

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Madam President, as everyone in this Chamber knows, we are currently debating and preparing to vote on the nomination of Scott Pruitt to be the next Administrator of the Environmental Protection Agency.

The truth is that we don't have all the information we need to make this important decision. We don't have all the facts we ought to have. That is because the nominee, in his role as attorney general of Oklahoma, worked very hard to keep the information contained, controlled, and unavailable to the Senators in this Chamber and unavailable to the citizens of the United States of America.

For 2 years now, his office has stonewalled attempts to make public the records of over 3,000 email communications with members of the fossil fuel industry. Two years ago, the Center for Media and Democracy requested these emails through the Oklahoma Open Records Act. Who is the person who decides whether to release those records? The attorney general of Oklahoma. Who is the nominee before us? The attorney general of Oklahoma.

When Democrats on the Environment and Public Works Committee requested these records from Mr. Pruitt during the confirmation process, the answer we got back was this: "I would direct you to make a request of the Oklahoma Attorney General's Office under the Oklahoma Open Records Act." Now, when he encouraged us to make that request, he knew—and we shortly knew—that he had no intention of actually granting access. He was telling us to get in line behind more than 50 other requests for that information, and that request has not yet been answered. In fact, Senator WHITEHOUSE did put in a request directly to the Oklahoma attorney general's office using the Oklahoma Open Records Act. Imagine what the result was. Did the attorney general of Oklahoma immediately release these records? He did not. Have we those records today? We do not.

But yesterday, Oklahoma County District Judge Aletia Haynes Timmons ruled on whether or not the public deserves access to these emails and deserves access to these records, and she ordered the attorney general to do his job—to release the records so that we here in the Chamber will have that information, so that the American public will have that information. Judge Timmons said there was "an abject failure to provide prompt and reasonable access to documents requested."

On Tuesday, the first batch of emails is going to be released to the public. That is just a few days from now. But if we vote today, we won't have that information before us. It will be too late for us to have all the facts and information we need to make a qualified decision on whether Mr. Pruitt is a fit character or unfit character to be a member of the President's Cabinet.

That is exactly what the Founders of our Nation charged us with doing in the advice and consent responsibility—to determine whether a nominee is a fit character or unfit character.

So we here in the Senate are not doing our job. Under our responsibility under the Constitution, if we vote today, not having yet reviewed the information in those emails that the judge has just said must be released, we are being asked—or, more pointedly, forced—by the majority leader to rush through the confirmation of Mr. Pruitt without having this vital information.

This is a question of transparency. This is a question of exercising our authority in a responsible fashion. This is about the right of the Members of the Senate to have the information needed to fulfill their responsibility under the Constitution. This is about the right of the citizens of the United States to know Members here are doing their job and to weigh in—to weigh in with us on what they consider to be fit character and unfit character. We should not deny Americans the right to know.

That is why I will ask unanimous consent of this Chamber in a moment to postpone the vote until 10 a.m. on March 3, because that would give us the full ability to get both sets of emails and have 3 days to review them, which I think is most reasonable.

Madam President, I ask unanimous consent that the confirmation vote on Calendar No. 15, the nomination of Scott Pruitt for Administrator of the Environmental Protection Agency, be postponed until 10 a.m. on March 3.

The PRESIDING OFFICER. Is there objection?

Mr. McCONNELL. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Oregon.

Mr. MERKLEY. Madam President, I am disappointed with the majority leader's objection. I know all of us who serve in this Chamber want to do our job in a fashion in which we thoroughly and responsibly execute the responsibilities of our office. We can't do that without these emails. These emails have been stonewalled for 2 years. I know that if the shoe were on the other foot, there is a very good chance the advocacy for transparency would be coming from multiple Members across the aisle.

So I am disappointed the decision has been made to object to holding the vote after the time that both sets of emails have been released. But I do understand the majority leader has responsibility for the schedule for the Senate. So I am going to tailor back my request and ask that the vote be held after the first batch of emails is released. They are going to be held next Tuesday and we are going to be out next week. So under this request, no time is lost in the Chamber in considering the nomination. It does not delay any other work of this Chamber. It does not stand in the way of anything

else we might do. It just means that we hold the vote when we get back, instead of holding it this afternoon before we leave.

Madam President, I ask unanimous consent that the confirmation vote on Calendar No. 15, the nomination of Scott Pruitt for Administrator of the Environmental Protection Agency, be postponed until 9 p.m. on February 27.

The PRESIDING OFFICER. Is there objection?

Mr. McCONNELL. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Oregon.

Mr. MERKLEY. Madam President, both of my unanimous consent requests have been rejected, as is the right of any Member. But still, there is a principle here—a principle of executing our responsibilities and a principle of transparency, a principle of understanding whether or not the individual before us is a fit character to serve in the office.

So I am going to make a formal motion, which is allowed under the rules, to extend this debate. The rules call for 30 hours of debate but provide a clause that, by a vote, we can extend that debate. I propose we extend that debate for an additional 248 hours. That 248 hours would take us until Monday evening, on the evening we return. So again, no time is lost with the agenda before this body, but we would all have the chance to review those 3,000—or at least the first batch of those emails—to determine if there is information that is related to whether the nominee is fit or unfit to hold this office.

#### MOTION TO EXTEND DEBATE

Therefore, I move to extend postcloture debate on Calendar No. 15, the nomination of Scott Pruitt for Administrator of the Environmental Protection Agency, for an additional 248 hours.

The PRESIDING OFFICER. The majority leader.

Mr. McCONNELL. Madam President, I ask unanimous consent that notwithstanding the provisions of rule XXII, a vote in relation to the motion to extend debate on the Pruitt nomination occur at 12:30 p.m. today, and that following disposition of that motion, there be 4 minutes of debate equally divided in the usual form prior to a vote on the nomination.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. McCONNELL. Madam President, I ask unanimous consent that following disposition of the Pruitt nomination, the Senate resume consideration of the following nominations en bloc: Wilbur Ross to be Secretary of Commerce, RYAN ZINKE to be Secretary of Interior, Ben Carson to be Secretary of Housing and Urban Development, and Rick Perry to be Secretary of Energy.

