needed for the fight.

There would have been a time when it would have been disqualifying when polluters were raising millions of dollars needed for a fight to ram through an EPA nominee. This is conflict of interest in plain day, but it is a conflict of interest with the right folks around here, I guess, and so we don't consider it conflict of interest any longer.

Whom do you suppose most of the dark money is? Well, we don't know, because it is dark money. But who is it usually? Well, the fossil fuel industry, the Koch brothers, and their front groups. And what do you suppose they want to spend millions of dollars for? What could be better for them, the biggest polluters on the planet, than a little minion to run the EPA as Every Polluter's Ally."

In any sane world, the fact that all this dark and dirty money is being spent to ram through an EPA nominee would be disqualifying all by itself—but not here, not now, not in a Congress that is so compliant to the fossil fuel industry that this alarm bell doesn't even register.

Fossil fuel front groups sent a joint letter of support for their little minion Pruitt. Here is the letter with all of these various groups who I think are united in their dependence on fossil fuel money.

Here is the legendary Heartland Institute. They are that classy group that compared climate scientists to the Unibomber. That has been their contribution to the discussion about climate change.

Competitive Enterprise Institute, Americans For Tax Reform, groups from the State Policy Network—why don't these folks turn up somewhere else? They turn up in the research of academics who are actually studying the climate denial operation—because it is an operation. You can follow the money from the fossil fuel industry out into an array of front groups—front groups by the dozen—whose whole purpose in life is to make them look like they are not fossil fuel industry front groups. So they have names like the Heartland Institute or the George C. Marshall Institute, which, by the way, has nothing to do with George C. Marshall or his family. They just took the name because everybody knows what a respected individual George C. Marshall was. They just took the name and went to work phonying up the climate change debate under the name of George C. Marshall.

That is a pretty shameful act when you think what George C. Marshall did for this country, but these are not people for whom shame has much effect.

If you look at Dr. Brulle's analysis—he is one of the academics who looks at this array of front groups that are fossil fuel funded—this group of people, of entities that signed the letter for this guy—they show up here too—small world.

Well, I wonder whom they thought that letter would convince? I don't think they expected it would convince many Democrats. Many of us on the Democratic side have gone to the floor of the Senate to call out these fossil-fuel-funded, dark-money-driven front groups, as the fossil-fuel-funded, dark-money front groups that they are.

So I don't think Democrats are very plausible targets for that letter. So why the letter? Well, my view is that this was done because everyone in this building knows that the Koch brothers' political operation is behind all of these groups—many wiggly tentacles of the same fossil fuel polluter Hydra. Behind this letter is the same Koch brothers' political operation that warned Republicans of the political peril—not my word, their word—that Republicans would be in if they crossed this industry, of "how severely disadvantaged"—another quote from the industry books—"they would be if they dared to do anything on climate change."

That is what this letter is. It is a signal. It is the political mailed fist of the Koch brothers in a front-group glove giving its marching orders. In any sane and normal world, this letter by itself from all these polluter front groups would be disqualifying, but it appears this body will obediently turn the Environmental Protection Agency of our government over to the minion of the polluters to join an administration dead-set to destroy science with politics. It is like everyone on the other side has been sworn to secrecy while this happens in plain view.

This is a heartbreaking speech for me. I perhaps need to start with a little personal background to explain.

Last year, we commemorated the 75th anniversary of the Pearl Harbor attack. After Pearl Harbor was attacked, boys across America rushed to sign up for the service of their country. My father and my uncle were two of those boys. Both became pilots in the Pacific theater. My dad was a Marine Corps dive bomber pilot; my uncle was a carrier-based Navy fighter pilot. My uncle was killed over the Philippines. Actually, he was under JOHN MCCAIN's grandfather's command—small world—but I doubt that Admiral McCain knew who Ensign Whitehouse was.

My father came home from the war, and he served our country all his life, first as a CIA officer and then as a decorated career diplomat. I believe he won every award the State Department has to offer, and he served in difficult, challenging, poor, and war-torn countries his whole life. At the end, he came out of retirement to set up Special Operations Command in the Pentagon for President Ronald Reagan.

I was raised in that life. We were often in dangerous and war-torn places, and we were surrounded by American families who faced the discomforts, the diseases, and the dangers of those far-away postings because to them something mattered. Something mattered to take your family to a place where, if your child was sick, there was no decent hospital. Something mattered to take your family to a place that if your child was bit by a dog, there was a good chance the dog was rabid. Something mattered to take your family to places where the electricity wasn't reliable, the water wasn't clean, the people weren't friendly, and diseases abounded.

These folks didn't talk about it a lot. Today, a lot of people wear their patriotism on their sleeve. It was not really a topic of conversation, but it was a thread through their lives that showed that in their choices something mattered. They didn't wear their patriotism on their sleeves; they lived it.

The American Government that they served and that my uncle died serving was, to them, an ideal. Did America sometimes fall short of that ideal? Sure. But I will tell you what: Every other country in the world knew the difference between America and everybody else. We stood out for what we stood for. Across our agencies of government, for decades, many Americans have worked quietly and honorably to advance that American ideal.

At the heart of that ideal is a duty, and the duty is to put country first, to put the American people first, even before your own families' comfort and safety. That honor and that duty running through the lives and service of millions of public servants are the core heartstrings of American democracy.

Into that government, this Trump administration has nominated as Administrator of the EPA, a tool of the

fossil fuel industry, a man who demonstrably will not take his government responsibilities seriously because he never has. He has never taken EPA's responsibility seriously. He has done nothing but sue them. He has never taken his State's environmental responsibility seriously. He has shut down the enforcement arm that his office had. He will represent with the biggest conflict of interest in history a polluting industry whose regulation is actually now the EPA's primary public duty. This isn't some fringe question of conflict of interest about some question that may emerge. This is the biggest stinking conflict of interest I think we have ever seen in this body about the issue that is at the center of the Environmental Protection Agency's responsibilities. With the most important task before the EPA being to control carbon emissions before we push this planet over the climate cliff, the industry in question will now rule the regulator.

Well, this hits home. I have fishermen in Rhode Island who need honest environmental policy to protect our seas. "It is not my grandfather's ocean," they have told me. "Things are getting weird out there," people who have fished since childhood have told me.

Moreover, Rhode Island is a downwind State from the midwestern smoke stacks and a downstream State from out-of-state water pollution. Rhode Island needs a strong EPA to enforce clean air and clean water laws from harm starting outside our boundaries. My attorney general has not shut down his environmental unit, and my department of environmental management is doing our best to keep Rhode Island clean and livable. But they can't do much about out-of-state polluters. That is where the EPA comes in. For a man who so plainly disbelieves in and deprecates the EPA's mission, it is an alarming picture for Rhode Island.

We are a coastal State, and a small one. We don't have a lot to give back to rising seas. I have to say, I am sick of having to comfort people whose homes have been washed away into the sea.

This is a picture I took not too long ago. Colleagues who have been here for a while might remember this individual. He was the Governor at the time, but he was my predecessor in my seat in the Senate, Lincoln Chafee. His father served here with enormous distinction for many, many years and was actually a Republican chairman of the Environmental and Public Works Committee who cared about the environment. He was an environmental Republican leader.

These are houses that have washed into the sea as the result of a storm. Sea level rise has raised the level of the ocean so that storms throw their water farther in, and they take little houses like these that have been beachfront houses for many years and they just pull them into the ocean.

I spoke to the lady who I think owned that house. She was, I would

say, in her seventies. She had childhood memories of that house. It had been her grandparents', and she would come to visit as a little girl. What she remembers as a little girl is that she would come out of that house, and in front of the house was a little lawn big enough to put up a net and play volleyball or badminton. Across from their lawn was a little road, just a sand-and-gravel road, but it allowed cars to come down and park near the beach. On the other side of the road was a little parking area where the cars could pull in. Beyond the lawn and the road and the parking area was the beach. Her memories of the beach were of sunny days with the sun beating down on the sand, and she would get across the lawn and across the road and across the parking lot, and then she would just have to scamper as fast as she could on her little feet across the hot sand. She described to me remembering what a long run that felt like for her to rush down to the ocean where she could put her feet into the cool Atlantic waters and swim. That beach, that parking area, that road, that lawn, and now her house are all gone. These are the things that are happening in my State that the Republicans in this building could not care less about—could not care less about.

The math is obvious: When you add heat into the atmosphere, the ocean absorbs the heat. Indeed, the ocean has absorbed almost all of the heat of climate change. God bless the oceans because if it weren't for them, we wouldn't be worried about hitting 2 degrees' increase in temperature. We would be worried about hitting 30 degrees' increase in global temperature. Because of all the heat that has been piled up, it has gone into the oceans 93.4 percent. That is like setting off more than two Hiroshima nuclear bombs in the ocean every second. Every second.

Think of the heat of a nuclear explosion of the level that destroyed Hiroshima. Think of the—whatever it would be—terajoule of heat energy that gets set off by a nuclear explosion. Our oceans are absorbing heat. If we measure over the last 20 years how much heat they have absorbed, they are absorbing heat at the rate of multiple Hiroshima nuclear explosions happening in the ocean every second for 20 years.

We wonder why Senator CANTWELL was talking about strange things going on in the oceans. We wonder why my fishermen are saying it is getting weird out there. But when all that heat goes into the oceans, there is a law called the law of thermal expansion. That is not the kind of law we debate around here. That is one of nature's laws. That is one of God's laws. That is one of the laws of physics and chemistry that we so ignore around here because we are paying attention to the laws of politics and the "golden rule": Who has the gold, rules.

But these are laws that we don't get to repeal or amend. What they are

doing is swelling the seas with that heat. On top of that, in comes the water from melting glaciers and there is your sea level rise, 10 inches of sea level rise that we have measured at Naval Station Newport, to the point where we face scenes like this: a man in a kayak going down in front of the Seamen's Church Institute in Newport, RI. This is not water in the ordinary course. This is a place where tourists walk. That is a storefront with water coming through the doorway. This was the storm surge, the tide, that came in with Sandy—which missed us, by the way.

We have a Coastal Resources Management Council that defends our shores, and our University of Rhode Island and Coastal Resources Management Council work together to see what is coming. They have developed new computer tools to determine which houses are going to be lost in what kind of storms, how often this scene is going to have to repeat itself in Rhode Island. We are anticipating 9 feet of sea level rise by the end of this century.

My colleagues may think that is funny, that this is all sort of an amusing hoax we can talk about, but any State whose coasts are threatened with 9 feet of sea level rise, any representative of that State has a responsibility to come here and fight to try to defend that State.

When the adversary is the big special interests that is causing that and that has mounted the vast campaign of lies I talked about earlier to try to cover it—it is \$700 billion in subsidies every year—then that is an adversary worth going after because that is a dirty and wrongful adversary.

When their representative is going to run the EPA, that is a disgusting state of affairs. If Rhode Island had to suffer this to save our country for some great goal, if Rhode Islanders had to go off to war again like my father and uncle and Rhode Islanders have since the first battles in Portsmouth, RI, the Revolutionary War, we would saddle up—sign us up—to take on whatever we need to defend this great country, but don't ask us to take a hit like this to protect a big special interest.

The arrogance and the greed of the fossil fuel industry and the dirty things it is willing to do to advance its interests knows no bounds. It lobbies Congress mercilessly against any action on climate change, and it has for years.

It runs a massive political electioneering operation of dark money and false attacks to prevent any action on climate change, and it has for years. It operates that giant array of front groups, a multi-tentacled, science-denial apparatus to put out streams of calculated misinformation. It does this all to protect what that International Monetary Fund report identified as a \$700 billion annual subsidy.

What would big corporations do to protect \$700 billion? Well, we are finding out. For years, the fossil fuel industry has been deliberately sabotaging

the honest and orderly operation of the legislative branch of America's government to protect its subsidy. With this appointment, it would be able to corrupt and sabotage the EPA.

I use the word "corrupt" because this is indeed the very definition of corruption in government. This is government corruption in plain view. In the Supreme Court decision *Austin v. Michigan State Chamber of Commerce*, here is how the U.S. Supreme Court described corruption. The Court described it as "the corrosive and distorting effects of immense aggregations of wealth that are accumulated with the help of the corporate form and that have little or no correlation to the public's support for the corporation's political ideas."

Back we go to this network of false front operations, established by immense aggregations of wealth that are accumulated with the help of a corporate form and that have little or no correlation to the public support for the corporation's ideas.

We got some interesting polling recently. The George Mason University went out recently and conducted a poll of Trump voters. What did Trump voters think? It turns out that more than 6 in 10 Trump voters support taxing and/or regulating the pollution that causes global warming. In general, Trump voters were asked: Which of these two approaches to reducing the pollution that causes global warming do you prefer? Well, 16 percent said: I don't know; 21 percent said: Do nothing; but 13 percent of Trump voters said: Tax pollution; 18 percent said: Regulate pollution; and 31 percent said: Tax pollution and regulate pollution.

That adds up to more than 6 out of 10 Trump voters thinking that the pollution that causes climate change should be taxed or should be regulated or should be taxed and regulated.

When you go back to the *Austin v. Michigan State Chamber of Commerce* definition of corruption and look at the section that says that the policies pushed by the massive aggregations of wealth accumulated with the help of the corporate form want to go one way and the public wants to go another way and the corporate powers' views have little or no correlation to the public support for the corporation's political ideas, well, heck, we know Democrats support doing stuff about climate change.

It turns out Trump voters do too. The public is actually happy to get something done. It is this mess that is stopping us. It is groups that spend \$700 million in a single election to influence Congress that is the problem, not the American public.

Teddy Roosevelt described corruption this way. He described corruption as a sinister alliance between crooked politics and crooked business, which he said has done more than anything else for the corruption of American life against the genuine rule of the people themselves.

If you look at the influence of Big Business—particularly the fossil fuel business—it has been something else around here. I was elected in 2006. I was sworn in, in the Senate, in 2007. When I was first here in those early years, there was a Republican climate bill floating around the Senate virtually all the time.

My recollection is that there were five Republican cosponsored climate bills during my time there. SUSAN COLLINS did a climate bill with Senator CANTWELL; Senator John Warner of Virginia, Republican, did a bill with Senator Lieberman; Senator GRAHAM worked on a bill with Senator Kerry; Senator LAMAR ALEXANDER had a bill of his own; and Senator MCCAIN supported climate legislation and ran for President of the United States on a strong climate change platform. And then came 2010. Then came a decision called *Citizens United*, which the fossil fuel industry asked for, expected, and immediately acted on when it came out, and it said to the big special interests: Go for it, boys; spend all you want in politics. We five Republican appointees to the Supreme Court are going to make the comically false finding that nothing you can do with unlimited money could possibly ever corrupt American democracy or could possibly even be seen as corrupting by the American public.

Of course, that is such hogwash that right now the Supreme Court is viewed by people who have been polled on this question as not likely to give a human being a fair shake against a corporation.

If I remember correctly, the numbers were 54 to 6. In a polling group of 100, 6 Americans believe they could get a fair shot in the Supreme Court against corporations and 54 believed they could not get, as human beings, a fair shot in the U.S. Supreme Court against a big corporation, but with the big corporations at the Supreme Court, the fix was in—not a great place for the Court to be when by 9-to-1 American human beings think they can't get a fair shot in front of that Court against a corporation.

They did deliver, and they delivered *Citizens United* and opened the floodgates. The next thing out there was groups like Americans for Prosperity, the front group for the Koch brothers, Donors Trust, which launders away the identity of big corporations like ExxonMobil, and all of these other front groups we looked at earlier, and they are spending immense amounts of money. The result is, if there was a heartbeat of activity on climate change with Republicans before *Citizens United*, it has been a flat line since. That has been the story behind this.

Not only has dark money poisoned our conversation about climate change, this guy actually ran his own dark money operation. His Rule of Law Defense Fund, a 501(c)4 organization that does not disclose its donors have been

linked to the Koch brothers, who run one of the biggest polluting operations in the country, but we don't really know. We don't really know. It has been kept absolutely quiet.

There is a black hole of secrecy around this nominee's dark money operation; whom he raised it from, what the quid pro quo was, what he did with it. Not allowed to know. Move along. Move along. It doesn't matter.

This is a test. This is a test of the Senate. Will this nominee ever tell us exactly what his relationship with the fossil fuel industry is? Will we get these emails in time to make an informed decision before his nomination is rammed through one step ahead of the emails that the judge said had to be released?

I can't get over the fact that this guy covered up the emails for 750-plus days for more than 2 years and a judge said: No, get them out Tuesday. And they are going to get them out Tuesday. The second chunk, you have 10 days to get them out. He sat there in our committee and acted as if this was some huge terrible task that he couldn't possibly get done; that with 2 years to do it, he couldn't get a single email out. By the time of our hearing, zero of those thousands of emails had come out. A judge took a look the same situation and said: Do it Tuesday. And they are doing it.

We have been so deliberately stonewalled, and it has been so painfully and plainly made clear by what the judge has ordered. We are not passing this test of how a Senate should act.

President-Elect Trump promised to restore genuine rule of the people themselves. Remember, Teddy Roosevelt's quote that the sinister alliance between crooked politics and crooked business has done more than anything else for the corruption of American life against the genuine rule of the people themselves. President Trump promised to restore genuine rule to people and themselves, and yet it is looking more and more like shadowy and industry-funded groups will really run our government.

This is a test also for the rest of corporate America. A lot of corporate America has good climate policy. Most of corporate America has good climate policy, but when are they going to stand up about an EPA Administrator who is the minion of the fossil fuel industry? What will Coca-Cola say to the Georgia Senators? What will Walmart ask of its Arkansas Senators? What will VF Corporation urge its North Carolina Senators to do? How will Rio Tinto advise its Senators from Arizona? All these companies have taken important stands on global warming. Why not now?

Let's talk about the due diligence that a nomination like this should get, particularly the due diligence about climate change that the present urgency demands. I wondered what due diligence my colleagues have done to

assess the reality of climate change before making this fateful and foul vote. The fossil fuel fox is on its way to the henhouse now, and I challenge the colleagues who will have put him there: Have you gone to your home State university for a briefing on climate science to understand what your own universities are teaching?

This nominee, Mr. Pruitt, never had. When we met in my office, he didn't even know who Berrien Moore was. Berrien Moore is the dean of the College of Atmospheric and Geographic Sciences at the University of Oklahoma. He is a nationally renowned climate scientist. Before this nominee and I met in my office, for all this nominee's years of litigation against doing anything about climate change, he had never bothered to go to his own University of Oklahoma and find out from there, his home State expert, what climate change was, how it worked, and what it meant. Why not? The most logical answer is because he didn't care to know. He had already chosen sides and had been richly rewarded for doing so, although we don't know exactly how richly, since his dark money operation is still a secret, protected by the Senate Republicans who are shoving this nomination through.

Here is what Mr. Pruitt would have found out if he had bothered to go to the University of Oklahoma to ask the dean about climate change. The dean of the University of Oklahoma's College of Atmospheric and Geographic Sciences has said: "On the increasing strength of earth sciences, we can now state that global warming is 'unequivocal.'"

The fact that the planet's warming and the fact that CO<sub>2</sub> is a greenhouse gas and the fact that it is increasing in the atmosphere and that increases in the atmosphere due to humans—about those things? There is no debate.

He has said:

We know precisely how fast CO<sub>2</sub> is going up in the atmosphere. We have made a daily measurement of it since 1957. We have ice-core data before that.

He continued:

We know without any question, that it has increased almost 40 percent since the industrial revolution, and that increase is due to human activity primarily fossil-fuel burning.

Those are the words of the dean at the University of Oklahoma, who is the expert in this subject. And Mr. Pruitt had never bothered to actually ever ask him. The fossil fuel industry had told him all he needed to know, and that is going to be a continuing problem with him as EPA Administrator.

I thought to myself, have any of the Senators on the Environment and Public Works Committee, who voted for this nominee out of committee, done any better? Which Senator on that committee has been troubled to go for, say, half a day, to their own home State university and get a briefing on climate science? As I have said, this matters to Rhode Island because we are

a downwind State. We have had bad air days where little kids and seniors and people with breathing difficulties are supposed to stay indoors in the air conditioning, not go outside. We are seeing warming rising, acidifying seas along our shores, hurting our fishermen, causing those families to lose those coastal homes I showed.

And the hits are just going to keep on coming. A child born today at Women & Infants Hospital in Providence, RI, can expect to see upward of 9 feet of sea level rise raging on Rhode Island shores in her lifetime, according to the University of Rhode Island and our State agencies.

Well, it seems to me the least a downwind State like Rhode Island might expect is some modicum of due diligence by colleagues who are blocking action on this subject. At the University of Rhode Island, the due diligence is very clear. URI is working with Rhode Island fishermen to help predict the harm from warming and acidifying seas and figure out what that means for our fisheries and our agriculture.

The Senator is from a State that has very distinguished fishing and agriculture himself, and I am sure his home State universities are doing similar research.

URI and our State agencies are drilling down to generate fine local data on sea level rise and storm surge, and we are starting to be able to predict, with specificity, which homes are likely to be lost in storms, which roads will become inaccessible in coming decades, what plan B is necessary to get emergency services to communities when flooding bars the way, and what water and sewer and other public infrastructure is at risk. These are all now the daily questions of Rhode Island coastal life, thanks to climate change, and our University of Rhode Island is at the forefront of studying that.