I further ask unanimous consent that there be 30 minutes of debate on the

nominations, equally divided in the usual form, and that following the use or yielding back of time, the Senate vote on the nominations in the order listed with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. MERKLEY. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MCCONNELL. Madam President, over the past several weeks, we have seen a historic level of obstruction from our Democratic colleagues on the President's Cabinet. Let me say that again—truly historic, unprecedented, harmful, and pointless obstruction. It is one thing to obstruct to get some outcome. Really, these are a collection of futile gestures not changing the outcome on any of these nominations.

They have postponed committee meetings as long as they possibly could. They forced unnecessary procedural hurdles, and they have even boycotted markups altogether.

So as I indicated, to what end? It hasn't prevented the Senate from moving forward with the confirmation of these nominees. And, by the way, it hasn't—and it won't—change the outcome of the election, either, which was back in November. I think it is pretty clear that that is what this is all about.

Instead, this Democratic obstruction has just kept many of our Nation's most critical agencies without a leader for too long—needlessly delaying the President from fully standing up this new administration. It has led to what is now the longest it has taken to confirm most of the President's Cabinet since George Washington—what a record for our Democratic colleagues to hold.

Enough is enough. We need to put the rest of the President's Cabinet into place without further delay. Confirming these well-qualified nominees is what is best for our country. My goodness, isn't that what we should all want?

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Madam President, I speak in opposition to Scott Pruitt, and I thank Senator CARPER for the good work he has done in leading the opposition to someone who is a climate change denier and will not release information that the public should see.

I want to say a few comments about the majority leader's comments. I am incredulous that he thinks this has been unfair to the Trump administration and Republicans; that we have not moved faster. We know a bunch of things. We know President Trump didn't begin his vetting process, as most Presidential candidates do, in August.

We then know right after the election he fired his person in charge of vetting and of the transition. We know then he appointed people without vet-

ting them because he wanted to speed it up, and we also know that a number of people who President Trump nominated were billionaires and Wall Street bankers, and they had very complicated financial backgrounds and holdings, and because the Trump administration didn't do it, the Senate had to do it, and the media had to do it—to look at the backgrounds of some of these nominees.

Then, on top of that, we saw a level of corruption we had never seen in Presidential nominations. We saw a Secretary of Health and Human Services—passed by being voted for by every Republican—who bought and sold healthcare stocks while a Member of Congress, voting on and sponsoring healthcare amendments and bills.

We saw other nominees. We saw Secretary Mnuchin, and Senator CARPER played a role in this, now-Secretary Mnuchin, who forgot to disclose a \$100 million investment he had and then lied to the Senate committee, as pointed out by the Columbus Dispatch—the most conservative paper in my State—about robo-signing, sending hundreds of people in my State into foreclosure.

The ethics of these nominees are such, and then you have Scott Pruitt to be Administrator of the EPA, and he will not disclose 2,600 emails that we know how—as Senator CARPER has done such a good job on—we know how a number of these emails point to—I am not a lawyer—if not the word “collusion,” certainly doing the bidding of the fossil fuel industry that he might occasionally want to regulate instead of the EPA. That is the story.

I want an Administrator of the EPA who wants to protect the country's great natural resources, not someone hell-bent on undermining the Agency he will lead. The environmental challenges we face in my State are too great to put the EPA in the hands of someone with a track record of putting polluters before public health, of choosing companies that pollute over communities that are victimized by that pollution, and too often he is doing the work of campaign donors instead of the public.

I know what the Clean Air and Clean Water Acts have meant to my State. I know what Lake Erie looks like. When I was a kid, I lived about an hour and a half away. Lake Erie was an environmental disaster. The counties of Cuyahoga, Erie, and Lorain couldn't clean it up. The State of Ohio didn't have the resources to clean it up.

It was only that terrible fire in Cleveland where bridge trestles on the Cuyahoga River caught on fire that got the Nixon administration to move and create the EPA, and then we cleaned up Lake Erie. That was one of the great accomplishments in our country's history—environmental and otherwise, one of the great accomplishments.

It was a Republican administration with the Democratic Congress, when good environmental policy was bipar-

tisan, when Republicans as well as Democrats believed in being stewards of the Earth in following a number of the teachings of the New Testament about being stewards of the Earth.

It was a sustained effort by citizens and by their elected officials in both parties to protect our public health. The EPA affects the water that comes into our children's drinking fountains. It affects our small businesses that rely on tourists at our lakes and beaches. It affects farmers who feed the Nation. According to Dr. Aparna Bole—a pediatric specialist at Cleveland's University Hospital in Cleveland—asthma rates in my part of Ohio are above the national average because of the region's poor air quality.

Climate change is not some distant problem. We tend to think about wildfires in the West or devastation faced by coastal communities, like those affected by Hurricane Sandy. The Midwest is affected too.

In August, 2014, a harmful algae bloom left 500,000 Ohioans in Greater Toledo, in Northwest Ohio, without safe drinking water for nearly 3 days. This is Lake Erie. This is more or less the natural color of Lake Erie. This is the algal bloom. It is a stunning, beautiful picture if you don't know what it is, but when you see a boat cutting through these algal blooms and seeing what this meant, as the algae chokes Lake Erie—Lake Erie right here is about 30 feet deep. Contrast that with Lake Superior, 600 feet, and you will see why Lake Erie is more vulnerable.

Lake Erie is 2 percent of the water in all the Great Lakes. Lake Erie has 50 percent of the fish of all the Great Lakes. The fish like shallower and warmer water, but they don't like these kinds of algal blooms and what they do to this community. Because it is the shallowest of the Great Lakes, and this is the shallowest part of this great lake, it is uniquely vulnerable to these harmful algal blooms.

We know these blooms are caused by excess nutrients in our water—untreated sewage, urban runoff, and runoff from farm fields. This Maumee River Basin going into the lake from the south, going into the lake just north of Toledo, drains the largest 2 million acres, the largest basin of any tributary going into any of the Great Lakes.

On Wednesday, I met with David Spangler, a charter boat captain on Lake Erie. We talked about how the Great Lakes region has seen a 37-percent increase in heavy rain events. We have seen that hotter summers make the blooms worse. We talked about protecting the lake as one of the great environmental challenges, not just for Ohio or even the industrial Midwest but protecting Lake Erie and the Great Lakes, the greatest source of freshwater in the world, by most measurements—how important that is.

Dave has been fishing on this lake and its tributaries for decades. He bragged about the improvements we

have seen over the year—how water quality has improved, how walleye and yellow perch populations have rebounded, how he leads fishing expeditions on the Great Lakes, on Lake Erie. You know what, look at what these algal blooms have done. You can guess what they have done. Nobody will go fishing in these kinds of waters.

If the algal bloom is there too long, lots of fish die in addition to that. We need an EPA Administrator who understands that the contamination hurts everything from our children's health to our small businesses. He told me he doesn't think Scott Pruitt is the right person for this job. He believes that with Scott Pruitt at the helm of the EPA, we would likely lose the gains we made in the lake.

Of particular concern to both Mr. Spangler and me is that Mr. Pruitt said mercury does not cause a threat to human health. Really? Mercury doesn't cause a threat to human health? If Mr. Pruitt doesn't believe that, I would like him to explain to me why the Ohio EPA, the Ohio Department of Health—both with Republican administrators—have a statewide mercury advisory stating that women of childbearing age and children under 15 are advised to eat no more than one meal per week of fish from any Ohio water body. Think about that. You shouldn't eat more than one meal a week of fish taken out of any of the Ohio aqua system—limit the amount of fish eaten from our State's largest body. That means even though we worked for decades to reduce mercury emissions, apparently Mr. Pruitt doesn't think mercury exposure is a threat to public health.

Mr. Pruitt has solicited thousands of dollars of campaign contributions for himself, the Republican Attorneys General Association, all the Republican attorneys general. There are three dozen or so of them. They work together to raise lots of money to keep themselves in office so they can continue to do some of the work they do. Some of the work they do is stand in the way of good environmental policy.

He has refused, for years, as Senators MERKLEY and CARPER have pointed out consistently, to disclose some 2,600 documents, showing correspondence between his office and the very companies he is supposed to ensure follow the law.

We know who some of those companies are. What is he hiding? Why won't he tell the Senate what is in those documents? Why does the Senate Republican leader not want us to see those documents? Because he is saying, no, we have to vote on this now. It just happens to be we will be looking at documents over the next few days, but apparently it is not going to be able to affect this vote.

It could be because in the past he submitted letters to the EPA that were written by the companies he is supposed to regulate. Think about that. An oil company writes a letter and then that letter remarkably ends up

pretty much word for word to be sent to the EPA.

Allowing him to become EPA Administrator is like allowing an arsonist to become the fire chief—the goal of both is to burn things down. Mr. Pruitt's record clearly shows he is not the right person to lead our Environmental Protection Agency.

Mr. LEAHY. Madam President, today I must vote to oppose the confirmation of Scott Pruitt as the President's nominee for Administrator of the Environmental Protection Agency, EPA. While I believe that the President enjoys some privilege of selecting administration officials, the views that Mr. Pruitt and I hold on a wide range of key environmental issues are completely irreconcilable. I was deeply disturbed by Mr. Pruitt's lack of specificity and his evasiveness during his hearing and in response to written questions.

While no one would expect Mr. Pruitt to detail the new Trump administration's policies on these complex issues, we do expect the nominee to lead the Environmental Protection Agency to share with us his own views on important matters, including whether there are any EPA regulations he supports, or whether he would fully recuse himself from making decisions in all legal cases in which he was an original party—but no. Instead, he testified that he had not conducted a comprehensive review of existing EPA regulations. With respect to recusals, he asserts that he would simply follow the recommendations of the EPA's ethics office. That is not good enough.

I am deeply disturbed by Mr. Pruitt's evasive responses. This does not bode well for his future interactions with Congress where he will certainly be required to appear before committees and provide testimony, briefing materials, and other information in a timely manner. Under oath before the Environment and Public Works Committee, he told the committee members, U.S. Senators, to go to the back of the line, to make records requests to his home State if they wanted information. This is information that Mr. Pruitt could and should have provided to the committee. As a result, information needed by the Senate to judge his fitness for this position has yet to be revealed.

Committee members were told 19 separate times to get the information they were requesting from his own office, the Oklahoma Attorney General's Office, an office that has more than a 2-year backlog for such requests. That is not the spirit of openness and transparency we expect and must demand from witnesses, let alone from nominees who come before the U.S. Senate. How can the Senate adequately fulfill its responsibility of advice and consent if nominees will not cooperate? Mr. Pruitt has stonewalled the committee and the entire Senate on answers to basic questions about possible conflicts of interest. He has refused to provide relevant emails and other documents.

This is unacceptable. It is also unacceptable to advance and approve this nominee without a clear and complete view of his record and his close relationships with the very companies he will be tasked with regulating.

With respect to the Agency that he has been nominated to lead, it is imperative that we not reverse or halt the tremendous progress that has been made in achieving strong, scientifically based environmental protection goals. The EPA itself was born out of an environmental crisis in this country, in the wake of elevated awareness of and concern about pollution. This came after our Nation watched in horror as the Cuyahoga River in Cleveland, OH, burst into flames again as it was so saturated with sewage and industrial waste that it oozed rather than flowed. That pollution was a by-product of unchecked pollution from industrial wastes.