Of course, URI is not alone. You can go to every State university and find climate change concerns. They just understand this stuff. They are not actually just learning climate science, they are teaching about climate change. It is astonishing that Senators from those States will not listen to what their own universities teach.

Let's call the Republican roll of the Environment and Public Works Committee, all of whom voted to suspend the committee rules to jam this fossil fuel industry minion through to the Senate floor as Administrator of the EPA, notwithstanding the black hole of secrecy around his dark money dealings with the polluting fossil fuel industry, and notwithstanding his years of stonewalling dozens of Open Records Act requests, including the one that has just been ordered to be disclosed by the judge today—thousands of emails.

Let's see what our Environment and Public Works Committee colleagues, who cleared the way in committee for this nominee, would find at their home State universities, if they looked.

Chairman BARRASSO could go to the University of Wyoming, where he would find the University of Wyoming Center for Environmental Hydrology and Geophysics reporting: "Many of the most pressing issues facing the western United States hinge on the fate and transport of water and its response to diverse disturbances, including climate change."

He would find University of Wyoming scientists publishing articles on "The effects of projected climate change on forest fires' sustainability" and the University of Wyoming awarding university grants to study the effects of climate change on pollinators, on water flow, on beaver habitat, and on whitebark pine growth, all work being done sincerely at the University of Wyoming on climate change.

Next down the line, we come to Senator INHOFE of Oklahoma. The senior Senator from Oklahoma could also go, of course, and consult Dean Moore of the College of Atmospheric and Geographic Sciences at the University of Oklahoma. But if he really wanted to dig in, he could also go over to Oklahoma State and get an update from Oklahoma State Professor Riley Dunlap, who has written in a peer review and scientific journal: "Climate science has now firmly established that global warming is occurring, that human activities contribute to this warming, and that current and future warming portend negative impacts on both ecological and social systems."

"Portend negative impacts on both ecological and social systems"—that is science-ese for it is going to hurt people, as we Rhode Islanders already see all too plainly.

Oklahoma State's Professor Dunlap goes on to write something more. However, he goes on to say:

There has been an organized "disinformation" campaign . . . to generate skepticism and denial . . . to "manufacture uncertainty," . . . especially by attacking climate science and scientists.

Wow. Huh?

And he goes on:

This campaign has been waged by a loose coalition of industrial (especially fossil fuels) interests and conservative foundations and think tanks—

Look at that. He seems to be agreeing with Dr. Brulle at Drexel University—

that utilize a range of front groups and Astroturf operations [to manufacture that uncertainty].

That is the research that Senator INHOFE would find at Oklahoma State. That organized disinformation campaign that Professor Dunlap reports on and the massive political muscle operation that supports it explains a lot of what goes on around here. And if you cross-reference the entities that Professor Dunlap puts into that organized disinformation campaign, you will find them on the record supporting this nominee. He is the nominee of the organized disinformation campaign. And that is because, behind this whole mess

of a nomination, is the fossil fuel industry.

Let's go back to the Environment and Public Works Committee and continue down the row on the majority side. We come next to Senator CAPITO. Senator CAPITO from West Virginia could go to West Virginia University, where the Mountaineers could show her their mountain hydrology laboratory, which tells us, "Climate change has important implications for management of fresh water resources." These include, "that the highlands region in the central Appalachian Mtns. is expected to wet up." As warmer air, which carries more moisture, leads to what West Virginia University is calling "intensification of the water cycle," the laboratory warns that, "the implications of this intensification are immense."

West Virginia University's Wildlife Conservation Lab publishes regularly on climate change effects, and one of West Virginia University's climate scientists, Professor Hessler, has been recognized by West Virginia University as West Virginia University's Benedum Distinguished Scholar. West Virginia University even sends people all the way to China to study climate change. Some hoax.

Onward. My friend, Senator BOOZMAN, is next in the line. His home State University of Arkansas has actually signed onto both the first and second university president's climate commitments. And the University of Arkansas has undertaken what it calls an aggressive and innovative Climate Action Plan to reduce greenhouse gas emissions and help prevent climate change. The University of Arkansas explains the need to reduce greenhouse gases, particularly including carbon dioxide and methane. It is because these gases' "absorption of solar radiation is responsible for the greenhouse effect."

Explaining further, the University of Arkansas describes that the greenhouse effect "occurs as these gases are trapped and held in the Earth's atmosphere, gradually increasing the temperature of the Earth's surface and air in the lower atmosphere."

A University of Arkansas scientist predicts "that the spread of plant species in nearly half the world's land areas could be affected by global warming by the end of the century."

On down the EPW row is my friend ROGER WICKER from Mississippi. Down in Mississippi, the University of Mississippi, Ole Miss, actually has an Office of Sustainability. The Ole Miss Office of Sustainability is there "to further the university's efforts to combat global climate change."

Believe it or not, Ole Miss is another signatory to that University Presidents' Climate Commitment just like Arkansas. It is moving toward net zero greenhouse gas emissions. By the way, so is the University of Southern Mississippi. The director of the University of Mississippi's Center for Hydrosience and Engineering explains why this matters.

Human influence and greenhouse gasses are the dominant causes of the increase in global average temperature of the earth. The impacts are observed in rising sea levels, precipitation patterns, hydrologic regimes, floods and droughts, and environmental processes.

He continues.

We must reduce our carbon footprint and take the necessary steps to reduce our vulnerability to future climate change impacts.

From the University of Mississippi. Also, at Ole Miss, anthropology professor Marcos Mendoza warns that "climate change is the greatest environmental threat facing global society in the 21st century." Let me say that again—from Ole Miss. "Climate change is the greatest environmental threat facing global society in the 21st century." But the fossil fuel machine is going to see to it that we put a climate denier into the EPA Administrator's seat.

So let's stay in Mississippi and go over to Mississippi State University, where several professors contributed to the American Society of Agronomy's report, "Climate Change and Agriculture: Analysis of Potential International Impacts." The forward to that volume states that "the threat of global climate change due to anthropogenic modification of the atmosphere—the so-called greenhouse effect—could potentially be one of the major environmental problems of our time."

Down on the gulf, all three Mississippi universities are working together with Sea Grant, on what they call a climate team to assess "the risk of environmental, economic, and societal impacts from rising sea levels and storm surges." My friend who is presiding knows well the effects in the gulf. When you are looking at the risk of environmental, economic, and societal impacts from rising sea levels and storm surges, you have something in common with Rhode Island as well.

Let's go on to Nebraska from where Senator FISCHER hails. The University of Nebraska has published extensive reports on what they call "Climate Change Implications for Nebraska." One University of Nebraska report leads with this blunt sentence: "Climate change poses significant risks to Nebraska's economy, environment, and citizens." Well, Nebraskans, it turns out, agree. The University of Nebraska has published research that "most rural Nebraskans believe the state should develop a plan for adopting to climate change, as do 58 percent of Nebraskans 65 and older."

So even the elder Nebraskans by 58 percent believe it, and nearly 70 percent of young Nebraskans, from 19 to 29 years old. On the science, the University of Nebraska reports the following:

Is there debate within the scientific community with regard to observed changes in climate and human activities as the principal causal factor? The short answer here is no, at least certainly not among climate scientists; that is, scientists who have actual expertise in the study of climate and climate change.

Let me repeat that again from the University of Nebraska.

Is there debate within the scientific community with regard to observed changes in climate and human activities as the principal causal factor? The short answer here is no, at least certainly not among climate scientists; that is, scientists who have actual expertise in the study of climate and climate change.

The University of Nebraska goes on.

For more than a decade, there has been broad and overwhelming consensus within the climate science community that human-induced effects on climate change are both very real and very large.

As to scope of those effects, the University of Nebraska warns:

The magnitude and rapidity of the projected changes in climate are unprecedented. The implications of these changes for the health of our planet and the legacy we will leave to our children, our grandchildren, and future generations are of vital concern.

The University of Nebraska has even published what it calls "Key Climate Change Data for Nebraska." This is the list:

Temperatures have risen about 1 degree Fahrenheit since 1895; frost-free season has increased 5 to 25 days since 1895; very heavy precipitation events have increased 16 percent in the Great Plains Region; projected temperature increase of 4 to 5 degrees Fahrenheit, low-emissions scenario, or 8 to 9 degrees Fahrenheit, high-emissions scenario, by 2100; projected summer of 2100 will have 13 to 25 days over 100 degrees Fahrenheit; number of nights over 70 degrees Fahrenheit will increase by 20 to 40 by 2100; soil moisture is projected to decrease 5 to 10 percent by 2100; reduced snowpack in Rocky Mountains equals reduced streamflow in our rivers; increasing heavy precipitation events; increasing flood magnitude; increasing drought frequency and severity.

That is the University of Nebraska's list of coming attractions to Nebraska from climate change.

On to Kansas, where Senator MORAN would learn from Kansas State University about climate change's effects on agriculture in his home State. Kansas State University Professor Charles Rice, Distinguished Professor of Agronomy, working with the National Science Foundation is using "climate modeling tactics to predict the effects of climate change in the Great Plains, and to develop adaptation and mitigation strategies for agriculture in the region," to help meet what Kansas State calls "one of the grand challenges of the 21st century: evaluating and predicting the biological and ecological consequences of accelerating global climate change."

Kansas State brought the executive director of agricultural giant Cargill to talk about climate change. News reports describe what the Cargill executive stated; that "climate change is real and must be addressed head-on to prevent future food shortages." Specifically, the Cargill executive said that "U.S. production of corn, soybeans, wheat, and cotton could decline

by 14 percent by mid-century and by as much as 42 percent by late century." This is a senior corporate executive in one of our leading agricultural companies, warning of a 14-percent decrease in these essential crops by midcentury, and as much as a 42-percent decrease by late century.

From an agricultural standpoint, the executive said, "We have to prepare ourselves for a different climate than we have today." Maybe that is why Kansas State calls evaluating and predicting the biological and ecological consequences of accelerating global climate change one of the grand challenges of the 21st century.

Let's head out to South Dakota, where Senator MIKE ROUNDS would hear from South Dakota State University about climate change on the Dakota Plains. South Dakota State's Leffler Lab calls climate change "the signature challenge of the 21st century." So let's bear in mind, we have the Kansas State University calling climate change "one of the grand challenges of the 21st century." We have South Dakota State's Leffler Lab calling climate change the "signature challenge of the 21st century." We have an EPA nominee who is a climate change denier, wrapped so tight with the fossil fuel industry, you can't tell where one ends and the other begins, and he has the support of the Senators from Kansas and South Dakota.

It is a riddle. South Dakota State scientists are not just saying that climate change is the signature challenge of the 21st century, they are out studying climate change around the globe. From the Upper Ghanaian forests of West Africa to the West Antarctica ice sheet. South Dakota State University Professor Mark Cochrane is working with the U.S. Forest Service to determine "how a changing climate impacts forest ecosystems" and reported that "forest fire seasons worldwide increased by 18.7 percent due to more rain-free days and hotter temperatures."

The South Dakota State University News Center has reported that season-shifting climate changes "are all being affected by warming from an increase in greenhouse gases due to human activity"—"all being affected by warming from an increase in greenhouse gases due to human activity."

South Dakota State University even brought in Harvard Professor and "Merchants of Doubt" author Naomi Oreskes, saying that her work "has laid to rest the idea that there is significant disagreement in the scientific community about global warming." Somebody needs to translate between South Dakota State University and this EPA nominee.

So on we go to Iowa, continuing down the Environment and Public Works Republican roster, where Senator JONI ERNST could hear from an Iowa State University professor who told a United Nations conference not long ago that "climate change was already affecting

Iowa farmers. This is not just about the distant future," he said. Iowa State has published extensive reach and I will just quote the title of it. "Global Warming: Impact of climate change on global agriculture." Iowa State's prestigious Leopold Center views climate change not merely as warming, but as a "worsening destabilization of the planet's environmental systems."

Climate change is not just warming, it is a "worsening destabilization of the planet's environmental systems" and yet the good Senator voted to move this climate-denying industry tool forward to be our EPA Administrator.

A worsening destabilization of the planet's environmental systems, they call it, that will create "an aggravated and unpredictable risk that will challenge the security of our agricultural and biological systems"—"aggravated and unpredictable risk that will challenge the security of our agricultural and biological systems."

That is Iowa State talking. They conclude: "The scientific evidence is clear that the magnitude of the changes ahead are greater, the rate much faster, and [the] duration of climatic destabilization will last much longer than once thought."

Now we come to the end of the row of the Republicans on the Environment and Public Works Committee.

As an Alaskan, Senator DAN SULIVAN would get double barrels from the University of Alaska, first about climate change and second about ocean acidification.

"Alaska is already facing the impacts of climate change," the University of Alaska reports.

This question of "facing the impacts of climate change" matters enough to the University of Alaska that, on global warming, the university has stood up the Alaska Climate Science Center. The Alaska Climate Science Center has been established to help understand "the response of Alaska's ecosystems to a changing climate."

The Alaska Climate Science Center of the University of Alaska is charting the recordbreaking, year-over-year warming in Alaska, analyzing temperature trends, and receiving awards for "modeling and evaluating climate change impacts in the Arctic."

"One thing for sure," the center says, is that the climate "will continue to change as a result of various natural and anthropogenic forcing mechanisms."

Then there is the other climate change punch coming at Alaska, from the sea. In addition to its Alaska Climate Science Center, the University of Alaska is serious enough about this to have also stood up an Ocean Acidification Research Center to address what it calls "growing concerns over increased acidity in the ocean and the impacts this phenomenon will have on Alaska's marine ecosystems"—"growing concerns over increased acidity in the ocean and the impacts this phe-

nomenon will have on Alaska's marine ecosystems."

Alaska's seafood industry is an enormous asset to Alaska's economy, and it depends on Alaska's marine ecosystems. Well, the University of Alaska's Ocean Acidification Research Center warns that ocean acidification "has the potential to disrupt this industry from top to bottom"—"to disrupt this industry from top to bottom."

The Ocean Acidification Research Center identifies the culprit of this phenomenon as "the transport of CO<sub>2</sub> from the atmosphere into the ocean."

Indeed, as we have loaded up the atmosphere with more and more CO<sub>2</sub> emissions from the burning of fossil fuels, the ocean has actually absorbed chemically about a third of that CO<sub>2</sub>.

In addition to all that heat I mentioned earlier that the ocean had absorbed—more than 90 percent of the added heat—it actually absorbed one-third of the carbon dioxide. Of course, when carbon dioxide interacts with seawater, there is a change that takes place.

Indeed, why don't we see about doing a demonstration of that change. It will take a minute to get that organized. While we are getting that organized, let me continue.

Here is a description—thank you to the University of Maryland for the graphic—of how atmospheric carbon dioxide turns the ocean acidic.

When you add additional CO<sub>2</sub> to the atmosphere, at the surface, where it meets the sea, there is a chemical exchange, and the CO<sub>2</sub> can be absorbed by the ocean. As I said, one-third of it has been. That dissolved carbon dioxide joins with the water chemically, and it creates carbonic acid. The carbonic acid, in turn, creates bicarbonate ions, hydrogen ions, and carbonate ions, and those ions interfere with the makeup of marine creatures, which make their shells out of free carbon in the oceans, and some of those effects are pretty apparent.

This is the shell of an ocean creature called a pteropod. It is at the base of a great deal of the ocean food chain. There are studies off the northwest coast that show that more than 50 percent of this creature have experienced what the scientists who them caught them and studied them called severe shell damage. Here is what happens when you expose them to high concentrations of acidified seawater, higher than usual. That is what it looks like day 1. That is a healthy shell. Fifteen days later, it is starting to gray. Thirty days later, beyond just starting to gray, it is starting to actually come apart. And by 45 days, the shell is a wreck. That is not an animal that is capable of surviving.

So let's see how this works. This is a glass of water, and I have just put 20 drops of a pH test into it. That shows what the acidity is of the water. As you can see, it has turned the water rather blue, which matches roughly this level of pH.



Mr. President, I ask unanimous consent that I be permitted to continue with this little demonstration.

The PRESIDING OFFICER (Mr. KENNEDY). Without objection, it is so ordered.

Mr. WHITEHOUSE. Mr. President, this is a very simple bubbler that anybody with an aquarium will recognize. All you simply do is you put the bubbler in. I produce carbon dioxide as I exhale. So I am exhaling one breath into this same glass. I will do one more. It was not even a full breath, but there it is.

It used to match that color; do you remember? Now look at what color it matches. Just breathing carbon dioxide through the water has changed its pH and has made it more acidic.

I can do that right here with a breath. It is happening on a global scale, as the interaction between the atmosphere and the oceans transports CO<sub>2</sub> into the oceans. When that happens, the same chemical effect that we modeled here takes place, and the oceans become more acidic, and the effects continue to be damaging.

The previous shell that I showed was the pteropod, a humble creature, but an important creature in the food chain. It is actually called the ocean butterfly by some because its snail foot has been transformed by God's law of evolution into an oceanic wing that allows it to fly in the seas.

This is an oyster. The Senator's State of Louisiana does a lot of work with oysters, as does Rhode Island. Again, exposing oyster larvae to ocean water with heightened levels of acidity—day 1, day 2, day 4, and then we see exposure to acidity. Here is what a healthy larva looks like; here is what one exposed looks like. Here is what the healthy one looks like; here is what the exposed one looks like. Here is a healthy one; here is one exposed.

You will see that the healthy larva is growing day after day. It is getting bigger. It is going to become an oyster. Somebody is going to have a great oyster stew some day with that oyster with any luck.

This one is shrinking and deforming, and the reason is that the little creature is trying to take the carbon out of the ocean to make its shell—the calcium. And because of those ions that I pointed out, it is bound up, and they can't get it. So they deform this way.

When you are at a point where more than 50 percent of ocean pteropods are experiencing severe shell damage, if you are not paying attention, you are going to take a big punch.

Now I know around here we don't give a darn about God's creatures as being God's creatures. I probably sound funny to some people talking about a funny little creature in the ocean called a pteropod. The things we care about here are things that we can monetize because this is Mammon Hall. This is the temple where gold rules.

These little creatures are a little bit away from the gold. But who cares

about the pteropod? I will tell you who cares about the pteropod. Salmon care about the pteropod, and people care about the salmon, and Alaska has a pretty good salmon fishery. The Pacific Northwest has a pretty good salmon fishery. If you drop out the pteropod from the bottom of the oceanic food chain because it can't grow because the ocean has acidified, there is a big collapse to take place.

As scientists would say, the upper trophic levels fall as the lower trophic levels collapse. So this is serious.

As I went through all these different Republican Environment and Public Works Committee Senators' home State universities, maybe you could say that all those home State universities are part of the climate change hoax that our President is so pleased to tweet about.

If so, my colleagues really ought to call their home State universities out about that. If they think their home State universities are in on a hoax, I think it wouldn't be right, and they ought to call out their home State universities. If the home State universities are part of a big old hoax, say so. Say so. But if all of my Republican colleagues' home State universities right down the line on the Environment and Public Works committee aren't in on a hoax, if what they are doing is good science, why not listen to them? Why not listen to them? What is the dark star in this firmament that causes the real science from the home State universities of these Senators to warp and twist around as it comes to this body? What is the power? What is the force that is causing every single one of these home State universities to be ignored by their home State Senators?

Let me go back and review very briefly what they said. Home State universities of the Republican Senators on the Environment and Public Works Committee warn of "pressing issues" related to climate change. That is Wyoming—pressing issues.

Assert that the science of climate change is "unequivocal," "without any question." That is from Oklahoma.

Foresee "immense" implications related to climate change. That is West Virginia.

Making anti-greenhouse gas "climate commitments" to fight climate change. That is the University of Arkansas.

Warn that "climate change is the greatest environmental threat facing global society." That is Mississippi.

Find the "significant risks" from climate change to be "of vital concern." That is Nebraska. That is the one that had the hit list of coming attractions from Nebraska of climate change

Describe climate change as "one of the grand challenges of the 21st century." That is Kansas.

Call climate change "the signature challenge of the 21st century." South Dakota.

Predict "aggravated and unpredictable risk" from climate disruption. That is Iowa.

Prepare for fisheries risk that could shake the State's seafood industry "from top to bottom." That is Alaska.

Right down the row of Republican Senators who voted for this climate denying nominee, you have home State universities that say the opposite, that say that it is real, that it is beyond scientific debate at this point, that its effects are here, that its effects are worsening, and that it is going to shake industries like the fishing industry from top to bottom and create significant risk and disturbances in agriculture. But not one of those Senators stood up against the nominee who is the shameless tool of the industry that is causing all that harm.

So I have to ask, how does that end? If you listen to what all your home State universities are saying, this is a pressing and immense grand challenge. This greatest environmental threat—it doesn't go away. This is truth measured by science, God's and nature's truth, and truth always demands a reckoning.

If we listen only to the fossil fuel industry as it lies and prevaricates and propagandizes and disassembles and does all its nonsense to protect its all-important right to pollute for free, how do we expect this turns out in the end? Do you think these acidifying shells give a red hot damn what a fossil fuel industry lobbyist says? They are responding to laws of chemistry and nature that we don't get to repeal or amend.

Let me make one last point in closing, as I saw Senator CARPER here, our distinguished ranking member, and I am sure he wants to speak.

Our Republican friends claim to support market economics. They are big on how you have to trust the market. You shouldn't regulate. Markets are the way to go. Market economics is the most efficient tool for allocating resources. Market economics are how we create wealth. Actually, I agree. So let's look at market economics.

What I believe and what economists say on all sides of the political spectrum is that it is market economics 101 that for the market to work, the harm of a product has to be built into the price of a product.

The fossil fuel industry, the dark star of our politics, absorbing and bending all of this home State information, absorbs and bends even conservative market principles so that they disappear here in Congress, at least wherever those principles conflict with what appears to be our first principle: the well-being and the power of the fossil fuel industry.

The fact that Senators do not hear or do not care about this science from their home State universities tells you all you need to know about the brute political force of the fossil fuel industry here in Congress.

(Mrs. ERNST assumed the Chair.)

Let me go back just a moment to something I said earlier, since we have been joined by the Senator from Iowa

at this fine early hour in the morning. Just before she arrived, I was talking about Iowa State. Since she is here, I will go back to those remarks and to the Iowa State University professor who told a United Nations conference not long ago that climate change is already affecting Iowa farmers. "This isn't just about the distant future," the Iowa State scientist said.

I noted that Iowa State has published extensive research on, and I quote Iowa State University here, "global warming, the impact of climate change on global agriculture."

Iowa State has a center called the Leopold Center, which perhaps the Presiding Officer can confirm is a fairly prestigious institution within the University of Iowa. Iowa State's Leopold Center "views climate change not merely as warming, but as a worsening destabilization of the planet's environmental system."

I hope the distinguished Senator from Iowa will review Iowa State's view that this worsening destabilization of the planet's environmental system will create, and I quote Iowa State University again, "aggravated and unpredictable risks that will challenge the security of our agricultural and biological systems" and consider their conclusion: "The scientific evidence is clear that the magnitude of the changes ahead are greater, the rate much faster, and the duration of the climatic destabilization will last much longer than once thought."

Let me close, while we wait for Senator CARPER, who is nearby, with my final exhibit.

This is a page from the New York Times in 2009. It is a full-page ad that was taken out in the New York Times in 2009, and it reads:

Dear President Obama and the United States Congress, tomorrow leaders from 192 countries will gather at the U.N. Climate Change Conference in Copenhagen to determine the fate of our planet. As business leaders, we are optimistic that President Obama is attending Copenhagen with emissions targets. Additionally, we urge you, our government, to strengthen and pass U.S. legislation and lead the world by example. We support your effort to ensure meaningful and effective measures to control climate change, an immediate challenge facing the United States and the world today. Please don't postpone the earth. If we fail to act now, it is scientifically irrefutable that there will be catastrophic and irreversible consequences for humanity and our planet.

Please allow us, the United States of America, to serve in modeling the change necessary to protect humanity and our planet.

That is the text of this advertisement in the New York Times in 2009. And guess who signed it. Donald J. Trump, chairman and president; Donald J. Trump, Jr., executive vice president; Eric F. Trump, executive vice president; Ivanka M. Trump, executive vice president; and the Trump Organization.

I will close with the sentence from this New York Times advertisement, signed by Donald J. Trump, that "the

science of climate change is irrefutable and our failure to act will have consequences that are catastrophic and irreversible." President Trump's words, not mine.

I yield the floor.

Mr. CARPER. 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. CARPER. 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. CARPER. Madam President, good morning to our pages and members of our staff, some of whom have been up all night.

I just walked over here from my office in the Hart Building and, along the way, I ran into the Capitol Police and others who are putting in a long day and a long night. I, on behalf of all of us, want to express my thanks to them.

I have said this on several occasions—that I take no joy in going through a chapter like we are going through tonight.

I come from a State on the east coast where we get along pretty well. Democrats and Republicans sort of like each other. They tend to be mainstream, both on the Democratic side and on the Republican side. We have something called the Delaware way, and it is sort of based on the three C's—communicate, compromise, and collaborate. This is what we do. We have done it for a long time, and it seems to work for us. Hopefully, when we get through this chapter—when we get through the nomination process—we will be able to get back to the three C's.

I have the privilege, as the Presiding Officer knows, that when I got out of the Navy I moved to Delaware, and I had an opportunity to serve in a couple of different roles—as the treasurer, as a Congressman, and then as the Governor for 8 years. In my time as Governor, according to laws and the constitution of Delaware, the Governor nominates people to serve as cabinet members, as members of the judiciary, and on a lot of boards and commissions.

During those 8 years that I was privileged to serve as Governor, the legislature was split—the House was Republican, and the Senate was Democrat. When it came time to nominate members of my cabinet, my predecessor was Governor Mike Castle, as the Senator from Rhode Island knows. He was a moderate Republican, and he had been our Governor, and before that our Lieutenant Governor. He was a State legislator and a very successful attorney. When I was elected Governor, he was elected Congressman. So we literally traded places. He took my job in Congress, in the House, and I took his job as Governor.

It was really a wonderful transition, where I tried to help him make that

transition to be successful in the House of Representatives, and he tried very much to help me be successful as a new Governor.

I, actually, went to something called the New Governor's School, hosted by Roy Romer, who was then the chairman of the National Governors Association—a wonderful guy. We were in the New Governor's School out in Colorado, the newly elected Governors of 1992—Democrats and Republicans, including people like George W. Bush, Tom Ridge, and the list goes on. If I had had more sleep, I could remember every one of them. It was just wonderful. Mike Levin, who later became the head of the EPA, was one of them.

We learned a lot at the New Governor's School about how to set up and establish an administration, how to put together an administration. Mike Castle, Delaware's Governor, was part of the faculty, if you will, of current Governors who mentored us in the New Governor's School, and it was a blessing in my life.

I asked Governor Castle, as we were going through that transition, to sort of walk me through his own cabinet and to suggest who might want to stay, who might be interested in staying on in a new administration—in my administration—and who, maybe, who would not. It ended up, when I nominated people to serve in my cabinet, that there were several there who had actually served in his. We had mostly Democrats. I am a Democrat. But there were some Republicans as well. Below the cabinet level, we had division directors, and we kept almost all—not all but almost all of the division directors we asked to stay, too.

For 8 years as Governor of Delaware, I would nominate people to serve in either cabinet positions or on the judiciary or at other posts; but, for 8 years, we batted 1,000. The State executive committee was terrific in approving people, confirming people to serve in these roles. It was not like I just rushed things—here is who we are nominating. Go pass them.

That is not the way they worked. I asked them for their ideas. We solicited their ideas, not just for the cabinet but, also, for the judiciary.

At the end of the day, it was my role to actually nominate people, and it was their role to provide advice and consent, and they did—a little bit before but, certainly, throughout the nominating process. It worked pretty well. It worked pretty well for our State, and I am proud of the 8 years that our administration worked with the legislature and with nonprofit communities, the faith community, and the business community with what we accomplished.

I was trained as a leader from the age of 12, and our Presiding Officer was trained as a leader, probably, from about the same age. We both served in the military. She is a retired lieutenant colonel, and I am a retired Navy captain. But I was trained that leaders

are humble, not haughty. I was trained that leaders should have the hearts of servants, as our job is to serve and not be served. I was trained that we basically call on people not to do what we say but to do what we do. I believe in leadership by example. I was taught that leaders don't hold their fingers up to the wind and see which way the wind is going, but that we should have the courage to stay out of step when everyone else is marching to the wrong tune. I was trained that leaders do not lead by dividing folks but by uniting people—by building bridges, not walls. I was trained that leaders should be purveyors of hope—that we should appeal to people's better angels. I was trained that leaders ought to focus on doing what is right, not what is easy or expedient, that we should embrace the Golden Rule—really, embody the Golden Rule—by treating people the way we want to be treated, that we should focus on excellence in everything we do and surround ourselves with the best people we can find. When the team that we lead does well, they get the credit, and when the team that we lead does not do so well, the leader takes the blame. I was trained as a leader with the idea that, when you know you are right, be sure you are right. You just never give up. You never give up.

Those are the leadership skills that were infused into me by my family and my faith. I was in the military for 23 years, plus 4 years as a midshipman, and it helped make me who I am. Those are, really, the leadership blocks that I bring to my job here.

We have had some great leaders in this body. We could use a leadership like I have just described at the top of the food chain in this country, in this administration. We could use that. I, thus far, after about one month into this administration, I haven't seen that kind of leadership that I had hoped for, that we had seen not that long ago.

I want to commend everyone who has come to the floor in the last almost 20 hours on our side—the Democratic side—and on the Republican side to explain our points of view with respect to the nomination of Scott Pruitt to be Administrator for the EPA in this country.

When Donald Trump was running for President, he said pretty consistently that part of what he wanted to do as President was to degrade and, essentially, destroy the Environmental Protection Agency. He didn't just say it once or twice but again and again. When he won the nomination, he said the same thing—that, if elected President, part of his goal would be to degrade and, essentially, destroy the Environmental Protection Agency. When he was elected President—a couple of days after being elected—he repeated that pledge.

Sometimes people may not believe what we say, but they will believe what we do. For me, the first clear indication that what he said with respect to

the Environmental Protection Agency was something that he intended to do was the selection of a person to lead the Environmental Protection Agency, and he chose the attorney general of Oklahoma Scott Pruitt.

Scott was introduced at his confirmation hearing before the Environment and Public Works Committee by the two Senators from Oklahoma—JAMES LANKFORD, with whom I serve on the Homeland Security and Governmental Affairs Committee—he is a great member—and JIM INHOFE, who is our senior Republican on the Environment and Public Works Committee.

They have very high regard for Scott Pruitt. They have spoken here on the floor with regard to him and to his service. When someone whose service and friendship I value as much as I do—JAMES LANKFORD and JIM INHOFE—speak so highly of a friend and a colleague from their State, it is not easy for me, and it is not easy for the rest of us to oppose that nominee—their friend. But we have done that. We have done that for weeks now, and we have done that now throughout this night.

I take no joy in doing this. Having said that, I take no joy in the fact that the levels of the seas around my little State of Delaware are rising, and we are the lowest lying State in America, and we see every day the vestiges of sea level rise.

I take no joy when I catch the train in the morning to come down here—I go back and forth every day—I take no joy in standing on the platform at the Wilmington train station and in looking at a beautiful riverfront, which we have worked on for 20 years so as to transform an industrial wasteland into something that is lovely, beautiful, and clean. Even now, with the fish that swim in the Christina River, we cannot eat them. In fact, from most of the bodies of water in my State, we cannot eat the fish, and that is because of the mercury that is contained in them. It is not just in my State, and it is not just in our neighbors' States—Maryland and New Jersey. It is in the States all up and down the east coast.

We live in what is called the end of America's tailpipe. A lot of emissions that are put up into the air come from coal-fired plants to our west—from Ohio, Indiana, Kentucky, West Virginia, which is my native State, and other States. They have, in many cases, really tall smokestacks, and they put their pollution—their air emissions—up through the smokestacks. They go up hundreds and hundreds of feet into the air. The air carries them out of their States. It carries the pollution out of their States, and where does it settle? It settles in ours. In States from Virginia on up into Maine. We live at the end of America's tailpipe.

I take no joy that, of the freshwater fish in our State and a lot of other places on the east coast and, frankly, in other places around the country, you cannot eat those fish anymore.

I want to take a few minutes and pivot from that as background to what we are going to look at—some charts—in a minute. Before we do, I want to talk about why we can't eat the fish in too many places around this country. And the reason why is because we get, I would say about 40 percent of our electricity from coal. Today it is maybe down to around 30, maybe 25 to 30 percent, and maybe 25 to 30 percent from natural gas. We get maybe 20 percent from nuclear, and the rest is from the renewable forms of energy, including wind and solar technology as it has gotten better and better and better.

One of the reasons my colleagues, particularly on this side, have great concerns about the nomination of Scott Pruitt has to do with mercury. As I have shared with the Senate, a review of Mr. Pruitt's record yields some troubling information about how he managed the unit within his own office in Oklahoma charged with responding to environmental matters. Upon taking office, Mr. Pruitt essentially gutted his own Environmental Protection Unit within the attorney general's office. It appears he abandoned his responsibilities to use his office to protect the public health of Oklahomans and declined to use his authority to hold polluters and bad actors accountable.

A review of Mr. Pruitt's record yields nothing that shows how he will change this behavior if he is confirmed to be EPA Administrator. In fact, the New York Times reported earlier this month, on February 5, that Mr. Pruitt is drawing up plans to move forward on the President's campaign promise to "get rid of" the EPA.

Just remember, the EPA does not just involve clean air and clean water and the cleanup of hazardous waste sites. The implementation of the Toxic Substances Control Act deals with hazardous materials and the products we use every day. The Environmental Protection Agency is a huge player in the public health of our country for not just adults like us but for young people like these pages, like my children, our grandchildren—all of us—our parents, grandparents. The EPA is in large part responsible for our being a healthier nation.

I am a big believer in going after root causes for illness and sickness, and if you have mercury in your fish, if you have bad stuff in your air, it degrades your health, and that is a big problem. It is a big problem for us in Delaware because we spend a whole lot of money. Ninety percent of the air pollution in my State doesn't come from Delaware. It isn't generated in Delaware. It is bad stuff. It is air emissions that come from other States. They are able to burn coal, get cheap electricity, and because they put stuff in the air in tall smokestacks, they send it over to us. They end up with cheap electricity, lower healthcare costs, and we end up with having to clean up our emissions dramatically, more so than we otherwise would. It is expensive. So we end

up with expensive electricity and also healthcare costs that are higher than the places where the pollution is coming from. That is just not right.

I said earlier that I get no joy from going through this nomination battle for Mr. Pruitt with my friends on the other side, but believe me I get no joy from the idea that we end up with expensive electricity in my State and higher health costs because other people in other parts of our country don't embrace the Golden Rule, to treat other people the way you want to be treated.

Going back to the New York Times article on February 5 that indicated that Mr. Pruitt is drawing up plans to move forward on the President's campaign promise to get rid of the EPA, they had these landing teams in the course of the transition to go through each of the agencies. The person who apparently was leading the administration's landing team into the EPA called for reducing the head count at EPA. They didn't say we are going to have a hiring freeze at the EPA. They didn't say we are going to have a 1- or 2- or 3-percent reduction. They didn't say we were going to reduce it by 5, 10, 15, 20, 25 percent. They said we are going to reduce the head count at the Environmental Protection Agency by two-thirds.

I guess it is possible that whoever this person is that heads up the landing team of the EPA, maybe they don't have pollution in their State. Maybe the air is pristine, and they can get all the fish they want from all the other rivers, lakes, and streams. They don't have to worry about toxic waste sites or any of that stuff. I doubt it.

I think part of our job is to make sure the EPA can do their job better, but the kind of draconian changes President Trump has talked about—and when you look at the record of the fellow they nominated to lead the EPA, you get the feeling that maybe they are not just talking.

There is an old saying that sometimes people may not believe what we say, they believe what we do so let's just take a look to see what Mr. Pruitt has done in his own State of Oklahoma. I would say there are two sides to every story, and we are hearing two sides to every story. What I am going to do here is just draw on his own words.

The New York Times story goes on to say that Mr. Pruitt “has a blueprint to repeal climate change rules, cut staffing levels, close regional offices and permanently weaken the agency's regulatory authority.”

It continues:

As much as anyone, Mr. Pruitt knows the legal intricacies of environmental regulation—and deregulation. As Oklahoma's attorney general over the last six years, he has led or taken part in 14 lawsuits against the EPA.

His changes may not have the dramatic flair favored by Mr. Trump, but they could weaken the agency's authority even long after Mr. Trump has left office.

And how will he achieve this objective of weakening the Agency's authority? First, by diminishing the scientific basis by which the Agency makes decisions.

Mr. Pruitt does not seem to value or understand the science that is at the core of this Agency's actions to protect public health or the important role EPA plays ensuring all States are doing their fair share so every American can breathe clean air and drink clean water.

One area where his propensity to disregard science is especially evident is Mr. Pruitt's extreme views on mercury and other air toxic pollution from electric powerplants.

Much of our country's ongoing efforts to clean up air pollution hinges on every State playing by the rules and doing their fair share to reduce air pollution because the pollution generated in one State does not just stay in that State. The air carries it across State borders. Streams and rivers carry it across State borders as well.

As I said earlier, in my home State of Delaware, we have made real strides in cleaning up our own air pollution that we generate. Unfortunately, the other States to the west of us have not made the same kind of commitment.

As I said a few minutes ago, over 90 percent of Delaware's air pollution comes from our neighboring States. The air pollution is not only a danger to our hearts and lungs and brains, it also costs a lot in doctor bills and hospital bills and in our quality of life.

Not all, but some of this pollution is toxic. It comes across our borders. These toxins that are in the air get in the food we eat as well as the air we breathe and build up in our bodies without our knowledge. Those buildups can lead to cancer, mental impairment and, in some cases, even to death.

Delawareans depend on the EPA to ensure that our neighbors do their fair share so we can protect our citizens. It hasn't always moved as quickly as we would have liked, but without the EPA, our State of Delaware wouldn't have many other options at our disposal.

Mr. Pruitt, however, seems to have spent a good part of his career fighting to dismantle the Federal Environmental Protection Agency. In my State, our neighboring States, those of us who live especially at the end of America's tailpipe depend on it for cleaner air and cleaner water.

I have a poster here. Here is a fish, not one we would want to eat. The poster says: “Why isn't Scott Pruitt convinced?” The scientists and doctors tell us that mercury is a harmful toxin.

Mr. Pruitt has been a part of multiple lawsuits against the Federal environmental protections—protections that are offered by EPA. Many of these lawsuits again are against clean air protections. He has fought against a rule to reduce mercury and other air-toxic pollution in this country three separate times.

In 1990, Congress had enough scientific information to list mercury, as well as 188 other air toxics, such as lead and arsenic, as hazardous air pollutants in the Clean Air Act.

Lawmakers at the time, including me, serving in the House of Representatives, thought this action would ensure our largest emitters of mercury and air toxins would soon be required to clean up. Unfortunately, it took 22 years for the EPA to issue the mercury and air toxic rule, which reduced mercury and other air toxins from coal-fired powerplants, our largest source of mercury emissions in this country.

The EPA modeled this rule after what was being done in the States and required coal plants to install existing affordable technology that could reduce mercury and toxic emissions by 90 percent. The reason the EPA ended up having to go through all these processes over all these years in issuing this regulation is because Congress did not act in passing legislation, which we should have done. We could have, and we tried—a bipartisan effort—LAMAR ALEXANDER, a wonderful Senator from Tennessee, and myself, and others sought to get it done, and we were unable to get it done legislatively. We were opposed by the utilities, and in the end, the EPA said enough and we are going to issue this rule.

But for a lawmaker who supported the Clean Air Act amendments of 1990, and as someone who represents a downwind State, this rule is a long time in coming. You would not know this from the claims in these lawsuits, but since 1990, medical professionals and scientists have learned quite a bit about the environmental and health impacts of mercury.

The mercury emitted into the air deposits into our water. It then builds up in our lakes and rivers and streams and eventually makes its way into our food supply, through fish and fowl that we eat.

Children are most at risk, as many of us know. Pregnant mothers who eat the mercury-laden fish can transfer unhealthy doses to their unborn children, impacting neurological development of their babies.

Prior to EPA's mercury rule, the Centers for Disease Control estimated that 600,000 newborns were at risk a year from mercury poisoning—600,000.

In 2012, Dr. Jerome Paulson, from the American Academy of Pediatrics, testified before our EPW Committee, stating that “there is no evidence demonstrating a safe level of mercury exposure.”

Dr. Jerome Paulson, American Academy of Pediatrics, testified before our committee in 2012. Again, he said: “There is no evidence demonstrating a safe level of mercury exposure.”

Our Nation's most reputable pediatric organization, dedicated to the health and well-being of our children, has made clear that medical research shows there is no safe level of mercury exposure for our children—none.

Mr. Pruitt has come to his own conclusions about mercury.

The 2012 lawsuit that Mr. Pruitt joined with coal companies against the mercury and air toxics rule stated—this is what the lawsuit said: “The record does not support EPA’s findings that mercury, non-mercury hazardous air pollutant metals, and acid gas hazardous air pollutants pose public health hazards.”

I have to read that again. In the 2012 lawsuit in which Mr. Pruitt joined with coal companies against the mercury and air toxics rule, which was like 20 years in the making, finally adopted because Congress refused to act, said these words: “The record does not support EPA’s findings that mercury, non-mercury hazardous air pollutant metals, and acid gas hazardous air pollutants pose public health hazards.”

This is not the first time Mr. Pruitt contradicted the medical and scientific community on mercury and the threats it poses to public health.

As I said, EPA took 22 years to get the coal plants to clean up the mercury emissions. Every year that our country delayed the cleanup of the emissions, more and more mercury settled and accumulated in our rivers, streams, lakes, and fish.

I don’t know how many lakes they have in Oklahoma, but I know that in 2010, there were fewer than 20 on which there were issued fish consumption advisories because of mercury. I know last year that number more than doubled.

Every State, including Oklahoma, has fish consumption advisories because of mercury. As we see here, the number under Mr. Pruitt’s watch has seen the mercury-caused fish advisories to actually more than double in the last 6 years.

In 2012, Dr. Charles Driscoll from Syracuse University—one of the leading mercury scientists in the world—testified before our committee. Dr. Driscoll told us that because of the long-term emissions of mercury from coal plants, there are—his words—“hotspots and whole regions, such as the Adirondacks, the Great Lakes region of the Midwest and large portions of the Southeast, where the fish is contaminated with mercury.”

He went on to say: “There are more fish consumption advisories in the U.S. for mercury than all contaminants combined.”