Over its 46 years, the EPA has made enormous progress and become one of the world's most successful protectors of public health and the environment. Americans now expect clean air and clean water, where, before the EPA was created, we expected nothing more than burning rivers and polluted air. While cleaning up the environment, we have also grown jobs and strengthened our economy. However, we continue to face an environmental crisis of our own making with climate change, and EPA's mission to protect public health and the environment reminds us that the tasks of this Agency are essential to every single American. Americans care about having clean air to breathe, safe drinking water, and swimmable and fishable rivers and streams. They want their food to be free of pesticides and their workplaces to be healthy and safe. They want their children to have a future that is free of the dangers of climate change.

Sadly, Mr. Pruitt refuses to accept the scientific community's overwhelming consensus that unchecked increases in greenhouse gas emissions will have catastrophic effects. The science is crystal clear that the impacts of climate change will increase in frequency and scale. Even the Department of Defense recognizes that climate change will impact the complexity of future missions, including defense support to civil authorities, while at the same time undermining the capacity of our domestic installations to support training activities.

Climate change cannot be dismissed as merely a political issue. We need to address the unfettered release of carbon and other greenhouse gases and have a strong resilience strategy to address the plight of future generations and the hazards already plaguing this one; yet we continue to have political claims thrown about that the EPA's work to address climate change and limit carbon emissions is to blame for the decline in the coal industry. At their base, these are more "alternative facts." This was confirmed yet again

this week as the owners of the Navajo Generating Station, a coal-fired power plant in Arizona, voted to close the facility at the end of 2019. It was not EPA regulations or the Clean Power Plan that were cited as the reason for the closure of the coal-fired plant. No, it was the fact that, in a market that is saturated by cheap natural gas prices, the plant was no longer economical to operate. Attempts by the President and this nominee to spread alternative facts and to misleadingly promise to prop up an industry, by blaming action on climate change, is not the way to move our country forward and stimulate innovation that will create good, new American jobs that cannot be shipped overseas.

For the benefit of the Senate record on this nominee, I would like to take this opportunity to share some of the messages that I have received from thousands of Vermonters over the past few weeks about this nominee. One Vermonter from Norwich, VT, a student studying sustainability and environmental management, said she is fearful of Mr. Pruitt's focus on eliminating and defunding any programs that could help to stop climate change. She went on to describe the importance of peer-reviewed scientific research on climate change and how Federal support for our leading academic institutions to complete this research is in our national interest as we monitor the Earth's vital signs.

I also heard from a constituent from Essex Junction, Vermont, who shared with me how he has seen firsthand at his technology company how the Federal promotion of research and development has directly promoted innovation and technological change. This innovation and these technical advances have led to new technologies that have radically changed many aspects of our lives and have transformed our economy, creating jobs, and invigorating our entrepreneurial spirit. He was concerned that Mr. Pruitt would seek to dismantle work that the EPA has done to find better ways to solve environmental problems, from research and technology to regulation, community programs, and external partnerships as they work to find creative ways to achieve results.

I also heard from Vermont farmers like one in Bristol, VT, who shared with me how her family farm has experienced the firsthand chaotic effects of climate change and has responded to the call to be more resilient. She voiced her willingness to cooperate with government regulations to protect our air, water, and soil and that we "need the EPA to use science and enforcement to lead the charge." She went on to say that the head of the EPA should be working to ensure that our air is clean to breathe and our water is safe to drink, not to ensure that polluters get a free pass. I agree wholeheartedly with her.

From rural Hartland, I heard from one Vermonter who said that "the

health and wellbeing of Americans must be a priority—not the wealth of a few corporations and the individuals that benefit from that wealth. America must be a global leader when it comes to addressing climate change if all nations are to take appropriate measures."

As Vermont's ski resorts have enjoyed over ample snow in the last week, I have heard from hundreds of snow sport enthusiasts who are deeply worried about Mr. Pruitt leading the EPA. They know that climate change is a threat to our planet and to our economy. In recent years, we have seen abnormally high temperatures that severely hurt our ski and tourism industries in Vermont. Many ski areas saw business down 20 percent, and some saw a drop of as much as 40 percent. This does not just affect our ski areas and our mountains, but also our restaurants, our local hotels, contractors, and countless other businesses that are driven by the vitality of our ski industry. For the State of Vermont, the revenue from ski slopes is an important part of our economy, and we need an EPA Administrator ready to tackle the problems of climate change, not one whose primary goal is supporting business as usual for the worst polluters.

I agree with the thousands of Vermonters who have contacted me concerned about this nominee. I believe that Mr. Pruitt's nomination sends exactly the wrong signal to the country and to the world as we are combatting the global impacts and causes of climate change. His nomination represents a massive shift away from putting public health and the environment first, and towards "Polluters 'R' Us"—the industries that directly benefit from being given free rein to pollute. His past conduct suggests that he will do everything he can to support those polluters and put their profits ahead of the public good.

The decisions made by the Administrator of the EPA affect the air we breathe, our scenic rivers, our precious resources, the water that our children drink, and the rate at which the United States contributes to the rapidly changing global climate. This appointee's work will have a long-term global impact and a major impact on all of our children and grandchildren and on our shared heritage and our natural legacy as Americans.

In my years in the U.S. Senate, I have evaluated many nominees and I have supported nominations from both Republican and Democratic Presidents, despite my reservations on some views they held. I have also opposed some nominees because their records were so clearly contrary to the public interest. Rarely have I seen a nominee so totally unqualified and so profoundly a threat to our environment. The views Mr. Pruitt and I hold on protecting Americans' health and our environment and addressing climate change are far too conflicting to allow me to support his nomination.