Instead of agreeing with leading scientists on this issue, Mr. Pruitt has come to a different conclusion.

I think we have a poster that speaks to this.

Mr. Pruitt’s 2012 lawsuit with the coal companies against EPA’s mercury protection stated:

The record does not support EPA’s finding that mercury . . . poses public health hazards. . . . Human exposure to methylmercury resulting from coal fired EGUs is exceedingly small.

Mr. Pruitt argued that, despite the fact that every State has at least one

mercury fish consumption advisory and despite there being 40 lakes in his own State of Oklahoma now that have mercury fish advisories, we shouldn’t worry about mercury pollution from our country’s largest source of emissions. That denial of facts makes no sense. Luckily, the courts rejected Mr. Pruitt’s arguments that the mercury and air toxic rules should be vacated. Four years later, most coal plants are meeting the new standards, and we are already seeing the benefits.

Just a few weeks ago, some of my Environment and Public Works colleagues and I heard from Dr. Lynn Goldman, a pediatrician and former EPA Assistant Administrator for Toxic Substances, about this very issue when she said: “U.S. efforts to reduce mercury emissions, including from power plants, are benefiting public health faster than could have been predicted in 1990.”

Great news. Dr. Goldman’s comments stand in stark contrast to the ones made in Mr. Pruitt’s latest mercury lawsuit, filed just 2 months before his confirmation hearing. In this most recent lawsuit, Mr. Pruitt argued that the benefits of cleaning powerplant mercury emissions are “too speculative” and—again, his words—“not supported by the scientific literature.” Really? The lawsuit goes on to conclude that it is not “appropriate and necessary” for the EPA to regulate mercury and other air toxic emissions.

So Mr. Pruitt argued just 3 months ago that it is not appropriate or necessary for the EPA to regulate the largest source of mercury pollution—a pollutant that we know damages children’s brains and could impact up to 600,000 newborns every year. Just 3 months ago, Mr. Pruitt listened to the industry instead of listening to our Nation’s pediatricians when determining what is good for our children’s health. Just 3 months ago, Mr. Pruitt sided with coal companies instead of our leading scientists. Just 3 months ago, Mr. Pruitt argued that States should be on their own when it comes to dealing with toxic pollution that crosses State borders.

In Mr. Pruitt’s confirmation hearing, I asked about these lawsuits and his views on regulating mercury and air toxics from powerplants. He was evasive and misleading, I believe, in his answers and claimed his lawsuits were merely about process. Process.

Well, let’s be perfectly clear. Mr. Pruitt’s lawsuits are trying to undermine a rule that protects the health of our children and our grandchildren. His extreme views on mercury pollution clearly show Mr. Pruitt believes that Americans have to make a choice between having a strong economy and a safe, clean environment. I think this is a false choice. We can have both, and indeed we must have both.

His extreme views on mercury pollution also show that Mr. Pruitt will side with polluters over science and doctors—maybe not every time, but way too often.

Americans deserve an EPA Administrator who believes in sound science and who will listen to the medical experts when it comes to our health and be able to strike a balance between a strong environment and a strong economy. I don’t believe Mr. Pruitt will be such an Administrator, which is why I am asking my colleagues to join me in voting against his confirmation.

I see we have been joined on the floor by the Senator from Indiana. I am prepared to hit the pause button for a few minutes and welcome my friend. I welcome him and thank him for his commitment, not just to the people of Indiana but to our country and embracing the Golden Rule, the idea that we have to look out for each other.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. DONNELLY. Madam President, it is an honor and a privilege to be here with my colleague from Delaware. I wish to take a few moments to talk about the nomination of Scott Pruitt to be the Administrator of the Environmental Protection Agency.

I have expressed my fair share of constructive criticism of the EPA over the years. I wish the Agency would work more effectively with States and stakeholders. Collaborative partnerships are the best way to ensure that our environmental policies meet our fundamental responsibility to be good stewards of the environment, while also being narrowly tailored to avoid overburdening Hoosier families and businesses.

Teamwork is what will give us the best chance at responding effectively to emergencies like the ones facing my friends in the East Chicago neighborhood of West Calumet. Cooperation with farmers, not overregulation, is how we keep nutrients and inputs in the field and improve water quality.

If confirmed, I hope Scott Pruitt will focus on improving the EPA’s working relationship with State partners and all stakeholders as the Agency engages in its mission to protect our environment. That is an issue I have been working on for years, and I will continue to do so. I cannot, however, support Scott Pruitt’s nomination to lead the EPA.

When I think of who should lead the EPA, given all the Hoosiers who are impacted by the rules and policies developed by this Agency, I think of how we are all dependent on clean air and water, but I also think of the last time an EPA Administrator visited my home State. It was in 2013, in a cold barn in Whiteland, IN, when then-Administrator Gina McCarthy visited with me and a number of my good friends—Hoosier farmers from across the State. It was the morning after the EPA had announced drastic cuts to the renewable fuel standard—not an ideal time to be Administrator of the EPA in a barn with a group of Hoosier farmers.

That morning, farmers told the story of how important the renewable fuel

standard is to rural economies and our national security. They told Administrator McCarthy how her Agency's decision had eliminated market opportunities for their products, for all of the things they had been growing, and it meant that we were putting our energy security at risk as well because less ethanol and biodiesel being used meant importing more foreign oil instead of growing our fuel on Hoosier farms.

A few days later, Scott Pruitt sent out a press release calling those RFS cuts "good news" and highlighting his earlier efforts suing the EPA in an attempt to block the regulatory approval of E15. I cannot support an EPA nominee who has sued the EPA to stop the sale of E15 and who praised the erosion of a policy designed to strengthen our energy security and to promote home-grown Hoosier biofuels.

If confirmed, however, I look forward to working with Scott Pruitt to develop a better and more collaborative approach to regulation by the EPA. We have very, very important work to do, including cleaning up environmental dangers in our communities, like those in East Chicago; ensuring the safety of drinking water systems; developing a better WOTUS rule; and finding a workable solution to address climate change.

That work in East Chicago is going to prevent me from being able to be here to vote against the Pruitt nomination. The Governor of our State has called a working meeting today in East Chicago with the mayor, State and local elected officials, representatives from HUD and EPA, and other neighborhood stakeholders. It is of utmost importance for me to be on the ground with the community to let them know we are listening and we are working to get the resolution they deserve and to protect their health and safety.

As I will be heading back home to Indiana before the vote on the Scott Pruitt nomination, I would like the record to state that, if here, I would have voted against the nomination of Scott Pruitt for the EPA.

I wish to recognize my colleague and friend from Delaware, who has done such an extraordinary job in protecting the resources of this country and in protecting the security of this country as well—his love for his home State, with the beautiful beaches, beautiful oceans. And my home State—we have the Great Lakes, which are an extraordinary resource, which we are so blessed to have, and which are a trust we keep for one generation after another. I have always felt it my obligation to make sure I turn over those lakes and, in fact, the oceans in better condition than we receive.

I yield to my colleague from Delaware.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Madam President, I thank my friend for those kind and generous remarks. I thank him for coming to Delaware. I have been privi-

leged to visit the Hoosier State any number of times. I have a basketball in my office from Notre Dame, and I know our friend from Indiana is a huge Notre Dame fan. Their basketball coach, Mike Brey, is the former basketball coach of the University of Delaware. Just like air pollution and water pollution can move across borders, so can head coaches of great basketball teams.

Tomorrow night, God willing, I will be at the Bob Carpenter Center at the University of Delaware to watch the University of Delaware's men's basketball team play. Our new head coach is one of Mike Brey's assistants who has come to our State to head us up. We look forward to seeing how he and our Fightin' Blue Hens do.

I thank the Senator for sharing—a whole lot less air pollution—after stealing our basketball coach, a very good replacement; I guess not the player to be named later but the coach to be named later.

Mr. DONNELLY. Madam President, the Senator's efforts on this have been extraordinary. To see the depth of concern the Senator has for our oceans, for our lands—we have both worked so hard to make sure we can work together with our farm communities to keep inputs on the farm, to protect our rivers, to protect our streams. We know how hard our farmers are working on that as well. I know the Senator has a tremendous and strong farm community in Delaware. It was a privilege to sit and listen while the Senator was speaking before.

I will note, as he said, you may have sent us a basketball coach, but in return, we sent you one as well.

I turn the floor over to my colleague from Delaware.

Mr. CARPER. Madam President, one of the things I love about the Senator from Indiana is he understands there is a Golden Rule. We are one another's neighbors, and we need to treat others the way we want to be treated. States need to treat other States the way they would want to be treated.

He also understands a very valuable principle: that it is actually possible to have cleaner air, cleaner water, and strengthen our economy.

When I was an undergrad at Ohio State, a midshipman there, I remember a time up north of us in Cleveland, OH, when the Cuyahoga River caught on fire. The kind of smog we have now in parts of the country, running in places in California, when I was stationed in California in the Navy for a while—there are days when I ran that I knew I wasn't doing a good thing for my lungs.

We have done a lot better than that. While we cleaned up rivers like the Cuyahoga River and we cleaned up the air in a lot of places in the country, we still have work to do. We have made those changes and those improvements and developed technology that we have been able to sell all over the world. That is a good thing.

I thank my friend for getting up at this hour of the day and joining us here and for his leadership, not just in Indiana but here in the Senate. It has been a joy. Thank you.

I want to go back to what I was talking about earlier—Scott Pruitt's views. I think they are extreme, uninformed views on mercury regulation. Mr. Pruitt's views on core clean air and clean water laws and the somewhat misleading and oftentimes evasive answers he has given to Members of this body, including myself, ought to be reason enough for Members of this body to reject his nomination.

Two months prior to his confirmation hearing, Mr. Pruitt filed his third major legal action against the EPA's mercury and air toxics rule. This case is still pending before the courts.

For those who don't know the EPA's mercury and air toxics rule, it requires our Nation's largest source of mercury pollution—coal-fired plants—to reduce mercury in a wider range of air toxins.

The EPA issued this rule in 2012, and because of the low cost of compliance, most utilities are already meeting the standards. We made more progress at a faster time, at a lower cost than was actually anticipated. The same thing is true with the elimination of acid rain in New England. The deal that was worked out was a cap-and-trade approach, but the idea was developed when George Herbert Walker Bush was President. We ended up with better results for less money and faster time than was anticipated. We can do this.

Mr. Pruitt filed his latest lawsuit alongside with one of the Nation's largest coal companies, Murray Energy Corporation, arguing that the benefits of cleaning up powerplant and mercury and air toxic emissions are "too speculative" and not necessary.

Mr. Pruitt goes on to argue that there are only "hypothetically exposed persons" from mercury and air toxic emissions from powerplants. Imagine that—"hypothetically exposed persons." Again, I would say: Really?

Finally, Mr. Pruitt argues: "The EPA cannot properly conclude it is appropriate and necessary to regulate hazardous air pollutants under Section 112."

His boiled-down arguments before the U.S. Court of Appeals for the DC Circuit is basically this: If the EPA cannot quantify benefits in dollars, then those benefits don't count. Never mind that we know the real-world health threats to people this kind of air pollution poses.

The idea of looking at public health protection only through the lens of dollars and cents is not a new one, but it can be a dangerous one. The tools we have for projecting costs and putting a dollar value on the health benefits are not gospel and are not the only way of analyzing the economic impacts of reducing pollution on a community. With toxic substances, such as lead, arsenic, and mercury, health benefits are sometimes difficult to quantify.



Meanwhile, the EPA is chock-full of examples where benefits are underestimated and costs overestimated once programs are implemented and businesses find efficient ways of cutting pollution. In my part of the country, we call that Yankee intuition.

Mr. Pruitt's argument ignores that it is difficult, if not impossible, to quantify the loss of IQ, increased risk of cancer, or other long-term health effects known to occur when exposed to mercury and air toxic emissions.

In Mr. Pruitt's world, if we can't accurately translate loss of IQ into dollars lost, the benefits of cleaning up mercury for other children is "too speculative" for it to be "necessary and appropriate" for EPA to act. As a father of three sons, I find this way of thinking alarming.

I have a poster here with a message from a woman in Wilmington, DE. Wilmington is in the northern part of the State, where our congressional delegation and Governor and his family live.

This is from Sarah. I would ask Mr. Pruitt this: How much does it cost to lose an organ like I have, to lose a parent or child from cancer? How much do sick days and inhalers cost? Families are struggling to make ends meet. Many of these costs are not in dollars alone.

Thank you, Sarah.

Sarah is a mother and a registered nurse. She wrote to me earlier this month to express her concerns regarding Mr. Pruitt's nomination. In her letter, she explained to me that she was born in 1978, in Western New York State. It is miles away from the Love Canal neighborhood. It is the site of one of the most appalling environmental disasters in American history.

For those who don't know or don't recall, Love Canal was a planned community that eventually had to be evacuated after 22,000 barrels of toxic waste were dumped into the nearby canal—22,000 barrels. Families whose homes were contaminated with chemicals and toxic waste had to leave. Many faced serious health challenges later in their lives. These were the real threats we faced before we had the EPA or laws on the books that held polluters accountable for dumping hazardous chemicals in our waters.

Sarah's mother was pregnant with her while Love Canal was being evacuated, just 7 miles away from their home. Fast forward a few decades. When Sarah was 30, she found out that she had thyroid cancer. Doctors told her that exposure to radiation, perhaps from the radioactive hotspots near her hometown, is a proven risk factor for thyroid cancer.

Sarah now has a daughter of her own who, unfortunately, suffers from reactive airway disease that causes her trouble breathing, and symptoms can last anywhere from a few minutes to hours at a time.

Sarah, in her letter, said to me:

Mr. Pruitt believes that the EPA places economic hardships on businesses through

unnecessary regulation. True economic hardship is experienced by those who are often least protected by environmental laws.

She went on to say:

I would ask Mr. Pruitt: How much does it "cost" to lose an organ like I have? To lose a parent or child to cancer? How much do sick days and inhalers cost families already struggling to make ends meet? What is the life path of a person who starts out with compromised lungs? Many of these costs are not in dollars alone.

Sarah couldn't be more right. An EPA Administrator must be able to understand the true human cost of rolling back or eliminating critical environmental regulations.

Mr. Pruitt's persistent and extreme views—or at least extreme views in my mind—on the mercury and air toxics rule are some of the reasons I have grave concerns about his nomination to be EPA Administrator.

I can't help but wonder if Mr. Pruitt will continue to fight this rule—not from outside the Agency, but from inside the Agency.

I wonder if Mr. Pruitt would uphold the clean air protection that has bipartisan support or if he would kill the rule and take his extreme views of cost-benefit analysis broader, to other issues such as cleaning up lead in our water or addressing climate change.

That is why I asked him not once, not twice, but three times about his views on the mercury and air toxics rule. I asked him directly three times if EPA should move forward with the rule and if EPA should be regulating mercury and air toxic emissions from powerplants. Each time I asked, the more evasive and misleading the answers became.

In our three exchanges, I was very clear that I was asking about EPA's regulations and the authority to address mercury emissions from powerplants.

However, in Mr. Pruitt's answers, he was very careful to mention that mercury pollution should be regulated under the Clean Air Act but never said that mercury and other air toxic emissions from powerplants should be or must be regulated.

Mercury, as it turns out, is emitted by many sources. Coal-fired powerplants happen to be the largest emitter in this country. Under section 112 of the Clean Air Act, Congress listed mercury as a hazardous air pollutant and required the EPA to regulate all major emissions sources.

It seems that Mr. Pruitt tried to avoid the questions I asked him about controlling mercury and air toxic powerplant emissions. He, instead, answered about regulating mercury more broadly.

While he was trying to evade the questions, what he did say was very misleading to the committee.

In our second exchange, I mentioned his three lawsuits against the mercury and air toxics rule. I asked Mr. Pruitt if he believed the EPA should not move forward with this rule and, if there were no rule, how would States clean up mercury?

Mr. Pruitt answered: "I actually have not stated that I believe the EPA should not move forward on regulating mercury or adopting rulemaking in that regard."

He went on to say: "There is not a statement—or belief—that I have that mercury is something that shouldn't be regulated under Section 112 as a Hazardous Air Pollutant."

Well, anyone who supports the mercury and air toxics rule and heard that might be very encouraged by these comments.

Sadly, Mr. Pruitt is on record many times stating that the EPA should not move forward regulating mercury and air toxic powerplant emissions.

Here are a few quotes from the legal briefs that Mr. Pruitt filed in his many lawsuits against this rule that directly contradict his statements in our hearing.

In his first lawsuit against the mercury and air toxics rule, called *White Stallion v. EPA*, Mr. Pruitt argued: "Finally, the record does not support EPA's findings that mercury, non-mercury Hazardous Air Pollutant metals, and acid gas Hazardous Air Pollutants pose public health hazards."

In his most recent case with Murray Energy, he argues that, with respect to powerplant mercury emissions, the "EPA cannot properly conclude that it is appropriate and necessary to regulate Hazardous Air Pollutants under Section 112."

These statements go well beyond questioning the "process." Instead, they suggest the EPA should not be regulating mercury and toxic air emissions from powerplants.

This is not what even Trump voters voted for in November. They did not go to the polls hoping that the new President would make their air dirtier or their water more polluted.

This is another case of this nominee trying to mislead, or at least obscure, the truth before Congress. It is a troublesome pattern that I fear will only get worse if Mr. Pruitt is confirmed as EPA Administrator.

With that, I reserve the remainder of my time.

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

The PRESIDING OFFICER (Mr. GARDNER). Without objection, it is so ordered.

Mr. CARPER. Mr. President, I want to continue to share with you and my colleagues the reasons I am opposed to the nomination of Attorney General Scott Pruitt to be the Administrator of the Environmental Protection Agency.

What we do know about Mr. Pruitt's past record—and there is still a good deal we don't know and are not able to learn in committee. We know Mr. Pruitt abandoned his responsibilities to

protect Oklahomans from harmful pollution. Instead of holding polluters and bad actors in the State accountable, Mr. Pruitt spent a lot of his time as attorney general in Oklahoma suing the Environmental Protection Agency.

These days, going after the EPA public health protection seems like a popular thing to do. In fact, the EPA is often a target of nasty tweets from our current President.

Without the burning rivers or thick smog and soot in the air, which used to be all too common, some may presume that there is not much more for the EPA to do to protect the public health of our country from pollution. People may presume that our environmental protection problems are behind us, and States can take care of themselves when it comes to clean air and clean water, as Mr. Pruitt has suggested time and again.

I am a recovering Governor, a former Governor for 8 years. I have huge regard for what Governors can do, States can do. There is a lot we can do, but not everything. That is not the idea—that States can simply take care of themselves when it comes to clean air and water, and there is no need for Federal oversight. It is just wrong. I think it is untrue. The EPA continues to play a critical role in protecting our health, especially for the most vulnerable, including the very young and the elderly. The environmental threats we face today are real and do not respect State borders.

One such threat is ozone, known to some as smog pollution. Five times, Mr. Pruitt has sued the EPA over regulations to require new ozone, smog protections. Several of these lawsuits are still pending before the courts.

Mr. Pruitt's actions against ozone health protection are deeply concerning to me, as I represent a State at the end of what many of us on the east coast call America's tailpipe. Emissions come up from the Midwest, largely, and blow from west to east and end up in our air and in our water. Ninety percent of the smog and air pollution in Delaware comes from outside of our State, partly from hundreds of miles away—places like Kentucky, Ohio, Indiana, and across the Midwest.

I said many times as Governor of Delaware that I could have eliminated every source of pollution within my State—shut down the factories, cleared every car off the road, stopped trains and transit or boats. Delaware would still face the deadly doses of air pollution, not from our own emissions, but from those blowing in our State from hundreds of miles away.

We have a chart here to my left that we call the Ozone Report Card. Ozone is smog pollution. It deals not with quality of air pollution in Delaware, but it is a report card for Oklahoma. Cross-state ozone air pollution continues to be a major problem for our State, but it also is for many States across the country.

In Mr. Pruitt's own home State of Oklahoma, every county with an air

quality monitor—16 counties; they have more than 16 counties, but 16 have air quality monitors—has an unhealthy level of ozone pollution, according to the American Lung Association. The American Lung Association assigns grades in subjects, just as for our pages here in school. My home State has A's and B's. The Oklahoma Lung Association assigns a grade for ozone pollution. In these 16 counties, they assigned a grade of F, not just in 1, 2, 3, 4, 5 or 10—all 16.

For decades, we have known that air pollution is linked to serious health problems like asthma attacks, strokes, heart attacks, and other respiratory illnesses. Most recently, ozone has been linked to early deaths.

We have another chart that refers to Oklahoma's asthma rate. According to the Centers for Disease Control and Prevention, 6.3 million children in this country have been diagnosed with asthma—6.3 million children diagnosed with asthma. In Mr. Pruitt's home State of Oklahoma, 1 in 10 children have asthma, which is higher than the national average. That is 6.3 million children nationwide, and more than 112,000 in Oklahoma who have to worry, during the high ozone days, if they are going to have an asthma attack.

Recognizing the very real dangers of ozone pollution, Congress passed the EPA to provide our country with the ozone air quality standards based on the best science available, and they review that standard every 5 years. After reviewing more than 1,000 medical and scientific studies, the EPA concluded about 2 years ago, in 2015, that the 2008 ozone health standard was too weak and no longer adequately protected public health.

The EPA's 2015 rule was purely a statement of fact to protect our health. To protect the 6.3 million children with asthma, we need less ozone pollution in our air. To protect 112,000 children with asthma in Oklahoma, we need a stronger air quality standard.

Fortunately, many of today's biggest emitters of ozone pollution, such as older coal plants, are already scheduled to be cleaned up. This means the costs of compliance are not as high as they might have been 2, 4, or 6 years ago.

As attorney general, Mr. Pruitt had a choice between two paths. If he had taken the first path, Mr. Pruitt could have worked with his Department of Environmental Quality and the business community to ensure ozone polluters in his own State cleaned up. He could have worked with the EPA, not against it. By doing so, he would have protected Oklahomans and citizens living in downwind States from ozone pollution and helped economic growth and the State at the same time. It is important to note that many attorneys general in this country decided to take this path, including our own attorney general, Matt Denn, in Delaware.

Instead, Mr. Pruitt took a second path, the one that led to suing the Agency, the EPA, in an attempt to

weaken protections. It is no surprise that Mr. Pruitt chose to sue the EPA, based on his clear record.

I have a poster here with some of his own words. After all, it was Mr. Pruitt who just last summer explicitly said it bothers him that Congress and the EPA work together to ensure Americans have clean air to breathe—or appears to say that. Specifically, here is what he said:

Legislation should not be “we like clean air, so go make clean air.” That's something that bothers me, that then Congress gives to EPA this general grant of authority.

That was at Hillsdale College in July of 2016. I would just ask, What then does Mr. Pruitt think the role of EPA is? It is hardly some kind of extreme overreach to keep deadly pollutants out of the air we breathe. I think most people think that. Mr. Pruitt chose to sue the EPA over the science used to justify in writing the regulations, citing the polluters over the medical and scientific experts who have published over 1,000 scientific studies that the EPA has reviewed.

Mr. Pruitt did not stop there. He also sued the EPA over protections for downwind States. Delaware is one of them. Let me repeat that. Mr. Pruitt not only sued the EPA over science used in the 2015 ozone rule, but he also sued the EPA over the good neighbor rule to make sure all States do their fair share to clean up the air. Without the good neighbor rule, Delawareans, and all Americans living in downwind States, will be forced to live with the consequences of decisions made by polluters hundreds or thousands of miles from them. Mr. Pruitt took the stance that every citizen in this country does not have the right to breathe clean air. Mr. Pruitt took the stance that the lawyers and polluters know better than scientists and medical experts when it comes to ozone pollution and health.

The President is asking us in this body to confirm Mr. Pruitt as our EPA Administrator. As Senators, we can also choose between two paths. The first path is protecting public health and ensuring that those who elected us have clean air to breathe. The second path is protecting polluters. I will be taking the path that protects the health of my constituents. I urge my colleagues to do the same for theirs.

In just a moment, I am going to pause. Before I do, I mention this good neighbor rule. Some people call it the cross-border rule. The idea behind it is that we ought to treat one another as neighbors.

Where does the good neighbor rule come from? It actually comes from the Bible. And it comes not just from the Bible, it comes from almost every major religion in the world—the idea that we ought to treat other people the way we want to be treated. If you look at every major religion in the world, it pretty much says that.

In the New Testament, some will recall, there is a passage where the Pharisees were after this young Rabbi,

a couple thousand years ago, trying to put Him on the spot. They said: You are so smart, young Rabbi, why don't You tell us what is the greatest rule of law, the greatest commandment of all? He said: Not one, there are two. He mentioned the first. Then He said: The second is love thy neighbor as thyself.

One of the pharisees said to Him: Who is our neighbor? And He went on to tell them the parable of the good Samaritan. A man traveling through the country was attacked, left for dead in a ditch. Later in the day, three people walked by, one from a part of the country where this guy was sort of his neighbor. He walked on by. Next, a person of the cloth, a rabbi, walked on by. He didn't stop. The third guy that came through was from a place called Samaria. They are like at enmity, at odds with one another. They are not friendly; they are at odds with one another.

He saw the fellow had been beaten and left for dead. He ministered to him and put him on his animal and took him to an inn. For a day and a night, he tried to help him get better. After the second day, the guy from Samaria had to leave and had to go someplace else. He said to the innkeeper: This fellow still isn't well enough to travel, but here is some money to help pay for his care here for another day or two. When I come back through, if you need more money or it costs more, I will even up with you. He left, but he left the guy who had been beaten in a lot better shape.

After telling His story, the young Rabbi turned to the pharisee and he said: Who was the good neighbor?

Well, there was the one—the first fellow who came by who took pity on the guy who had been beaten and left for dead and treated him the way he would have wanted to be treated.

That is really the foundation of the good neighbor rule that the EPA has promulgated. It is the foundation of the idea that pollution does cross borders and because of that, we need to have—if we can't pass a law, we need some kind of rule or regulation to ensure that everybody is being a good neighbor because it is not fair that my State—that we can pretty much close down my State's economy, transportation systems, powerplants, and still have a problem with air quality. That is just not fair.

I think next we are going to look at some editorial statements that are in opposition to Mr. Pruitt. I know there are editorial statements that support him. I don't have any of those today, not surprisingly. But I do want to go through a couple from newspapers around the country: New York Times, Bangor News up in Maine, L.A. Times, Denver Post, Chicago Sun Times, Dallas Morning News.

I have received a number of letters from Delawareans about the nomination of Mr. Pruitt to lead the EPA. For the record, as of I guess last night, my office had received a total of seven let-

ters, emails, or faxes supporting Mr. Pruitt's nomination. I guess this is from all sources, not just Delaware. But we have gotten seven letters supporting Mr. Pruitt's nomination. I received 1,880 letters opposing his nomination. That is pretty amazing. We don't get this kind of volume of letters, emails, or faxes, but 1,880 opposed, 7 letters supporting.

But it is not just Delawareans who are worried about the idea of Mr. Pruitt at the helm of EPA; over the past 3 months, editorial boards across our country have expressed their own serious concerns about this nominee as well.

I want to share a few of those with my colleagues and the world this morning. Back in December, the New York Times wrote these words. I will read them. This is from December, a couple of months ago:

Had Donald Trump spent an entire year scouring the country for someone to weaken clean air and clean water laws and repudiate America's leadership role in the global battle against climate change, he could not have found a more suitable candidate than Scott Pruitt, the Oklahoma Attorney General.

That is a pretty bold charge. The editorial describes Mr. Pruitt's nomination—it goes on to say “an aggressively bad choice”; “a poke in the eye to a long history of bipartisan cooperation on environmental issues.”

Again, the EPA was not created in a law signed by a Democrat, it was by a Republican.

The Times goes on to say “bad choice”; “a poke in the eye . . . to a nation that has come to depend on an agency for healthy air and drinkable water.”

And to the 195 countries that agreed in Paris last year to reduce their emissions, climate-changing greenhouse gas, in the belief that the United States should show the way, the Times concludes with these words: “Mr. Pruitt is the wrong person to lead an agency charged with the custody of the nation's environment.”

The Senate cares about public good and needs to send his nomination to the dustbin.

But I know that not everyone is a huge fan of the New York Times these days, so let's move a little further north. Let's go up to Maine. They have a paper up there called the Bangor Daily News. I have a poster from them as well. Last month, the Bangor Daily News Editorial Board wrote these words. Again, this is last month:

As attorney general of Oklahoma, Mr. Pruitt has been openly hostile to the EPA's mission of protecting human health by regulating dangerous pollutants, such as mercury and carbon dioxide. Someone who has repeatedly tried to prevent the EPA from doing its job surely should be disqualified from overseeing the agency.

You know, we generally believe that Presidents have wide latitude in choosing the members of their Cabinet. I think Governors should have wide latitude. As a former Governor, I said to

our Delaware Legislature: I have been elected; give me the opportunity to put together my own team and judge us on our performance.

However, some nominees of some Presidents are so—probably Democrats and Republicans, but especially in this case, with this President—some nominees are so unqualified or philosophically unfit that Senators should use their constitutional powers to reject them. Scott Pruitt, President Donald Trump's pick to head the EPA, is one of those nominees.

I voted for more of the nominees of this President than against. Several of them are quite good. I serve on a committee called Homeland Security and Governmental Affairs. To succeed Secretary Jeh Johnson, the President nominated retired Marine general John Francis Kelly, who was a terrific soldier, marine, leader for our country, and will be a great Secretary. I wish they were all of his caliber. I wish they were.

The Bangor paper went on to write:

Critics of the EPA tend to focus on rules and laws that the agency is involved in writing that protect little-known animals or landscapes, such as wetlands. But, the agency's primary mission is to safeguard the health of Americans through landmark laws such as Clean Water Act and Clean Air Act.

Finally at the Bangor paper, they got to what is really at stake with Scott Pruitt at the head of EPA when we have a President who has repeatedly said he would like to get rid of the EPA in almost every forum. This is what they said at the Bangor News:

We are under no illusions that Mr. Trump is suddenly going to become a champion of environmental protection, even if that is synonymous with protecting human life. But Pruitt is so hostile to the EPA's core mission that putting him in charge would move the United States dangerously backwards.

But it is not just the east coast editorial boards that are worried about Scott Pruitt's nomination. Let's go to the west coast, the L.A. Times in California, the State that has led the way in environmental protection. The L.A. Times Editorial Board wrote—let's see if we have a date. It is February 4, this month. This is what they wrote:

Yes, Trump won the election, and as president, he's entitled to appoint people who reflect his political views. But when the president's policies and appointees pose such a fundamental threat to the nation, even a Senate controlled by his fellow Republicans—whose first loyalty should be to the people of the United States—must put the nation's best interests ahead of party loyalty.

They continue at the L.A. Times and say:

Pruitt wouldn't run the agency as just another small-government Republican interested in paring excessive limitations on business. He actually disagrees with the fundamental mission of the EPA. He has argued that the federal government should play a lesser role in environmental protection, and that primary control should be given to the states.

That is wrongheaded. Putting West Virginia, my native State, in charge of

its coal industry or Texas in charge of its oil industry would lead to horrific environmental damage, not just there but in the neighboring States downwind and downstream, according to the L.A. Times Editorial Board.

The L.A. Times Editorial concludes by saying:

Putting Pruitt in charge of the EPA, however, poses an irreversible risk to the planet, and the Senate needs to ensure that doesn't happen.

It is not just the coastal editorial boards that have opposed Mr. Pruitt. The Denver Post noted that—these are their words from 2 months ago, December 8, 2016:

It looks like Trump truly does wish to dismantle the EPA. His pick of Scott Pruitt to lead it strikes us as unnecessarily reckless, and we urge the Senate to deny confirmation and to demand a better way forward.

It is not on the poster, but the Denver paper went on to add: Does the Nation really want a Big Oil mouthpiece running the agency that's charged with the laudable task of keeping our air and water safe?

Let's head up to Chicago, where the Sun Times was editorializing in the great State of Illinois. The Chicago Sun Times Editorial Board—let's see what we have for a date. It looks like December 8, a couple of months ago. This is what they said:

We are living in a time that calls for stepping up efforts across the board to protect our environment for future generations.

Unfortunately, President-elect Donald Trump has appointed Scott Pruitt, an open foe of environmental initiatives, to head the U.S. Environmental Protection Agency. That demonstrates a callous disregard for the health of our nation and planet just as rapid technological advances hold out hope for avoiding the worst effects of climate change.

It went on to say:

During his campaign, Trump said he would dismantle President Barack Obama's environmental policies and pull the United States out of the 195-nation Paris accord to reduce greenhouse gases and climate change. After the election, Trump moderated his tone, saying he has an open mind about climate change. His appointment of Pruitt, however, suggests that if he's open to anything, it's strictly more pollution.

They concluded with these words:

At a time when serious scientists worry about cataclysmic disasters threatened by climate change, we can't afford to put our future in the hands of an apologist for the fossil fuel industry. America needs an EPA chief who understands the value of environmental successes we have achieved and the critical importance of building on them.

But perhaps these aren't convincing enough. Travel with me down to Texas because they have a problem even in Texas, in the Lone Star State. One of the newspapers there, the Dallas Morning News, wrote just last week:

Oklahoma Attorney General Scott Pruitt, a veteran of a years-long courthouse campaign to undermine the Environmental Protection Agency, is the wrong choice to lead the agency under President Donald Trump. It's hard to imagine a worse choice.

They highlighted the long-term impact of putting Mr. Pruitt in charge of the EPA. Here is what they said:

The post of EPA administrator is a critical one, and nowhere is that more tangible than here in energy-rich Texas.

Again, this is the Dallas Morning News:

Many industry voices have already raised toasts to Pruitt's nomination, concluding that his plans to eviscerate the EPA's regulatory oversight of oil and gas companies, and other polluters, will strengthen the state's economic fortunes.

The Morning News went on to write that the Senators from Texas must "look beyond the short-sighted calculus and vote in the long-term interests of Texas. Put simply, Texas' economy will be stronger over time if its environment is cleaner and if its people are healthier."

This is just one of a handful of the editorial boards that have raised serious and substantive objections to Mr. Pruitt's nomination, and for very good reason. They don't just come from the Northeast or from the east coast, they don't just come from the Southeast or the Midwest; they come from the west coast and even Texas itself. We ought to listen to them. We ought to listen to them. They are not all wrong. In fact, I fear they are right.

With that, I see we have been joined on the floor by a young man from Connecticut who came to share some of his own thoughts with us on these important topics.

I just want to thank him for the good work he does in so many areas. He and I have been partners together on trying to make sure the people of this country have access to affordable healthcare, and we get better results for less money, and I applaud him for those efforts, as he knows probably better than I, to try to ensure that people are healthy. It is not enough just to provide healthcare for them when they get sick. We call that sick care. We try to make sure we are doing things up front to prevent people from getting sick, to enable them to stay healthy. A lot of that really leads right to the work of the Environmental Protection Agency.

Leadership is so important in everything we do. It is the most critical factor in everything. Leadership is the key to the success of any organization, large or small, that I have ever been a part of or observed. I don't care if it is a business, I don't care if it is a church, I don't care if it is a school, I don't care if it is a military unit, a sports team, or the U.S. Senate, leadership is key. The EPA is key.

Show me enlightened, well-qualified leadership, and I will show you a successful operation. We need to be real careful in making sure the EPA has the kind of leadership that will lead them and our Nation well into the future.

With that, I yield the floor.

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

The PRESIDING OFFICER (Mr. BARASSO). Without objection, it is so ordered.

Mr. MURPHY. Thank you, Mr. President.

Once again, let me extend my gratitude to all of the staff who are pulling yet another overnight. I know this isn't easy, and I feel like every time we have done one of these I have been on the floor during the late night or very early morning hours to express my gratitude to those who are making this possible.

While I am grateful for those who are here, I think it is also incredibly important and vital that we are here. This is exceptional to have so many late nights, to have pushed through the evenings, to stay in session 24 hours and 48 hours at a time. I understand that last week we engaged in the longest session—second longest continuous session in the history of the Chamber, and I think we are doing so because we are living through truly exceptional times today.

We are living through a moment where this administration is simply not prepared to govern, and many of the individuals who are being appointed to Cabinet positions, being selected to serve in this administration simply aren't ready to get the job done.

We saw that with respect to Michael Flynn, who was named to quite possibly the most important position in the national security Cabinet. The National Security Advisor is, on most days, the first person and the last person the President talks to about national security, about protecting the Nation. Many of us raised alarm bells when Mr. Flynn was selected for the job because of his radical statements on Islam, his questionable connections to Russia, having sat next to Vladimir Putin in a celebration of Russian propaganda didn't seem right to us, something didn't smell right to many of us. We expressed those objections when Mr. Flynn was chosen. Our objections did not prevail, and within 30 days Mr. Flynn was fired from his position. It is still unclear as to why he was fired. The President was out in front of the cameras, bizarrely defending Mr. Flynn to the cameras having just fired him 30 days into the job, but it seems that it was some combination of undermining a sitting President by attempting to coordinate with the Russian Ambassador right after President Obama had levied sanctions on Russia, potentially making some promises to the Russians that they didn't have to worry about it because once the Trump administration got into office, they would modify or lift those sanctions or perhaps it was lying to the Vice President and others in the White House about what the substance of those conversations were.

Regardless, within 30 days, maybe the most important person in the security Cabinet, who many of us thought

was unqualified, was fired from his position in the shortest tenure that anybody could discover for National Security Advisors.

More news in the last 48 hours is that there were a host of other White House officials who were unceremoniously ushered out of the White House because they couldn't pass their criminal background checks. Why on earth they were in the White House working in positions if they hadn't already taken criminal background checks, that is a very important question we should get answers to, but yet another example of selection of people to serve in sensitive posts who weren't ready for the job.

Betsy DeVos wasn't ready for her confirmation hearing. She came to the Health, Education, Labor, and Pensions Committee and didn't know the basic facts about Federal education law. She couldn't tell the difference between measuring proficiency and measuring growth, and maybe for most people you don't know the difference either, but if you are going to be the Secretary of Education, you have to know the difference between measuring for proficiency and measuring for growth. She was confused about the Federal law that guarantees children with disabilities an equal education. She told Senator Kaine and Senator Hassan it would be OK for States to ignore that law or ignore that protection. That actually is not the case. Every State has to observe the individuals with disabilities law as it pertains to students.

Just this week, we had a nominee withdraw after a drip, drip, drip of allegations regarding his personal conduct and his business practices made it pretty clear that somebody whose restaurants are half the time in violation of Federal labor laws, somebody who has employed undocumented workers probably isn't suitable to be the chief protector of workers in this country as the Secretary of the Department of Labor. It just doesn't seem that a lot of thought has been put into some of these selections.

So we are taking our time. We are using our prerogative as Members of the minority party to make sure there is a full, complete debate on all these nominees to make sure, at the very least, the American public knows what they are getting.

Our worry is not just that these nominees are often woefully unprepared for the job, it is that many of them appear to be fatally compromised. I listened to a lot of what President Trump said on the campaign trail, and I heard him spending a lot of time attacking the way business had historically been done in Washington, DC. Maybe some of us privately cheered him on when we heard him say that because we have watched corporate America own this town for a long time.

I watched the drug industry essentially have veto power over health policy in this town. I have watched the oil and gas industry run the show. From a

personal basis, nothing aggrieves me more than seeing the gun industry get whatever they want from this Congress. If you have a couple hundred million dollars of market capitalization and a good lobbyist and a political action committee you can get a lot done in Washington.

So maybe when I tried to think of that silver lining to the election of Donald Trump to the Presidency of the United States, something that was deeply morally objectionable to me, it was that maybe there is a possibility to take on some of these special interests, to say enough is enough, the size of your wallet shouldn't have anything to do with the amount of influence you command here, but then those hopes were dashed as we watched who President Trump decided to nominate for the Cabinet.

Over and over again, billionaires, sometimes millionaires, but more often than not billionaires were selected for this Cabinet, many of whom had ties to the very special interests or were members of the very special interests that Donald Trump told people he was going to take on when he became President of the United States.

So we had one of the biggest fast food operators being installed in the Department of Labor—somebody who attacked workers and said that break time was a nuisance, that robots should replace his employees, we had an oil executive nominated to serve as our chief diplomat, and now we have an individual who has very publicly and unapologetically done the bidding of big energy companies being enlisted to be the chief environmental protector in this country.

So we are here tonight because the nomination and selection of Scott Pruitt to be the next Administrator of the EPA fits neatly into a pattern of behavior by this administration in which very, very rich people or people who have very close ties to powerful interests are being put in the government, and our worry is that they are being put there not to serve the American people but to serve those interests.

Scott Pruitt has a very interesting history of defending the oil and gas industry, which I admit is important to his State of Oklahoma—more important than it is in my State of Connecticut—but he has a very interesting history of defending that industry against the EPA. Scott Pruitt has sued the EPA to overturn standards to curb mercury and other toxic air pollutants, standards that would prevent 11,000 premature deaths and up to 130,000 asthma attacks per year.

He sued to void standards to reduce soot and smog pollution, projecting to prevent up to 15,000 nonfatal heart attacks, to prevent 34,000 premature deaths, and almost 400,000 asthma attacks every year.

He sued unsuccessfully to overturn the EPA's scientific danger determination that carbon dioxide and other heat-trapping air pollutants are harm-

ful, and he even sued to block water pollution into the Chesapeake Bay which has no connection to Oklahoma.

Scott Pruitt has been a crusader. He has been a crusader on behalf of the energy industry against environmental protection, and he would probably tell you there is a choice to be made between protecting our environment and protecting our economy. That is ridiculous. That is patently ridiculous.

If we don't protect our planet, if we don't protect the quality of our air and the quality of our water, there will be no planet for businesses to grow in, and every kid who suffers through a lifetime of asthma is a fundamentally less productive worker to be able to add value to the American economy. When you are attacking health standards that would reduce asthma attacks by over 500,000 a year, you are attacking the economy, not just the environment.

It is really hard for a kid to learn and become an entrepreneur or a business creator if they are not healthy. Frankly, it is really hard for a family to be able to manage their own economic affairs when they have kids who are that unhealthy. So Scott Pruitt, in continuing to attack the EPA, continuing to stand up for the oil and gas industry, is weakening our economy.