The Senate will confirm Mr. Pruitt. Of this, there is no question. But then we will begin our duty to provide dogged oversight of his actions at the EPA. Public trust and confidence demand the highest level of accountability to ensure the stewardship of our federal funds, to safeguard the integrity of the EPA, to base decisions on rigorous, fact-based, peer-reviewed science, for the protection of both public health and our environment.

I worry that confirming Mr. Pruitt will turn the Environmental Protection Agency into the "Polluters Protection Agency." I cannot support his confirmation.

Mrs. FEINSTEIN. Madam President, I rise today to voice my concerns about the nomination of Scott Pruitt for Administrator of the Environmental Protection Agency.

More than 74,000 Californians have contacted my office expressing serious concerns about Mr. Pruitt's nomination.

Californians want an EPA Administrator with a demonstrated commitment to protecting public health and the environment. Unfortunately, Mr. Pruitt's record shows the opposite: a clear hostility to public health and environmental protections at both the Federal and State level.

Californians rightfully fear that Mr. Pruitt's only plan for the EPA is to dismantle the Agency from within and give polluters free rein.

The EPA is the lead enforcement agency for bedrock environmental laws like the Clean Water Act, the Clean Air Act, and the Safe Drinking Water Act. The EPA works with States, local communities and tribes to provide funding and expertise for fulfilling these environmental laws that keep our communities healthy and safe.

Based on his record as Attorney General of Oklahoma and his past statements, including in his confirmation hearing, Scott Pruitt is not the right man for this very important job.

As the Oklahoma Attorney General, Mr. Pruitt eliminated the State's environmental protection unit, which enforces State environmental laws, including suing polluters for criminal negligence.

Meanwhile, he's led or participated in over 14 partisan lawsuits against the EPA, challenging the Agency's ability to implement Federal environmental protections, lawsuits that challenged protections against mercury pollution, "polluter pays" clean-up requirements, the Clean Air Act, and the Clean Water Act.

And his rhetoric matches his record. Mr. Pruitt has repeatedly questioned the validity of widely accepted science that undergirds EPA action. He routinely treats the scientific consensus on climate change as merely a debate. In an interview with *Exploring Energy*, Pruitt stated: "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."

He dismissed the dangers of mercury pollution, arguing in one of his lawsuits: "The record does not support EPA's finding that mercury . . . poses public health hazards. . ."

At his confirmation hearing, when asked whether there is any level of lead exposure that is safe for children, he could only reply "that is something that I have not reviewed nor know about."

Even on his public profile, he described himself as "a leading advocate against the EPA's activist agenda."

We are supposed to trust someone to enforce our environmental laws who considers himself the primary foe of the EPA? That record is troubling enough, but Mr. Pruitt also faces many conflict of interest issues that he has refused to commit to recusing himself from as EPA Administrator, including: conflicts that would exist over ongoing lawsuits that he brought against the EPA as Oklahoma's Attorney General or matters or cases under the EPA's authority that involve organizations from which Pruitt has solicited campaign funding.

During his hearing, Mr. Pruitt deflected questions over potential conflicts of interest by stating the "EPA ethics counsel will evaluate that if a matter or case comes up in the future." This is an inadequate protection against conflicts of interest.

The Environmental Protection Agency is very important to the health and well-being of the people of California.

For example, California received over \$100 million in loans from the EPA last year to maintain and improve our water infrastructure, including wastewater treatment systems, drinking water systems, and water recycling facilities. Those funds were vital as our State grappled with an historic drought.

The EPA has also been a vital partner with California in developing stronger motor vehicle efficiency standards. One of my proudest accomplishments was enacting landmark fuel economy legislation, the Ten-in-Ten Fuel Economy Act, which raised fuel economy standards to the maximum achievable rate. This law marked the largest increase in fuel efficiency in more than two decades and led to an administrative program expected to raise average fuel economy to 54.5 miles per gallon by 2025.

This program is the greatest tool we have to reduce greenhouse gas emissions from the transportation sector, and it is working. An important technical review concluded this July that automakers are already exceeding Federal benchmarks for improved fuel economy by 1.4 miles per gallon.

A large part of its success is the cooperation between the Federal Government and California to establish a single, coordinated, national program that is strong enough to satisfy all parties and stable enough to guide investment decisions by the auto makers.

During his confirmation hearing, my colleague Senator HARRIS asked Mr.

Pruitt directly if he would commit to upholding California's right to issue its own regulations, which is the way we participate in creating the national program. He declined, committing only to review the issue, which is not acceptable.

We in California know that climate change is real and is happening now. It is contributing to more volatile weather, including longer, stronger droughts and harsher bursts of rain.

We have a limited amount of time left to reduce the greenhouse gas emissions of our transportation and energy systems. If we allow the world to warm by more than 2 degrees C, we will be locking in a future of unacceptable disasters for our children and grandchildren.

Now, more than ever, we need strong leadership as other major countries like China and India have begun to engage on the issue, and we cannot allow the EPA to reverse course and go backward after the progress we have made.

In his words and actions, Scott Pruitt has demonstrated more interest in fighting against the mission of the EPA than in fighting for it.

Mr. Pruitt has done little to nothing to protect the people of Oklahoma from the dangers and health problems caused by pollution, preferring to sue on behalf of corporate interests. There is nothing to suggest he would do anything different for the American people as EPA Administrator.

For this reason and many more, I will vote against Scott Pruitt's confirmation to head the EPA.

Mr. COTTON. Madam President, it is hard to overstate the amount of distrust there is between rural America and the EPA.

I represent the State of Arkansas, where about 70,000 of our citizens are farmers. Agriculture is our largest industry, adding about \$16 billion to our economy every year. But even those members—big as they are—can't give you a full appreciation of just how important the land is to our people. Sure, they make a living off it, but farming isn't just an "industry" to us—it is not just another statistical category like "nondurable goods manufacturing." It is a way of life. The people of Arkansas cultivate the land. They nurture it. They teach their children how to care for it. These are people who get up at 5 a.m. to milk the cows. They have had these farms in their families for generations. They pass on the land—and the values they have learned along with it. They believe in the EPA's mission of preserving a healthy environment just as much as anyone.

Yes, they are stewards of the earth, these men and women, yet the EPA too often treats them as criminals. In the last 8 years alone, the EPA has been treating their property rights more like a form of parole. It has passed sweeping regulations that presume to tell farmers when they can plant and how often they can run a tractor. It has declared something as tiny as a

mud puddle on a family farm as a "navigable water"—thus under the EPA's jurisdiction it has put on a show of soliciting "feedback" from the people who have to live under its rules, while cavalierly dismissing most of their concerns, and all the while pursuing an activist agenda, whether through the Clean Power Plan or the waters of the United States rule, it has failed to fulfill its core mission: keeping our people safe. Just remember, the EPA helped bring criminal charges and a \$15,000 fine against a North Carolina farm owner who accidentally spilled cow dung into a river; yet when it caused the wastewater spill into the Animas River, it stalled and withheld important information from investigators. If a company had acted like the EPA, it would likely have faced criminal charges—brought about by the EPA.

It is this state of affairs that our next EPA Administrator will inherit, and I want to take this opportunity to say President's Trump nominee, Scott Pruitt, has my support.

I think he is especially qualified to lead the Agency at this time because he comes from rural America himself. As the attorney general of Oklahoma, he fought the EPA's overreach in court more than half a dozen times. I believe he understands that Arkansas farmers and the American people know the needs of their land far better than Washington bureaucrats do. When I met with him a few weeks ago, we discussed the impact EPA regulations are having on Arkansas farms, businesses, and energy companies. We also talked about Fort Smith's issues with an inflexible EPA consent decree. It was clear from our conversation he knew environmental law backwards and forwards, but he also had something else: a real-world appreciation of the burden that heavy-handed regulations put on our farmers and on rural America.

I believe Scott Pruitt understands we can have both a robust economy and a healthy environment. I believe he will pull back the EPA's excesses and focus on its core mission. I believe, under his leadership, the EPA can begin to rebuild the trust it has lost with rural America, the trust that is necessary for it to achieve its goals. And so, for all of these reasons, I will be voting to confirm.

Mr. WYDEN. Madam President, last month I stood here to express my serious concerns about the nomination of Scott Pruitt to lead the U.S. Environmental Protection Agency.

As the vote draws closer, I want to reiterate those concerns and give voice to the thousands of individuals and groups in Oregon who have sent letters and made calls and spoken up in my town hall meetings. Oregonians have expressed their fears that Pruitt will steer us into a ditch when it comes to protecting the environment and public health. I share their concerns, and I cannot support this nomination.

In my view, the importance of the EPA cannot be overstated. The EPA is

at the heart of maintaining clean air and clean water for every person in this country, but Mr. Pruitt has made a career of denying climate science, attempting to weaken or even get rid of worker protections, air quality standards for toxic air pollutants, and basic environmental standards. Those rollbacks would hurt us all.

One prime example of how the EPA has stepped in to protect Oregonians is during a recent air quality scare in Portland. In 2015, researchers with the U.S. Forest Service discovered that heavy metals including cadmium and arsenic had been emitted for decades into the air of Portland neighborhoods and schoolyards at dangerous levels.

I called on the EPA to take action, and within days they were on the ground in Portland, testing the air quality and helping our community wrap our heads around the public health risks. It wasn't long before they identified the root of the problem and corrected course.

I am not confident that a Pruitt EPA would have jumped to the aid of my community in a time when parents wondered if they had been poisoning their own children simply by feeding them vegetables grown in their backyards.

Mr. Pruitt's career is defined by repeated attempts to weaken or eliminate health-based environmental standards, weaken or eliminate limits on carbon emissions that would help address the challenge of climate change, weaken or eliminate air quality standards to fight the kinds of toxic air pollutants we saw in Portland. Those rollbacks hurt us all.

Mr. Pruitt has a history of attacking the very Agency he now wants to lead. As attorney general of Oklahoma, he has been involved in more than 20 lawsuits against the EPA, and he has failed to give Congress any kind of assurances that he would recuse himself from matters related to those lawsuits.

Mr. Pruitt has clear connections with big businesses who profit from polluting—oil and gas companies and coal-hungry electricity giants, among others. He has a history of siding with these special interests at the direct expense of the health of our families and communities.

According to news reports, as Oklahoma's Attorney General and head of the Republican Attorneys General Association, Pruitt helped raise millions from industries he is now expected to regulate.

More and more of this shadowy history is coming to light. Particularly after a judge has ordered him to release thousands of his emails as Oklahoma's Attorney General just days from now, the Senate should not hold a vote on a nominee when more information may come to light about an alarming association with the very industries he would be regulating as head of the EPA.

However, Mr. Pruitt has until next Tuesday to release those emails—4

days after Senate Republicans are forcing a confirmation vote. In the interest of transparency, the Senators should be able to read these emails before voting so we can make a fully informed decision.

By jamming this nomination through today, Senate Republican leadership is forcing the Senate to vote on a nominee without knowing the content of the full background of this nominee. In my view, that is legislative malpractice.

So I join my Democratic colleagues in asking that the vote on Mr. Pruitt's nomination to lead the EPA be delayed until those thousands of emails are released and Members of the Senate have the opportunity to review their contents.

The American people are demanding that Senate leadership delay Mr. Pruitt's confirmation until this important information is disclosed and questions about his possible conflicts of interest are answered.

On even the most basic level, Mr. Pruitt has a troubling history. He has denied the fundamental science that should be used to inform public policy.