Maybe even more importantly, when you are standing up for only one segment of the energy industry, you are ignoring all the potential jobs that come through a true energy transformation. I get it that today there are a lot of oil jobs in Oklahoma, but there could also be a lot of wind and solar and advanced battery and fuel cell jobs in his State as well. Frankly, as you look at the jobs that will be created over the next 50 to 100 years, not just in this country but across the globe, the real job growth in the energy sector is not just going to be in the oil and gas sector, it is going to be in this broader renewable energy sector.

I don't know if these statistics are up to date, but a few years ago, I read that, of the top 10 solar companies in the world, the United States has one of them; of the top 10 wind turbine companies in the world, the United States has one; and of the top 10 advanced battery companies in the world, the United States has two. There are going to be millions and millions of jobs to be had all across the world in the renewable energy economy.

So long as our energy policy is only about protecting oil and gas and coal and not about truly advancing renewable energy, we are hurting our economy; we are preventing massive job creation from happening; and we are letting other countries eat our lunch because 9 out of those 10 top wind turbine companies and top solar companies and 8 out of those top 10 advanced battery companies are in other countries—other countries that have decided to have policies that create internal markets for those new renewable technologies, unlike here in the United States.

Germany is pumping out wind turbines and is selling them all over the globe, not because Germany has any more wind than the United States but because they have decided to pursue a policy in which they give advantage to those renewable energy companies. The United States has decided to pursue policies, by and large, through giving advantage to fossil fuel companies.

In making his name as a crusader against the EPA, not only is Scott Pruitt endangering the health of our kids, but he is endangering the health of our economy as well. It is not guesswork when it comes to the connection of Scott Pruitt to the industry. If he had really studied the facts and if he had sat down and sort of weighed the benefits of the industry's claims against the benefits of the claims of 99 percent of the scientists in this country, it would be worth a listen.

But, as attorney general of Oklahoma, he sent a letter to the EPA, skewering its efforts to limit methane leaks from oil and gas companies. He didn't write the letter. Nobody on his staff wrote the letter. Oklahoma's Devon Energy Corporation wrote the letter. Pruitt's office changed a few words and sent it on to the EPA on the attorney general's stationery. That is how close the relationship is between Scott Pruitt and these energy companies. He just takes what they write—what they say—and forwards it on under his own signature. If you were to do that in a classroom, that would be plagiarism, and you would get kicked out of school; but if you were to do that as the attorney general of Oklahoma, you would get nominated to be the Administrator of the EPA.

It might get a lot worse. You might find out that it is a lot worse on Tuesday of next week because, for some reason, Scott Pruitt has been hiding email correspondence between his office and these energy companies. He has put up roadblock after roadblock to try to stop freedom of information requests to get these emails, this correspondence.

Finally, yesterday, a judge ruled that you cannot stop that information from coming out—they are public documents—and on Tuesday of next week, they are going to be made public. I don't know what they were going to say, but as I suspect with Donald Trump's tax returns, when you are expending great effort to hide something from the American public, there is probably a reason you are hiding those things. There is something incredibly damaging, embarrassing, or illegal in those tax returns, and there is, probably, something very damaging, embarrassing, or illegal in those emails.

So we are rushing through a nomination of Scott Pruitt tomorrow, which will not allow us to see this email correspondence that is going to come out next week. That is a shame because it, likely, will show us how close that connection has been between the next Administrator of the EPA and the energy

companies that he has been regulating and will be charged to regulate.

I get really concerned about Scott Pruitt when I think about the kids in my State. I will tell you about one very specific way in which I think about it, and then I will talk a little bit more broadly.

We have talked a lot about lead, mostly in the context of this tragedy that has played out in Flint, MI, but, in Connecticut, the tragedy of lead poisoning plays out every single day. Why? Because we have really old housing stock; we have old infrastructure; we have lead that is in paint; we have lead that is in pipes; we have lead that is in fixtures that exist in old homes.

While our State has been just plugging along, trying to do better to remediate these old homes and clean up lead and test kids earlier, lead poisoning has been a reality for us in Connecticut for a very, very long time. Boy, there are a lot of awful things that can happen to you as a kid in this country, but lead poisoning is at the top of the list. Watching a family go through the horror of serious lead poisoning is nothing that you want to witness because, once lead gets into your system—once it gets trapped inside your brain—it is impossible to reverse.

In his confirmation hearing, Mr. Pruitt was asked whether there was any safe level of lead in drinking water. If you are going to be the Administrator of the EPA, you should probably know the answer to that question. The answer is, no, there is no safe level of lead in drinking water. Given all of the tumult and attention over what happened in Flint, you would think that would be something he would be prepared for. His response was: "That's something I have not reviewed nor know about."

Lead is a neurotoxin that can have devastating, long-term effects on the lives of children. The correct answer, of course, is that there is no level of lead that is safe in drinking water.

I don't want to be too tough on him because I don't expect somebody who hasn't spent his lifetime in the field to know every answer about environmental standards, but this one was a pretty important one. For those of us who do think he is, ultimately, going to do the bidding of industry rather than the bidding of kids, not having an awareness about something as simple as acceptable lead levels in water makes us wonder whether he is really prepared to do his homework because on the other side of the lead fight are special interests. This is one that has special interests too. Whether it be the home builders or other folks who might have to pay a little bit of money out of their pockets to fix up old homes, there are people who are not always with us on this.

More broadly, I worry about my kids. My kids are not going to suffer from lead poisoning, but if we don't get serious about the pace of climate change now—in the next 5 to 10 years—the problem may not be available to solve

for my kids. It may be too late, once they become of age, to try to do something about it as a public servant, as a scientist, as an activist. Any scientist can explain the reason for that.

The reason is that, for many greenhouse pollutants—carbon dioxide, in particular—as they get released into the atmosphere, they stay, and they continue to warm—heat up—as time goes on. There are some pollutants that don't act that way. There are these things called fast-acting climate pollutants, like methane, frankly, that are released into the atmosphere, that are powerful heaters for a short period of time, but then they dissipate. Carbon dioxide is different. That one sticks around forever and ever—a long, long time—and continues to heat and continues to heat and continues to heat. So, if you don't reverse the trajectory of the human contribution to climate change soon, it may be too late.

As folks have read, just in the last 60 days, that phenomenon is playing out in parts of the globe that are already at a pace that was unimaginable just 5 years ago. In the Arctic, we are seeing just unthinkable warming.

I don't make policy by anecdote, but about a year ago, I was in the Arctic. I was on a submarine, doing an exploration under the ice—a truly amazing thing to be a part of. I was on the USS *Hartford*, which was a ship that was made in Connecticut, and the port is in Connecticut. We were up there as part of an exercise called ICEX, which was an exercise to try to understand what is happening in the Arctic so as to try to understand what the implications are for humans of this massive melting of arctic ice.

There were supposed to be two weekends of exercises in which there was a camp on a very stable piece of ice. Experiments were happening at the camp, and a submarine was helping to engage in those experiments. We were part of the first weekend's exercise. Then, the next weekend, another group of Congressmen was going up to witness that second weekend's exercise. The second group of Congressmen did not make it. They were literally on a van to the plane when they were told there was an emergency evacuation of the camp because the ice was melting underneath the camp. This was a spot that was picked because of how stable they thought it was. In the short period of time in which the camp had existed on the ice that March, it had started to break up and melt underneath them, and they had to engage in an emergency evacuation.

That is just one story. I understand we don't legislate or regulate by anecdote, but when you piece it together with all of the other evidence that tells you that every single year is the warmest on record, that shows you this massive trend line of melting in the Arctic. Even scientists who were of that 1 percent, who were sort of judged or deemed to be climate skeptics, are now



saying: Whoa, there is clearly something nonnatural happening in the Arctic, resulting in this massive melt that happens season after season.

If that melt that is being mirrored in Antarctica continues at this pace, it will be too late for my kids to do something about it. In my State of Connecticut, a coastal State—a State in which the majority of our economic assets are buffered right up against the water of the Long Island Sound—we cannot survive in a world in which sea level rise doubles compared to what it has been over the last 1,000 years.

We cannot survive in a world in which, by the end of this century, the average temperatures will be 8 degrees higher than they are today. When I came to Congress in 2007, the worst case estimates were that, by the end of this century, the global temperature rise would be 6 to 8 degrees beyond what it is today. Those are now mainstream estimates. It is not politicians, and it is not activists. Those are scientists—mainstream scientists—who are making those estimates. Yet, we are going to put somebody into the EPA who proudly has been a mouthpiece for the idea that climate change is a hoax—a hoax.

There is this tiny group of scientists who say: Well, it is not really clear whether human activity is leading to climate change. There is a tiny group of scientists who say that. Ninety percent of scientists agree that humans are contributing to climate change.

But Scott Pruitt goes further than that. Scott Pruitt has said that climate change—he has said it over and over again—that climate change is a hoax. What does that mean? Does that mean it is an intentional campaign by people to try to fool people into believing that climate change is happening? That is an extreme position. I don't even know how you explain what the genesis of the hoax is. What benefit do people get from trying to create this fiction? And of all the people out there who could possibly be the EPA Administrator, President Trump chose someone who calls climate change a hoax.

He had a confirmation conversion. He backtracked on that and said something before the committee about not being completely sure about the human contribution to climate change, but acknowledging that it probably exists. It is not the first confirmation conversion we have had. The Presiding Officer and I were at a very interesting hearing yesterday in which the nominee to be Ambassador to Israel essentially recanted everything he had ever said that was strong in tone about people he disagreed with on the position of U.S.-Israel relations.

So Scott Pruitt has changed his rhetoric in order to get confirmed. But he said that climate change is a hoax enough times to understand that likely, in his gut, that is what he still believes. It was a convenient position to have if you were an attorney general concerned with doing the bidding of big

energy companies and special interests, which fed into their narrative as well.

These are exceptional times. I am sorry that we are back on the floor overnight again. But we are deeply concerned that this special interest Cabinet—this billionaire Cabinet—is not being put in place to do right for the American people. It is being put in place to do right for big corporations that don't need any more allies here in Washington. For all the rhetoric about upsetting the way things are done in Washington, President Trump is doubling down on special interest influence by handing them the keys to the Secretary's offices and major Departments, now including the Environmental Protection Agency.

That was not a President at that press conference yesterday. That was hard to watch, I imagine for both Democrats and Republicans. It was not a higher calling to public service for anybody in this country. Maybe there was 20 percent of the President's base that the press conference played to, but that was not an advertisement for America.

These are exceptional times, and they do command those of us who are worried about the direction of this country to use all the power we have to try to get the facts out there and on the record.

I was standing next to Senator ANGUS KING at a press conference shortly after we were sworn in, talking about this issue of climate change and our responsibility as public servants to protect the quality of our air and the quality of our water. We were recalling how this wasn't as partisan an issue 40 years ago as it is today.

The EPA was established under a Republican President. The Clean Water Act and the Clean Air Act had bipartisan support. There was a time in which Republicans were for environmental protection, and now we are nominating somebody to be the Administrator of the Environmental Protection Agency who made his name fighting environmental protection, who made his name suing the Agency that was established by a Republican President, who has called the global climate change phenomenon, supported by 99 percent of scientists, a hoax.

It is disturbing to many of us how deeply politicized this issue is because it used to be relatively nonpartisan. It used to be that for all of the things we disagreed on, we at least recognized that one of our responsibilities as stewards of this sphere that we live on is to make sure that it exists in the same shape that it is today for our kids.

What ANGUS KING said that day in that press conference, as always, stayed with me. Senator KING said that in Maine they have the rototiller rule. If you borrow a rototiller or, frankly, any piece of equipment from your neighbor, you have an obligation when you are done with it to return that piece of equipment to your neighbor, or return that rototiller to your neighbor,

in at least as good a condition as you found it. That makes sense. You borrowed the rototiller. If you break it you probably should fix it before you hand it back or you just use it in a way so that you are careful with it so that you don't break it, so that when you give it back to your neighbor, it is in that same condition. Senator KING applied that standard to the standard that we should hold ourselves to when it comes to protecting this planet.

My kids are going to inherit this planet. My grandkids, hopefully, will inherit it from them. Our charge should be to hand this planet to our kids in at least as good a shape as we found it. If we break it, if we damage it, we should fix it before we hand it over.

We are breaking this planet right now. We are releasing so much pollution into the atmosphere to have compromised its integrity for the next generation. We have broken the rototiller, and the rototiller rule tells you that before you give it back to your neighbor, you should fix it. And we have it in our power to do it.

When we damaged the ozone layer through the release of CFCs, we got together and fixed that problem. We engaged in a global conversation to regulate CFCs through something called the Montreal protocol. We were able to attack that problem, fix it at no significant cost to the economy, and show that if we really do care about the quality of this globe, there is nothing that is outside of our power. There is no choice to be made between observing the rototiller rule—protecting our planet—and growing our economy.

But if Scott Pruitt becomes the next Administrator of EPA and the oil companies and the gas companies essentially get whatever they want, well, their bottom lines probably will be improved, shareholders in those companies will probably do a little bit better, but our kids' health, our larger economy's future will be compromised.

So that is why we are here on the floor objecting to Mr. Pruitt's nomination. That is why we have asked for this nomination to be delayed until later next week so that we can see what is in these emails, where we already have some pretty concerning evidence of this deep connection between Mr. Pruitt and the companies he will regulate at EPA—a letter that they wrote for him that he sent under his name. What if there is more information like that in this correspondence?

What if there is more evidence that he, as attorney general, was just a mouthpiece for industry rather than a mouthpiece for consumers? What if that is predictive of his behavior at EPA? I think that would be something that both Democrats and Republicans would be concerned with because I think I know my colleagues, and while my colleagues have certainly been more protective of industries' interests than Democrats have been, we both agree that the industry shouldn't have

an unnatural advantage in these agencies above the public interest. I am pretty sure we agree on that. And in just 4 short days, we will get a better understanding as to whether that is definitively the case for Scott Pruitt.

So I would urge my colleagues to either delay this vote that is happening later today or to vote against the nomination.

I appreciate, again, everyone who has been part of facilitating another very late night on the floor.

Mr. President, I yield the floor.

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.

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

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

Ms. HARRIS. Mr. President, I come to the floor to convey my wholehearted opposition to the nomination of Scott Pruitt as Administrator of the U.S. Environmental Protection Agency, the EPA.

The EPA, at its core, is an Agency established to protect the environment and the public health of our Nation. This Agency looks to establish policies and guidelines that would benefit all Americans—and in essence is not an Agency of partisanship. In fact, the EPA was created through legislation led by a Republican President, Richard M. Nixon, and enacted by a bipartisan Congress in 1970.

The EPA has a duty to protect the air we breathe, the water we drink, and the environment we hope to pass on to future generations. In accomplishing this mission, it enforces some of our most valued laws like the Clean Air Act and Clean Water Act, which have been in effect for more than 30 years.

Unfortunately, this President asked the U.S. Senate to confirm a nominee who has dedicated his career to undermining the very Agency he is asked to lead. Mr. Pruitt's record and consistent failure to commit to being a fair Administrator of the EPA further demonstrates that the Trump administration's agenda is to weaken protections that guarantee every American access to clean air and clean water. From his actions as attorney general of Oklahoma up to his testimony at his hearing before the Environment and Public Works Committee, it is clear Mr. Pruitt is simply unqualified.

I express my strong concerns, as a Senator from California, a global leader in environmental protections that allow our 39 million residents to live healthy lives. It is my hope that with similar smart Federal regulations, which are led by the EPA, our Nation can enjoy these same benefits that I have seen Californians experience firsthand.

Californians have always been and will continue to be proud of our environmental leadership. In 1977, Cali-

fornia passed the first energy efficiency standards in the country. Our friends from the States of Florida, Massachusetts, Connecticut, and New York quickly followed suit. This set a precedent. Federal officials agreed that having responsible renewable energy guidelines should be a priority.

Ten years later, the EPA implemented national standards across the United States, saving a tremendous amount of energy, sustaining our precious environment and resources for future generations, and providing financial benefits for families and households across the country.

To put it into perspective, one of the national energy standards for refrigerators—that was the result of a policy initially enacted in California—has saved more than 130,000 megawatts of electricity to date. This is equivalent to the production of energy that roughly 250 powerplants might produce. This example is not a rare occurrence. Energy policies have continued to be adopted from smart initiatives started in various States.

Starting as early as 1978, California passed an energy efficiency standard for newly constructed buildings. This standard is now adopted not only in our Nation but worldwide. The State legislature listened to the objective and factual data from scientists on the dangers of climate change and, as a result, passed the California Global Warming Solutions Act of 2006, which requires California to reduce its total greenhouse gas emissions by 2020. We created the California Cap-and-Trade Program, which implemented an innovative, market-based system to allow companies to continue to produce while also helping to reduce emissions; instituted a low-carbon fuel standard, which reduced the carbon intensity of all transportation fuels in California. We passed the Sustainable Communities and Climate Protection Act of 2008, which urged local transportation planning agencies to consider the statewide greenhouse reduction standards and goals in their long-term transportation plan, and we set a renewable portfolio standard, which implored retail sellers of electricity to provide 33 percent of their electricity from renewable resources by 2020 and 50 percent by 2030.

We are proud indeed of what we have accomplished in California, but the importance of this issue goes beyond just the environment. It is an economic issue, and it has been undeniable in helping California grow to be the sixth largest economy in the world. California shows that a healthy environment and a healthy economy and the choice between the two is a false choice. We can have both. From 1990 to 2014, California's population and economy grew while achieving a 36-percent drop in emissions per gross domestic product. This clearly demonstrates that you can successfully have economic growth and reduce carbon intensity. The State has done a great job of

creating employment through the promotion of clean energy technology and green economies. A report by the University of California Labor Center found that the California renewable portfolio standards contributed to the creation of 25,500 hours for what was referred to as "blue-collar" job opportunities and 7,200 hours of what was referred to as "white-collar" jobs.

Most importantly, the environmental laws that the EPA enforces protects the health of future generations. Science has shown that children living in communities with a higher concentration of particulate matter developed respiratory difficulties and those children living in regions with higher ozone levels were more likely to develop asthma and miss school.

This is only a small part of the impact that ignoring the protections of our environment can cause to the ones we love most. On that point, of children missing school because of health concerns, there is a significance to this because of a connection between what we need to do to educate our population and also what we see in the criminal justice system.

For example, it is well known and established the significance of a third grade reading level. By the end of the third grade, if the child is not at the third grade reading level, they literally drop off because, when we think about it, we know before third grade a child is learning how to read, and then comprehension kicks in, and they are reading to learn. If they have not learned how to read, they cannot read to learn and they drop off.

What is the connection between that and the concern we have about pollution in the air and water? Well, there is a connection between pollution in the air and asthma rates. Asthma causes children to miss school. What we know is that we have seen that an elementary school truant is three to four times more likely to be a high school dropout; 82 percent of the prisoners in the United States are high school dropouts; African-American men between the ages of 30 and 34, if he is a high school dropout, is two-thirds likely to be in jail, have been in jail, or dead. There is a real connection between elementary school truancy and what we see in public safety systems. What we also know is that it costs money when children miss school. It costs us money in terms of the money that schools miss out on because they are not being reimbursed for attendance every day. All of these issues are connected.

As a former attorney general, I have worked to enforce California's cutting-edge environmental laws. This is what an attorney general should do and is obligated to do as a representative of her State. Without reservation, I can say I am proud of the work of my office—of my former office, the California Department of Justice, and the work that is happening and has happened throughout the years doing the right thing for the people of the State and for the environment.

In February of 2011, I filed an amicus brief in the Ninth Circuit Court to support the efforts of the Port of Los Angeles to reduce air pollution through its Clean Trucks Program. In 2011, I had the pleasure of being a voice to protect an area of Southern California known as Mira Loma Village, a town of hard-working people, by representing them in a lawsuit to assure that a project would not significantly deteriorate the air quality in their community.

I had been hearing stories of the grandmothers in that community for years asking that they would be heard. I had been hearing for years, before I visited Mira Loma, about the fact that studies showed the children of that community had the lowest rate of lung development of any region in that part of California. There was a serious concern about the pollution in the air and the children of that community and their ability to be healthy.

So this is what we did and what I was able to do as the attorney general of the State that year. We met them with the developers in that community, we sat down, and we had some tough discussions, but we agreed that there had to be mitigation. They had to reduce the emissions in that community that resulted in the public health problems for that community. Two years later, that resulted in the city and the developer moving forward with the project while implementing measures to protect the residents from being exposed to diesel contamination. Litigation was critical. The role of the attorney general to be able to intervene and be a voice for that community and so many voiceless and vulnerable people was critical.

In June of 2014, as attorney general of California, I publicly opposed the lack of environmental review for the expansion of a Chevron refinery project in a place called Richmond, CA, and demanded they consider the public health of the nearby residents.

These are examples of the role and responsibility of a State attorney general to take seriously their oath in terms of protecting the health and welfare of the residents of their State. I offer these examples to further support the concerns we have that this nominee—when he has held such an important position and has taken an oath to represent the people—has failed to perform his duties. I would suggest that his past is prologue for the future. His past is an indication of what he will do if he is confirmed as the next head of the EPA.

I would hope that instead we would have a nominee—someone who would head these most important agencies in our government—who could say the same thing about their record as I am proud to say about the record of the California Department of Justice.