Time and time again, Mr. Pruitt has argued against the reality of climate change, going so far as to dispute the EPA's rigorous science-based finding that greenhouse gases endanger public health and welfare.

The EPA cannot be run by an individual with a career founded on alternative facts; yet that is much of what Scott Pruitt is promoting.

As I have said to Oregonians about this nomination and others, policymakers ought to come together and find the truth, not fall back on alternative facts.

Nearly 800 former employees of the U.S. Environmental Protection Agency expressed opposition to Pruitt this week in an open letter. These are 800 public servants who are dedicated to the Agency's core mission.

I think Oregonians and the American people need to hear what is in this letter. It states, in part:

Our environmental laws are based on a partnership that requires EPA to set national standards that give 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 a 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 statutes. Mr. Pruitt has shown no interest in enforcing those 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.

These former EPA employees close the letter by stating:

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.

I ask unanimous consent that the full letter be printed in the RECORD at the conclusion of my remarks.

Americans ought to have confidence that the head of the EPA recognizes what this job is all about—defending the health of our communities, not the profits of energy companies or any other special interest; yet Mr. Pruitt has given no such assurance. Like these former EPA employees, I would not have that confidence in a Pruitt EPA.

And now, with the release next Tuesday of thousands of his emails that may document an alarming association with the very industries he is supposed to regulate, it seems particularly premature, even irresponsible, to push for a vote on his confirmation today.

I share the concerns of the thousands of Oregonians and hundreds of current and former EPA employees who have expressed their opposition to Mr. Pruitt. I will vote against him today because I do not have confidence in a Pruitt EPA.

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

FEBRUARY 15, 2017.

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

Hon. RON WYDEN,  
*Dirksen Senate Office Building,*  
*Washington, DC.*

DEAR SENATOR WYDEN, 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 statutes. Mr. Pruitt has shown no interest in enforcing those 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. In 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 to act on the strong scientific consensus on climate change and act accordingly. 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 "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.

*(All signatories are former EPA employees)*

Mr. MENENDEZ. Madam President, I rise today in strong opposition to the nomination of Scott Pruitt to be the Administrator of the Environmental Protection Administration.

When looking at Mr. Pruitt's record on environmental issues, it is almost hard to know where to start.

You could examine his history of climate denial, in which he has repeatedly rejected the scientific consensus on the threat of climate change.

You could look at his cozy relationship with the oil and gas industry during his tenure as attorney general of Oklahoma.

You could argue that Scott Pruitt represents the same corporate interests and crony capitalism that have long prevailed inside the Beltway.

You could discuss his refusal to answer basic questions from the Environment and Public Works Committee, even as he asks those same Senators to vote for his confirmation.

Any one of these items should be disqualifying for a candidate tasked with leading the EPA, but the list of problems with Mr. Pruitt's nomination goes even beyond those concerns.

His nomination threatens the very foundations of the department he has been tasked with leading—whether you are talking about the Clean Air Act, the Clean Water Act, the Superfund Program, or any of the other cornerstone environmental protections Americans have long enjoyed.

Scott Pruitt has made a career out of characterizing these environmental protections as red-tape, as job-killers, and as government overreach.

That might be good rhetoric when you are arguing on the side of corporate polluters, as Mr. Pruitt has spent his career doing.

It might be good rhetoric when you are trying to mask the significant benefits of the laws you are fighting to unravel.

It might be good rhetoric, but it is not reality. The reality is that our Nation's environmental laws are designed to provide basic protections for human health and quality of life.

But that fact is often obscured by the rhetoric that Mr. Pruitt peddles. And since the EPA and many of its foundational laws were created decades ago, it can be easy to forget what the world looked like before we had strong environmental protections.

So before we confirm an EPA Administrator intent on dismantling every one of those protections, let's do a quick history lesson.

Democrat, Republican, or Independent, one thing that Americans agree on is the need for clean water. In fact, according to a 2016 Gallup poll, 61 percent of all Americans are "a great deal" worried—not a little worried, but a great deal worried—about pollution of drinking water, and 56 percent of all Americans are "a great deal" worried—again, a great deal worried—about the pollution of rivers, lakes, and reservoirs.

Among hunters and anglers, a group that many of my friends across the aisle claim to champion, those numbers are even more dramatic. A 2015 poll found that nearly 90 percent thought that the Clean Water Act was a good thing, and 75 percent supported the application of the Clean Water Act to headwater streams and wetlands.

Now, at a time when a strong majority of Americans are so concerned about the quality of their drinking water and the cleanliness of waterways across the country and support the application and enforcement of the Clean Water Act, it seems that we should be working to strengthen the protections that keep our water clean.

But that is not what Scott Pruitt has done, and it is not what he will do if we allow him to become the Administrator of the EPA. No, instead Scott Pruitt has worked tirelessly to gut the Clean Water Act.

His lawsuits have sought to undermine the fundamental protections afforded to our waterways to the detriment of the health of our families and our environment.

He has sued to prevent the Clean Water Rule, a court-ordered clarification of the protections of the Clean Water Act, from going into effect.

He has joined lawsuits and filed briefs to make it easier for mining companies to dump waste and fill material anywhere they want, destroying mountain streams and negatively impacting water quality.

Scott Pruitt didn't feel that the EPA should even have the authority to conduct a survey about industrial farming practices that can generate toxic runoff that could find its way into our rivers and streams and drinking water resources.

He has even joined big polluters in a lawsuit against a collaborative effort by Chesapeake Bay States and the EPA to clean up the bay, despite the fact that it had nothing to do with Oklahoma.

I think that Mr. Pruitt's views can best be summed up in his own words. He claims that, "the EPA was never in-

tended to be our Nation's frontline environmental regulator."