In my opinion, our current nominee cannot in good conscience speak to the same type of record. Instead, Mr. Pruitt has talked about how he wants to

protect States from what he believes is “overreach” of the Federal Government. His commitment to what he would call States’ rights is so strident that a December 6, 2014, New York Times article reported that Mr. Pruitt has a painting in his office “that shows local authorities with rifles at the ready confronting outsiders during the land rush era.” He also established what he described and named as a Federalism Unit in the Oklahoma attorney general’s office that was committed to fighting against Federal regulations. When he came before the Environment and Public Works Committee for his confirmation hearing, of which I am a Member, Mr. Pruitt stated that “it is our state regulators who oftentimes best understand the local needs and uniqueness of our environmental challenges.” He then went on to speak about how States “possess the resources and the uniqueness of our environmental challenges.”

These statements might lead one to believe that Mr. Pruitt would be in support of any opportunity possible to give power back to the States to create environmental regulations. However, when I asked Mr. Pruitt at the committee, when he came before us, if he would commit then to upholding California’s right to set its own vehicle emission standards, he would not commit to doing so.

I will remind this body that the EPA has a long tradition of respecting California’s and other States’ ability to set higher standards where they can control the emissions and the greenhouse gas emissions that as we have mentioned before, directly have an impact on the health and well-being of the residents of our State and particularly the children and the elderly of our States.

Under the Clean Air Act, California has set its own standards for how it wants to regulate vehicle emissions. We have done this for decades now, and previous EPA Administrators have upheld California’s right to set them.

Although there is precedence for doing so, Mr. Pruitt would not commit to granting California the waiver to allow my State to continue to set its own vehicle emissions standards. This is simply unacceptable.

This is a blatant double standard for someone who claims to be committed to breaking down regulations at the Federal level and giving power back to the States. In fact, it makes me wonder how truly committed Mr. Pruitt is to States’ rights or if States’ rights are just a convenient argument for him in order to pursue actions that are beneficial to industries that pollute instead of the residents and the people of his State and, by extension, our country.

Just look at his record as attorney general of Oklahoma, a position he used to challenge the laws of other States. As attorney general, he challenged a California law when he joined a lawsuit that targeted a referendum that California’s voters approved in

2008 to require more space in cages for egg-laying hens. That measure, California proposition 2, prohibited the confinement of hens used to produce eggs in California in any manner that does not allow them to turn around freely, lie down, stand up, and fully extend their limbs. The law is popular, and it was passed by the voters in my State by 63.5 percent. In 2010, the California Legislature expanded that law to make it so that it applied to all eggs sold in California.

Mr. Pruitt joined a lawsuit suing California over this law, presumably because he did not like that a regulation approved by our voters and affirmed by our State legislature would do a good job. He just didn’t like it. Mr. Pruitt’s case was ultimately rejected by the Federal appellate court because his lawsuit failed to demonstrate how the California law presented a harm to his State. You would think that a States’ rights proponent would appreciate that one State passes a law and it should be respected, especially when it doesn’t create any harm to his own State, but that was not the case.

Mr. Pruitt has filed seven lawsuits against the EPA that have since been settled. In those lawsuits, he opposed the Clean Power Plan and the Clean Water Act. He sued over regulations to make electricity-generating powerplants install technology to curb air pollution. He sued over a plan to reduce pollution from coal-fired powerplants and a regulation aimed at reducing greenhouse gases. He sued and filed a lawsuit that claimed that the EPA encourages environmental nonprofits to bring lawsuits.

It is important to know that Mr. Pruitt lost six out of those seven lawsuits. Mr. Pruitt is a baseball fan, as am I. I love my Giants. I find it hard to believe that my San Francisco Giants would look at a hitter who slogged through spring training with a .142 batting average and have no concerns whatsoever calling him up to the big league roster. Why does the U.S. Senate have a lower standard for reviewing a nominee who would be charged with safeguarding human health and our environment?

What about the opportunities Mr. Pruitt has had to defend the interests of the people he was elected to represent? What about issues that directly impact the people of Oklahoma?

In 2011, 49 States signed on to a \$25 billion mortgage settlement. There was only one State’s attorney general who decided not to sign on. I think you know where I am heading. That one attorney general was Scott Pruitt. Mr. Pruitt said he didn’t think it was the appropriate role of the State attorney general to advocate for the homeowners of their States but wanted to be sure to protect the banks instead.

As a former State’s attorney general, I am here to say that the role of an attorney general is to represent the people of your State. When an injustice is committed to one person, an injustice is committed to all of the residents of

your State. In fact, after doing the work of an attorney general over the course of 7 years in California, I will tell you that every time we filed a suit, that document, that complaint never read the name of the victim versus the name of the offender. It always read the people versus the offender because in our system of democracy and in our system of justice as a country, we have rightly said that a harm against any one of us is a harm against all of us. Mr. Pruitt has failed to appreciate the significance of that point.

He has developed a long list of lawsuits filed. Through all of that litigation, he has delivered very little for the people of Oklahoma—the very people who elected him to represent them. Why should we expect that he will protect the interests of all Americans and the environment we all share?

During his 6-year tenure as attorney general of Oklahoma, Scott Pruitt stated only in one instance—a lawsuit against Mahard Egg Farm—could he recall initiating an independent lawsuit as attorney general against private air polluters. It was later revealed that even this claim was misleading, and it turned out it was his predecessor who had done the legwork and initiated the proceedings, along with the assistance of the EPA.

In the 2014 New York Times article, it was reported that Mr. Pruitt used his official position as Oklahoma attorney general to protect the interests of a private gas and petroleum company, Devon Energy, not the people of Oklahoma. Using his official government position, Mr. Pruitt sent a three-page letter to the EPA stating that Devon Energy did not cause as much air pollution as was calculated by Federal regulators.

In open records of exchanged emails between Devon Energy and the Oklahoma attorney general's office, it was discovered that the lawyers at Devon Energy were the ones who actually drafted the letter and that Mr. Pruitt used a nearly identical letter to express it as his State's position. Following the letter, Devon Energy wrote to his office:

Outstanding! The timing of this letter is great given our meeting with both the EPA and the White House.

"Outstanding," the energy company said—not the people of the State of Oklahoma.

It is also unclear how far this abuse of power has gone. A lawsuit by the Center for Media and Democracy has been filed in an Oklahoma district court to release information on Mr. Pruitt's dealings as attorney general. It is with great concern that we would try to rush this nomination without these records coming to light. Senators should have all the facts before us before we vote.

Should Mr. Pruitt be confirmed as EPA Administrator, I am deeply concerned that he has refused to use his discretion to recuse himself from litigation he was involved with in his role

as Oklahoma attorney general unless required to do so by the Ethics Commission.

I asked him about this during our hearing at the Environment and Public Works Committee. I asked him if he would be willing to recuse himself notwithstanding a finding by the Ethics Commission but based on what is right and an appearance of conflict. He agreed, after many questions, that he has the discretion—regardless of action, regardless of waiting until the Ethics Commission rules—to recuse himself from those lawsuits that he as attorney general of Oklahoma brought against the Agency he wants to lead. He agreed he had the discretion and yet failed to agree that he would exercise that discretion and recuse himself because of an appearance of a conflict. That is simply unacceptable.

It is so important that in our government, the public has confidence in us, that they trust we will do the right thing, that they trust we will use our discretion in an appropriate way. But this is a nominee who has asked us to trust him to lead the EPA, the people's Agency that has been charged with protecting the resources that are vital for all human life. A nominee who has failed to represent his own constituents' interests by making a career of partisanship is not the right nominee for this office, period. He is a nominee who has lobbied for corporations instead of the people he was charged with representing. He is a nominee who has a clear record of using his position in a way that has not been in the best interest of the people he serves.

There is evidence, unfortunately, of his record that is before us as a body. We should take heed of this evidence. We should pay attention to it, and we should not confirm this nominee to be the next head of the EPA.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, I lived in Palo Alto Park, that part of the State. The Naval Air Station was there. It used to be called Moffett Field. It is still there. I remember the hangars that we used during the time we served on Active Duty.

I had the privilege of knowing a number of attorneys general from California, and we are very pleased to be able to welcome Senator HARRIS to our floor. Yesterday she gave her maiden address on the Senate floor.

Thank you.

She is pretty good.

I would say that you are even better than I thought. That was wonderful. Those were wonderful comments. I know our Presiding Officer is also the chairman of our committee and probably is not enjoying your comments as much as I am, but I thought you were evenhanded and fair in sharing that.

The Presiding Officer is a pretty good friend of mine, and I don't know if he is a big baseball fan. I am. I love sports. I am a huge Detroit Tigers fan.

You are a Giants fan. The leadership in baseball is critically important. It is important to have good infielders, good outfielders, good pitchers, catchers, and so forth. What is really important is to have great leadership and great leadership in terms of the coaching staff. Leadership is always the most important ingredient in every organization I have ever been a part of.

The Tigers just lost their owner, Mike Ilitch. He was a legendary figure in Detroit in baseball. He passed away earlier this week at the tender age of 86. It is a big loss for Motown and, frankly, for baseball.

In terms of leadership, we wouldn't want to hire somebody to coach a baseball team who was a football coach or someone who is great with a basketball team. I don't doubt that Scott Pruitt is a skillful lawyer. I met his family. I like him. I think he is arguably a good dad and a good husband. But it is a little bit like asking a pacifist to lead something like the Department of Defense—may be a skillful person but maybe just not the right person to do a particular job.

I thought you outlined that very well. I wanted to say welcome to the big leagues. We are going to learn a lot from you.

I yield back.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. GARDNER. Mr. President, I come to the floor today to speak on the nomination of Scott Pruitt to be Administrator of the Environmental Protection Agency, whom I intend to support.

Over the past several weeks, we heard a number of Senators come to the floor hour after hour, 24-hour sessions through the night—1 o'clock, 2 o'clock, 3 o'clock, 4 o'clock—in the morning and beyond, to complain about this nominee or that nominee, to express their concern about this nominee or that nominee. In fact, many times I think the only reason there is opposition to a nominee is that they disagree with a nominee because it wasn't Hillary Clinton who made the nomination.

We have heard countless people come to the floor today to talk about their opposition to the Trump administration EPA. I have a picture on the floor that shows the Obama EPA. This is a river in Colorado, enjoyed by thousands of people each and every summer. This is a picture of that same river under the Obama EPA. This was caused by 800,000 pounds of mineral and other waste going into the river because of a mishandled EPA project. This wasn't Scott Pruitt. This wasn't Donald Trump. This was the Obama EPA that did this. I only wish that my colleagues who have come to the floor for the past several hours had shown similar outrage when the Obama EPA did this to Colorado—inflicted this kind of damage on people in southwestern Colorado in the Gold King

Mine spill. You want to talk about protecting States? Why didn't we stand up and protect this river?

On August 5, 2015, the EPA caused this spill. They admit they caused this spill, dumping 3 million gallons of toxic waste into Cement Creek and into the Animas River. Most Americans remember seeing this river. Most Americans remember seeing pictures of what this river looked like across newspapers, across television stations in August of 2015. When I visited South Korea, the President of South Korea asked me: How is the river in Colorado that the EPA dumped toxic sludge into?

In fact, I saw this picture on the news just a couple of days ago. Somebody was using it to complain about the Trump EPA administration. Somebody was using it to attack Scott Pruitt. This picture had nothing to do with Scott Pruitt. This was the EPA led by Gina McCarthy. My response to the spill was that the EPA should be held accountable to the same level at which the EPA holds private businesses accountable. I think that is a pretty good standard. But if the EPA is going to make sure that somebody lives up to a standard, then the EPA should live up to the same standard—that basic standard for the EPA, because the Agency caused this spill, and it simply must apply the same requirements to itself that it does to a private company.

So it was with great disappointment, but very little surprise, that, when the EPA decided to not subject itself to those same standards, they walked away from the promises they made. Sure, the EPA had standards under Barack Obama. They were double standards. The Obama administration EPA's refusal to not receive and process the personal injury or economic loss claims arising out of this spill of the Gold King Mine in Southwest Colorado is appalling. I simply wish the outrage was there when the EPA walked away from the people that it had injured in Colorado. We haven't heard talk about it here.

We have heard a lot of complaints here, but nobody is saying they should be paying for the damage in Colorado they created. After all, we are discussing the EPA, which with the strike of a pen, and oftentimes with very little input from those people who would be affected, uses overly burdensome regulations and a heavyhanded enforcement to punish private businesses.

Despite the assurances and promises of the then-EPA Administrator Gina McCarthy that the Agency takes full responsibility of the Gold King Mine spill, the Agency in 2017—weeks ago—turned its back on the promises it made and denied paying claims for the harm they caused Coloradans. Promises were broken to our neighbors downstream in New Mexico and Utah, including the Southern Ute Indian Tribe, the Ute Mountain Ute Tribe, and the Navajo Nation.

Administrator McCarthy called me last month, just before the news broke that the EPA would not be processing the claims of dozens of individuals and businesses in Southwest Colorado under the Federal Tort Claims Act against the Federal Government. The spill occurred in August 2015. Over a year later, and in the waning days of the Obama administration, they turned their backs on their promises they made to Colorado and notified us in the waning hours of an administration saying: I am sorry. We are not going to help the individuals who are harmed. This refusal to compensate for the spill is unacceptable and wholly inconsistent with the EPA's commitment to take full responsibility with the States, local and tribal governments and communities.

This past election, voters said they wanted something different from the last 8 years in Washington because what they experienced was not working for the people—broken promise after broken promise. A year and a half ago, the EPA caused the Gold King Mine spill, and the past administration refused to make it right for Colorado. The status quo at the EPA is not acceptable because broken promises are the status quo.

I have had earnest conversations with Mr. Pruitt over the past several weeks about my sincere disappointment about those broken promises, what we had to go through in Colorado, and what businesses had to go through in Colorado as a result of the EPA spill.

You can imagine that in an area that is reliant on tourism, what photographs of this in headlines across the country and in nightly news stories can do to a tourism-based economy. Those kayakers we saw in this chart had to shut the river down. Outfitters weren't allowed to be on the river. Dollars were lost because guides couldn't get out there. Booked trips that had already been paid for had been canceled. People didn't go because of the EPA's spill. The EPA's refusal to pay for lost property, lost economic opportunity, and lost business opportunity is simply unacceptable.

In the earnest conversations I have had with Scott Pruitt, he has promised to make it right. He has promised to stand up for the people in Colorado. He has promised that he will make amends and pay for the damages that the Obama administration refused to pay for. He assured me that he is going to make it right, that he is going to work with the people the EPA injured and those who experienced economic losses and make sure that they are fully compensated. He agreed to come to Colorado shortly after his confirmation to make sure that the people of Colorado know that he will fulfill the promises that were failed under the Obama administration.

I would also like to talk about another top legislative priority of mine—passing Good Samaritan legislation.

Good Samaritan legislation would allow Good Samaritans, like the mining industry, State agencies, local governments, nonprofits, and other groups the ability to clean up the environment and improve water quality conditions around abandoned mines. According to the Government Accountability Office, or the GAO, it is estimated that there are more than 160,000 abandoned hard-rock mines that exist across the United States, and at least 33,000 of these mines pose environmental or safety concerns.

One of the immediate actions we can do in Congress to address this toxic waste and improve our environment is to pass Good Samaritan legislation. It has been decades that this Congress has tried. It has been decades that this Congress has failed. It is time to start succeeding and time to start cleaning up the environment.

The last time the Environment and Public Works Committee was able to advance legislation on Good Samaritan was in 2006, from my predecessors, Senators Wayne Allard and Ken Salazar. Unfortunately, since 2006, this concept has been unsuccessful and caught in partisan politics.

It is time to take steps forward for facilitating cleanup of the Nation's abandoned mines to prevent more spills like the Gold King Mine.

I have secured the commitment from Scott Pruitt to work with me on this legislation at the EPA to get this done, to work with both sides of the aisle to accomplish something, so that we can prevent this from happening. I am not going to stop working until our constituents are made whole from the EPA-caused spill at the Gold King Mine. I am not going to stop working until we pass—and we have to continue working to pass—the Good Samaritan legislation.

The 33,000 mines that pose a risk to the West is unacceptable. Our citizens, our pristine environment, our waterways, our children—this wasn't Scott Pruitt. This wasn't Donald Trump. This was an EPA under the previous administration, led by Gina McCarthy and President Obama, that walked away from the people of Colorado and the promises made. And it heartens me greatly to know, at least, that we have an administration that will move away from every promise abandoned to fulfilling the promises of protecting our environment.

I yield the floor.

The PRESIDING OFFICER (Mr. DAINES). The Senator from Illinois.

Mr. DURBIN. Mr. President, before I make a statement on Scott Pruitt, to my colleague and friend from Colorado, I couldn't agree with you more. What happened in Colorado was an environmental tragedy, and we saw the photos. It is horrible. I don't know who is responsible for it, but it appears to be a government agency, and they should be held accountable. I will join you in that effort. I don't think there is any Member who wouldn't join you in saying there ought to be justice done here.

We shouldn't let them off the hook because they are EPA employees or employees of the Federal government.

But I don't understand the leap in logic from that position to Scott Pruitt. Scott Pruitt is a man who, as attorney general of Oklahoma, has filed more than 14 lawsuits to restrict the authority of the EPA to clean up rivers.

Mr. GARDNER. Will the Senator yield?

Mr. DURBIN. I am happy to yield for the purpose of a question.

Mr. GARDNER. To the Senator from Illinois, the EPA admits they caused this spill. Does the Senator from Illinois realize that the EPA then failed to live up to that promise?

Mr. DURBIN. I said to the Senator from Colorado that I will join you. If the EPA is responsible for this spill, then I will stand with you. Justice should be done.

The point I am making to you is that this leap of logic then—to put Scott Pruitt in charge of the EPA—is really taking away the power of this Agency to avoid that kind of environmental disaster.

Mr. GARDNER. Will the Senator yield for a question?

Mr. DURBIN. I will be glad to yield for a question.

Mr. GARDNER. To the Senator from Illinois, the EPA stated that they caused this spill. Dozens upon dozens of individuals and businesses filed a claim against the EPA for damages caused by a spill that the EPA admits. Scott Pruitt has said that he will fulfill the promise of paying for those claims the Obama administration denied.

Will the Senator agree that the EPA, under the last administration, failed to deliver on the promises made of paying these claims?

Mr. DURBIN. I reclaim my time and just say this. I do not know the particulars. I understand that what you said is what I read, that it was the fault of some government employee—perhaps of the EPA. I don't dispute that fact. If that is the case, then we have a responsibility to your State to make it whole again. And whoever the EPA Administrator is should face that responsibility. I will join you in that effort.

But to go from there to say Scott Pruitt is the man to head the EPA because he is going to acknowledge this one fact, is to ignore his record, to ignore his position on the environment.

The Senator from Colorado, I know has to leave the floor, but I want to continue on this vein. Yesterday, the President of the United States decided to sign a resolution. He had a big gathering. He had Senator MCCONNELL, the Republican leader and other Members of the Senate and the House. It was a big celebration. Representatives of mining companies, coal companies, even mine workers were there celebrating the repeal of an EPA rule. What was the repeal of that rule? The repeal of that rule related to what the

mining companies could dump into rivers and streams from their mining operations. What was the fear? The debris in toxic waste that they would dump in the rivers would end up killing rivers, just like the river that the Senator from Colorado has given a speech on.

I might add that he voted to repeal that rule. So now we have the President of the United States saying we are going to revitalize the mining economy by eliminating a rule that restricts mining companies from dumping debris and toxic waste into rivers and streams. Now, that doesn't follow.

If you are dedicated to keeping our rivers and streams healthy and pure and reliable sources for safe drinking water, you don't do what President Trump did yesterday. You don't do what the Republicans in the Senate did just a few days ago and remove this rule. I struggled to understand.

I see my friend from Delaware is here. The Senator and I have been in this business for a long time together. I won't say how many years.

He knows, I know, and some others know, but most people would be surprised of the following: Which President of the United States created the Environmental Protection Agency? Richard Milhous Nixon, 1970. A Republican President created this Agency which has become the bete noire for the Republicans—the most hated Federal agency, created by a Republican President.

Why? Because at that moment in time, America was awakening to Rachel Carson's "Silent Spring" and to so many other factors, when we finally concluded there was something we were doing to the environment that was harmful, not just to the environment but to the Earth, which we hoped to leave our children.

We joined together on a bipartisan basis—this is before I was in Congress—to create this Agency which Scott Pruitt seeks to lead. Now, what has happened? What has happened is there has been a role reversal here. The Republicans, who used to be part of environmental protection and safety, have now abandoned it.

In fact, that is the drum they beat on most often, when they talk about overregulation, the Environmental Protection Agency. Yesterday, this President—28 days into his Presidency—could not wait to sign a rule that allows mining companies to dump toxic waste and debris into rivers and streams. You know the argument: It is just too expensive not to. If we are going to make a profit, if we are going to employ people, then you have to let us dump this into the rivers and streams.

I don't buy it. The reason I don't buy it is that I can remember many years ago, the first time I went across my State of Illinois and took a look at abandoned mine lands. These were lands that were strip mined, which means they brought in bulldozers and really just found the coal deposits, not

just that for below the surface of the land. They ripped out the coal and left the mess behind for future generations.

It was horrible—a horrible environmental disaster. They walked away from them after they made the money. They went out of business and left that mess behind for the next generation or the one beyond it.

I am all in favor of mining. Fundamentally, there is nothing wrong with it at all. But responsible mining means that you are responsible when it comes to the environment. You just don't make your money and leave, you accept the responsibility to leave behind something that is as good as or better than the way you found it. It is known as stewardship. It is Biblical.

This is kind of a moral responsibility which we accept on this Earth that we live on, to leave it better than we found it. The Environmental Protection Agency is there for that purpose.

I would say to the Senator from Delaware, they did a survey in Chicago a few years ago. They asked the people of Chicago: What is the one thing unique and defining about that city? Overwhelmingly, the response was Lake Michigan, as it should be—this magnificent great lake which borders the city of Chicago.

It is a source of so much fun and joy and aesthetic beauty. We look at it and thank the good Lord that we have the good fortune of living, as many of us do, part time, full time, right there on the banks of Lake Michigan.

It was about 5 or 6 years ago that I heard a story about a ship on Lake Michigan. It was an auto ferry. It took passengers and automobiles across that beautiful great lake. It moved them from Wisconsin to Michigan. The name of the ship was the SS *Badger*. It had been around for decades. It was kind of an institution.

Come the summer months when people would cross that lake to head over to Michigan or back over to Wisconsin, they would pile on and bring on their automobiles and families. It was a great excursion. But we came to learn that there was another side to the story. The SS *Badger* was the last coal-fired auto ferry on the Great Lakes. It burned coal to run the engine to move the ship across Lake Michigan.

That, in and of itself, raises some interesting questions about pollution coming off the smokestack of the SS *Badger*. It turned out that wasn't the worst part. The worst part is that for decades, as the SS *Badger* trekked across Lake Michigan, it not only burned coal, it dumped the coal ash overboard while it was going across the lake.

This potentially dangerous and toxic coal ash was being dumped into Lake Michigan day after day after day. The Environmental Protection Agency came in and gave us the facts. It turned out that the auto ferry, that one ship, was the dirtiest ship on the Great Lakes. It created more pollution, more damage to the Great Lakes and



its environment, than any other ship. Believe me, there are plenty of ships that traverse the Great Lakes. This was the filthiest, dirtiest ship.

The EPA said to the SS *Badger*: We know you employ people. We know you perform an important function. But clean up your act. So what did the SS *Badger* do, in light of this EPA finding? Well, they fought them all the way. They came to Congress and asked that Congress designate the SS *Badger* as a historical monument. A historical monument? Well, it was an old ship. There is no doubt about it. But the notion that came from the Congressmen from Michigan and Wisconsin was, by designating it a historical monument, it would be exempt from environmental protection laws.

So the dirtiest ship—the SS *Badger*—on the Great Lakes would somehow have historical status and continue to pollute Lake Michigan. I thought it was outrageous. A number of us joined in stopping that effort. Instead, we said to the EPA: You have given them years to clean it up. Now do something about it.

Next thing, surprisingly, the owner of the SS *Badger* asked to meet with me in my office. I said sure. He came in and he said: Senator, we employ 100 people. We have been doing this for years. We cannot technologically clean up the SS *Badger*. It just can't be done. We would lose too much money.

I said: I am sorry, but that is unacceptable. You cannot tell me that because of profitability you need to continue to create a bigger mess in the Great Lakes than any other ship on the Great Lakes.

So he went back and lawyered up and decided he would fight the EPA. I stood with the EPA, the regional office out of Chicago. We had a battle on our hands. A rule was issued by the EPA.

I hear so many Republicans come to the floor bemoaning rules and regulations. Let me join that chorus. Are there too many rules and regs in some areas? Yes. Are there some rules and regs which I could never explain or even try to defend? Certainly.

But the rules and regulations of the EPA many times are critically important. In this case, that was exactly what we found. So the EPA issued a rule and regulation that said to the SS *Badger*: You have been given years to clean up, and you will not do it. So now the clock is ticking. There will come a moment when you will be subject to a substantial fine if you don't clean up your act.

Do you know what happened because of this onerous EPA regulation? Do you know what happened to the SS *Badger*, whose owner said that it was technologically impossible for them to clean up this mess? They came up with the most basic, simple solution. You wonder why they waited so long. They now hold the coal ash on the SS *Badger* as they go back and forth across Lake Michigan. They remove it once they get to shore and put it into an environmentally acceptable waste disposal.

This was an obvious answer for decades, but they would not do it. It took the Environmental Protection Agency to step up and threaten it with a rule and a fine. Now they are finally doing it.

So I say to those who loathe government rules and regulations: This was a good one. For the health of the Great lakes, for God's gift to us of that beautiful body of water, we did the right thing and the EPA was there to do it.

Yesterday, when President Trump signed this new resolution that repealed the rule, he was reversing what I just described to you. He was saying to mining companies across the United States: Be my guest. Dump toxic waste and debris in our rivers and streams.

He did it in the name of job creation. We all want to create jobs, but if we are creating jobs at the expense of the health of rivers and lakes, if we are creating jobs at the expense of safe drinking water, that is a bargain I will not be part of.

Many times I have had a conversation with my wife and friends. I guess it reflects the fact that we have been on this Earth a little longer than some. You wonder out loud. You say: Why in the world do we have more autism today than we once had? Why do we have more cancers than we once had? People have a lot of theories. Some of them are wild and unfounded. But many times people say: Could it possibly be the chemicals in our drinking water? I do not know.

I am a liberal arts lawyer. Don't get me near a laboratory; I would not know what to do with it. But it is a legitimate question, whether there is some contamination in our drinking water, which has a public health impact. Someday we may discover that.

Isn't it best for us to err on the side of keeping our drinking water as safe and clean as possible? I think so. I don't want to turn on the tap and drink the water and think that I am making myself sicker or more susceptible to a disease. I sure as heck don't want to do it for my kids and grandkids. What Agency is responsible for that? It turns out to be the Environmental Protection Agency. That is the Agency that Scott Pruitt seeks to head.

He is a terrible choice. I am sorry to say that. I shook hands with him once. I don't know him very well. But when you look at what he has done—I think of a letter I received from Dale Bryson in Illinois. I don't know him personally. He wrote to me and he said:

Having served under both Republican and Democratic Presidents, we recognize each new administration's right to pursue different policies or ask that Congress change the laws that protect our environment. But EPA's administrator must act in the public's interest and not simply advance the agenda of any specific industry that EPA regulates.

Mr. Bryson goes on to say:

The agency is lucky to have had EPA administrators, Republicans and Democrats, with the patience, skill and commitment to public service that is needed to steer through these challenges and deliver the clean and

healthy environment that Americans want at a price they are willing to pay. We do not believe Scott Pruitt has demonstrated that he has the qualities needed to lead the Environmental Protection Agency.

He was not the only one who wrote to me. I have heard from constituents who believe that sensible environmental regulation is critical for us to have a clean planet to live on and leave to our kids. Tim Hoellein, a professor at Loyola University in Chicago, conducts research on water pollution in city environments. He wrote to me and said:

I note our city, State and county have made some major advances toward better infrastructure and policy for clean water. However, we are still not meeting our obligations to our neighbors and future generations by rising to the best standards of water stewardship. Those gains are at eminent risk with the appointment of Mr. Pruitt to the EPA.

Finally, I want to read a letter from a Chicago resident, Ms. Maureen Keane. She wrote to me and she said:

I love my country. I love our beautiful environment and my family. We need a strong advocate for our land and people to head the EPA. That person is not Scott Pruitt. Hundreds of former employees of the EPA agree with me. That must mean something. Pruitt has a record of doing everything he can to shut down and dismantle the EPA. We need a strong advocate who has the ability to create a balance between business and our land and people resources, one who can create strong laws for which businesses can agree on and adhere to while protecting our most precious assets, people, wildlife, and our land.

She says:

As someone who grew up surrounded by dirty water in the Little Calumet River, next to a train yard, and surrounded by onion fields with pesticides, I have seen first hand family and neighbors die young from cancer. Please oppose Pruitt if you love America and your family. This is a decision that can be costly for future generations.

These letters really are just a handful of those that I have received on the subject. Scott Pruitt has alarming conflicts of interest with the oil and gas industry.

My friend and colleague, Senator CARPER of Delaware, has taken on this nomination professionally and in the right way. He has helped us reach a point now where we have to say to our friends on the Republican side of the aisle: Be careful about the vote that you cast at 1 o'clock today, because by 1 o'clock on Tuesday or Wednesday, in the following week, you may regret that vote.

The reason I say it is that Senator CARPER has been working with groups trying to get a disclosure of the emails that Scott Pruitt, attorney general of Oklahoma, had during the course of serving as attorney general, while he was filing some 14 different lawsuits against the Environmental Protection Agency. He was caught red-handed taking a letter written by one of these energy companies and changing the letterhead and calling it an official statement from his own attorney general's office. So he clearly has a comfortable,

if not cozy, relationship with the energy companies. That, in and of itself, is not condemning or damning, but if it ends up that he is seeking this position to advocate their political position, rather than to protect America's environment, that is a relevant issue.

Senator CARPER has been working with groups night and day to get disclosure of emails that were sent to Scott Pruitt and sent by him between oil and gas companies and other energy companies to determine whether there are any conflicts we should know about before giving him this job.

I understand that late this morning, our Senator from Oregon, Mr. MERKLEY, may be coming and asking for us to postpone this vote until these emails are publicly disclosed. Is it 5, 6, 10 emails? I think it is thousands, isn't it? Some 3,000 emails.

The Republican Senators and Senator McConnell have said: We don't want to read them. We don't care what is in them. It doesn't make any difference if there is a conflict of interest. This is Scott Pruitt. He is our man. President Trump wanted him. We don't want to read the facts. We don't want to know the evidence. We just want to give a good, loyal vote to our President.

I don't think that is the way we should meet our responsibilities in the Senate. This thoughtful and sensible thing to do is to postpone this vote until we return. We are going to be gone next week because of the President's recess. Scott Pruitt can wait 10 days, and we can wait for the truth, can't we?

The Environmental Protection Agency will continue to do its business with its professionals, but before we put him in the job—which we may come to regret in just a few days—shouldn't we take the time to do this and do it thoughtfully?

As Oklahoma attorney general, he sued the EPA 14 times. He was often partnering with the very industries he is now being called on to regulate. Though some of these lawsuits are still ongoing, he will not even commit to recuse himself.

He was asked during the course of his hearing: As attorney general of Oklahoma, you sued the EPA. The EPA, as an Agency, has the first level of administrative hearing on those lawsuits. Will you, if you become Administrator and Secretary of the EPA, commit to recuse yourself from those lawsuits you filed?

He said: No.

That means he could have a very interesting position when those lawsuits come up for consideration. He will be the petitioner and the plaintiff; Scott Pruitt, attorney general of Oklahoma. He will be the defendant; Environmental Protection Agency, Scott Pruitt, Administrator, and Secretary. He will also be the jury; the Environmental Protection Agency, headed up by Scott Pruitt in his administrative capacity.

What a sweetheart deal. I used to be a trial lawyer. This would be the answer to a prayer. I get to be the plaintiff and the defendant and the judge?

Scott Pruitt wants to protect his right to do that so he can continue to protect the special interests he represented as attorney general of Oklahoma.

Common sense suggests to any lawyer licensed to practice in America that this is a conflict of interest which needs to be avoided, but Scott Pruitt says: No, they have to go forward, and I have to win this lawsuit.

You know what, I think he is going to win the lawsuit if he doesn't recuse himself.

We need to ensure that the EPA has strong leadership, that it is dedicated not to energy companies, not to oil companies, not to gas companies but to protecting all Americans. Literally, lives depend on it.

President Donald Trump has chosen not just a man with an extraordinary amount of conflicts of interest but a person who is a climate-denier. He said some things that are nothing short of amazing.

Look at this quote by Scott Pruitt, candidate for Administrator of the EPA:

The debate about climate change is just that, a debate. There are scientists that agree, there are scientists that don't agree, to the extent of man's contribution and whether it is even harmful at this point.

Really? So 98 percent of scientists—98 percent—have said that something is happening to this world, and human activity is the reason, 98 percent of them. Greenhouse gas emissions, carbon in our atmosphere, obvious changes, glacial melts, the rising of the oceans, extreme weather conditions that we are facing—just a casual observer would understand that is a reality, but not this man, not the man who seeks to head the Environmental Protection Agency. To him, it is still being debated.

He is in this rarified group with blinders. You see him here with his glasses. He wants to put on blinders when it comes to climate change. And this is the man President Trump has chosen to head up the Environmental Protection Agency?

The Chicago Sun Times, on December 8, had an editorial entitled "Foe of EPA is wrong person to lead it." Here is what they said:

Unfortunately, President-elect Donald Trump has appointed Scott Pruitt, an open foe of environmental initiatives, to head the U.S. Environmental Protection Agency. That demonstrates a callous disregard for the health of our nation and planet just as rapid technological advances hold out hope for avoiding the worst effects of climate change.

The U.S. Senate should reject Pruitt.

They go on to say:

During his campaign, Trump said he would dismantle President Barack Obama's environmental policies and pull the United States out of the 195-nation Paris accord to reduce greenhouse gases and climate change.

After the election, Trump moderated his tone, saying he has an open mind about climate change. His appointment of Pruitt, however, suggests that if he's open to anything, it's strictly more pollution.

They go on to say:

The EPA is all about science. Someone who doesn't believe in science can't do the job.

His appointment would send a message to the rest of the world that the United States is not a partner in efforts to reduce emissions of greenhouse gases. The damage could be incalculable.

If a house divided against itself could not stand, neither can a government agency.

When you listen to what Scott Pruitt has said about science, you realize this man has no business heading up the Environmental Protection Agency.

Listen to what he said in February 2012: The amount of human exposure to mercury from U.S. powerplants is small. "Human exposure to methylmercury resulting from coal fired EGUs is exceedingly small."

Here is what the scientists say:

As a result of these long-term mercury inputs [from coal-fired electric utilities], there are hotspots and whole regions, such as the Adirondacks of New York, the Great Lakes region of the Midwest and large portions of the Southeast where the fishery is contaminated with mercury. . . . There are more fish consumption advisories in the U.S. for mercury than all other contaminants combined.

The source of this scientific statement: Dr. Charles Driscoll from Syracuse University.

Here is what Mr. Pruitt said about mercury and air toxic emissions from power plants: "Finally, the record does not support EPA's findings that mercury, non-mercury HAP metals, and acid gas HAPs pose public health hazards."

Here is what the scientists say: "There is no evidence demonstrating a 'safe' level of mercury exposure." Source of that statement: Dr. Jerome Paulson from the Council on Environmental Health, American Academy of Pediatrics, before the Senate EPW Committee.

Scott Pruitt isn't quite sure if mercury is really that dangerous. Scientists disagree.

Mr. Pruitt, when talking about the benefits from cleaning up powerplant mercury emissions: The benefits of cleaning up powerplant mercury are "too speculative," said Mr. Pruitt, and "not supported by the scientific literature." Concluding, "EPA cannot properly conclude that it is 'appropriate and necessary' to regulate hazardous air pollutants under section 112."

That is a statement from Scott Pruitt's legal brief in *Murray Energy Corporation v. EPA*, November 2016.

What do the scientists say about Mr. Pruitt's observations? "U.S. efforts to reduce mercury emissions, including from power plants, are benefiting public health much faster than could have been predicted in 1990." Source of that

statement: Dr. Lynn Goldman, dean of Milken Institute School of Public Health, George Washington University, January of this year.

Here is what Mr. Pruitt had to say about the debate over whether climate change is real:

Global warming has inspired one of the major policy debates of our time. That debate is far from settled. Scientists continue to disagree about the degree and extent of global warming and its connection to the actions of mankind. That debate should be encouraged—in classrooms, public forums, and the halls of Congress.

That quote is from an article in the *National Review*, May of 2016.

What do scientists say about Mr. Pruitt's observation? "The scientific understanding of climate change is now sufficiently clear to justify taking steps to reduce the amount of greenhouse gases in the atmosphere."

That was a statement from the U.S. National Academy of Sciences in 2005—12 years ago. Twelve years later, Scott Pruitt is still wrestling with whether this is a problem.

How about Mr. Pruitt, when it comes to the extent of the human activity on climate change? He said:

We've had ebb and flow, we've had obviously climate conditions change throughout our history, and that is scientific fact. It gets cooler. It gets hotter. And we do not know the trajectory is on an unsustainable course. Nor do we know, the extent by which the burning of fossil fuels, and man's contribution to that, is making it far worse than it is.

That was a statement he made on the "Exploring Energy" radio program in May of 2016.

What do the scientists say about that? "The scientific evidence is clear: global climate change caused by human activities is occurring now, and it is a growing threat to society." Source: American Association for the Advancement of Science, 2006—11 years ago.

They said this unequivocally. Scott Pruitt still doesn't buy it.

What did he say about climate change being a natural occurrence? I will quote him.

Is it truly man-made and is this simply just another period of time when the Earth is cooling, increasing in heat, I mean is it just typical natural type of occurrences as opposed to what the (Obama) Administration says?

Again, this is from that radio program "Exploring Energy." This was in October of 2016.

What do the scientists say about Mr. Pruitt's observation?

Human-induced climate change requires urgent action. Humanity is the major influence on the global climate change observed over the past 50 years. Rapid societal responses can significantly lessen negative outcomes.

The source: The American Geophysical Union; the date, 2003—14 years ago.

Here is Scott Pruitt, this man who wants to head up our Environmental Protection Agency, still at war with

scientific fact. What has he said about the debate over climate change? He said:

The debate about climate change is just that, a debate. There are scientists that agree, there are scientists that don't agree, to the extent of man's contribution and whether it is even harmful at this point.

Again, this is from the "Exploring Energy" radio program show in May of 2016.

What do the scientists have to say about that?

It is clear from extensive scientific evidence that the dominant cause of the rapid change in climate of the past half century is human-induced increases in the amount of atmospheric greenhouse gases, including carbon dioxide (CO<sub>2</sub>), chlorofluorocarbons, methane, and nitrous oxide.

The source of that statement: The American Meteorological Society, 2012—5 years ago.

What Mr. Pruitt says about how reasonable minds can disagree on climate:

How [climate change] is happening, if it is, clearly is subject for reasonable minds to disagree. Whether man is contributing to it or not.

Again, this is from his "Exploring Energy" radio program, April 2016. I am sorry I missed that one too.

Here is what the scientists say in response:

The evidence is incontrovertible: Global warming is occurring. If no mitigating actions are taken, significant disruptions in the Earth's physical and ecological systems, social systems, security and human health are likely to occur. We must reduce emissions of greenhouse gases beginning now.

The source of that scientific statement: The American Physical Society, 2007—10 years ago.

Now we know what this man is all about. He denies science. He is an advocate for those special interest groups who make money off of pollution. He doesn't believe the Environmental Protection Agency should have the authority it has today. He has challenged it 14 times in court. He won't recuse himself from even the petitions he has personally filed as attorney general of Oklahoma, and he is anxious to be approved by the Senate before we get a chance next Tuesday or Wednesday to read 3,000 emails he received and sent as attorney general of Oklahoma, including emails between Mr. Pruitt and energy, gas, and oil companies.

I think it is pretty clear what this is all about. This is an effort by special interests in America to put their best friend on the job at the Environmental Protection Agency. They want to make sure he is there to look the other way when we should be regulating to keep this planet we live on safe and in good shape for future generations. That makes it a clear choice for all of us. I am going to vote against Scott Pruitt.

I am sorry, I say to Donald Trump. You have a right to have your point of view, but you don't have a right to put a man in this job who denies basic science that has been agreed upon for over a decade. You certainly don't have a right in this circumstance to put a

man in charge of the EPA who is going to add to the climate change problem in our world, who is going to diminish the reputation in the United States on fighting this on an international basis, and who is going to kowtow to special interest groups, which has been shown over and over again when it comes to his service as the attorney general in the State of Oklahoma.

Mr. President, I ask unanimous consent to have 5 minutes to make a statement on a separate topic.

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

INVESTIGATION INTO RUSSIAN INVOLVEMENT IN U.S. ELECTION

Mr. DURBIN. Mr. President, yesterday the President of the United States had a long and eventful press conference—77 minutes—talking about the issues before us in this country and his administration. He referred to his administration as "a fine tuned machine." That was his 28th day in office.

I will observe the following: This so-called fine-tuned machine was forced to dismiss the Acting Attorney General of the United States in the first 3 weeks. This fine-tuned machine was reprimanded by three different Federal courts for an Executive order on immigration and refugees which they found to be inconsistent with the law and the Constitution of the United States. This so-called fine-tuned machine had to accept the resignation in the first 24 days of the National Security Advisor to the President of the United States. Mr. Trump is making history. No President has been through those experiences. None. I wouldn't say it is a fine-tuned machine; I would say it is a history-making machine. And sadly this fine-tuned machine, as he calls it, has had some rough spots. That is not all.

This issue about the Russian connection in President Trump's campaign is not going away. Seventeen different intelligence agencies have verified the fact that Vladimir Putin and the Russians expressly tried to invade on a cyber basis the United States of America and to influence the outcome of an election. And it wasn't an equal opportunity effort—they were there to elect Donald Trump and defeat Hillary Clinton.

To make the record perfectly clear, as they say, there is no evidence that the Russians had any actual impact on the actual casting or counting of votes, but they did everything else they could dream of. They tried to invade and hack sources of files and information and to disclose and release them in a timely fashion.

There was that horrible episode involving "Entertainment Weekly," or whatever the name of that operation was, where they had a recording of then-candidate Donald Trump saying some awful things. It was no coincidence that 2 hours after that recording was released, they started releasing John Podesta's emails and files—the Russians did—to try to resurrect the Trump campaign that hit some pretty