Well, I have news for Scott Pruitt. When the EPA doesn't lead, cost-cutting measures undertaken by a State can lead to thousands of Americans being poisoned by lead in their water. When the EPA doesn't lead, polluters, blinded by the pursuit of profit above all else, can dump unlimited and unregulated amounts of pollution into our water.

This isn't speculation. We have seen it before. The Clean Water Act was passed in 1972 in large part due to public outrage after the Cuyahoga River caught fire in 1969. Yes, the river caught fire. This sounds outlandish and incredible to us today, but perhaps even more astounding is the fact that this was not necessarily abnormal. It wasn't the result of some single incident or accidental spill. This was the result of years of pollution and unsound practices employed by many different industries across the economic spectrum.

The Washington Post notes that the Cuyahoga burned at least 13 times, and that is just one river. River fires were recorded in Maryland, Michigan, New York, Pennsylvania, and other States as well. So it becomes clear that this was a pervasive problem, and a national problem, and a problem that had to be addressed on the national level. And we did address it largely through the Clean Water Act, but we have to continue that progress, not roll it back. Even now, in places like China, where strong federal clean water laws don't exist, these river fires still occur.

Scott Pruitt calls himself an "advocate against the EPA's activist agenda."

If fighting for clean water is an activist agenda; if enforcing sound environmental practices that safeguard public health is an activist agenda; if protecting wetlands that not only provide critical wildlife habitat, but also act as vital buffers that protect our communities from flooding, is an activist agenda; well, then I guess you can call me an activist, and his record has shown that Scott Pruitt is anything but. And his attacks on the Clean Water Act aren't unique. Mr. Pruitt has sued the EPA time and again in an effort to dismantle the Clean Air Act.

The Clean Air Act was enacted in 1970, at a time that many of our Nation's cities and industrial regions were blanketed in smog. In the 47 years since the passage of the law, the Clean Air Act has proven to be one of the most effective public health measures ever taken in this country. Under the Clean Air Act, we have achieved 70 percent reductions in the levels of six of the most dangerous air pollutants.

Under the Clean Air Act, new heavy-duty trucks and buses became 99 percent cleaner than those vehicles were in the 1970s. Under the Clean Air Act, lead was banned from gasoline, ending a significant health risk—one that was particularly dangerous for children. It

was the Clean Air Act that gave us the tools to drastically cut the pollutants that cause acid rain. The Clean Air Act helps to protect downwind States like New Jersey from pollution emitted by power plants in other States. The Clean Air Act has been used to phase out pollutants that destroy the ozone layer, yielding significant health benefits including a reduction in skin cancer. The Clean Air Act has been used to reduce mercury from power plants, preventing tens of thousands of premature deaths, heart attacks, and asthma attacks. The Clean Air Act has helped reduce pollution at our National Parks, supporting tourism and local economies across the country. And in 2007, the Supreme Court affirmed the Clean Air Act's role in the environmental crisis of our time, the fight to reduce greenhouse gas emissions and protect against the threat of climate change.

It is worth noting that, since the Clean Air Act became law, the Nation's gross domestic product grew by 246 percent—so much for job-killing regulations.

But in spite of these benefits, benefits that accrue to every American and benefits that save lives and reduce disease, Scott Pruitt has a record a mile long trying to dismantle the Clean Air Act.

He sued the EPA over cross-state air pollution rules. He sued the EPA over mercury and air toxin limits. He sued the EPA when they tried to reduce smog. He sued the EPA when they limited pollution in national parks. And he sued the EPA when they proposed limiting carbon pollution from power plants.

Mr. Pruitt's record has repeatedly demonstrated that he has no interest in maintaining basic environmental standards. I have no reason to believe that he would behave any differently if confirmed as EPA Administrator. But Scott Pruitt's disdain for the EPA goes beyond even the lawsuits he filed.

In questions for the record for the Environment and Public Works Committee, Mr. Pruitt was asked to name even one EPA regulation he supported and he couldn't name even one.

He wasn't put on the spot. These were written questions, which Mr. Pruitt had ample time to consider and answer. And yet he couldn't produce a single example of an EPA standard he supported.

An EPA standard that immediately comes to my mind is Superfund—a bipartisan program committed to ensuring that polluters pay to clean up their toxic dump sites.

New Jersey has the most Superfund sites of any State in the Nation—114 total. These sites threaten public health, stifle economic opportunity, and undermine quality of life.

They are a toxic legacy from a time when we had no watchdog to prevent corporations from dumping their waste into our soil or our water.

Today there are over 1,300 Superfund sites throughout the Nation—13 sites in

Alabama, 37 sites in Wisconsin, 53 sites in Florida, and even 7 sites in Oklahoma, Mr. Pruitt's home State.

This is a problem that transcends geographic and partisan divides. It is a challenge we should be united in our commitment to fixing. Yet Mr. Pruitt wouldn't even cite Superfund as an example of an EPA regulation he supported. If he doesn't support the program, how can we trust him to implement it?

EPA is absolutely critical in bringing the companies responsible for pollution to the table, creating strategies for cleaning up these sites, and overseeing the clean-ups themselves.

How can we trust Mr. Pruitt to negotiate on behalf of our communities if he can't even bring himself to admit the value of the law?

The fact that a program as basic and bipartisan as Superfund didn't garner Scott Pruitt's support should be of concern to us all.

The U.S. has many environmental challenges left to confront, but we have also made a lot of progress since the days before we had strong environmental protections.

We can't turn back the clock to the days when rivers caught on fire, when smog choked our cities, and when corporations were free to dump unlimited chemicals into the soil and water. Yet, that is exactly what Scott Pruitt has spent his career doing. His tenure as Oklahoma Attorney General provides example after example of legal actions taken on behalf of moneyed corporate polluters, but he failed to provide even one real example of action he took against polluters on behalf of the people of Oklahoma.

I take my responsibility to provide advice and consent to the President on his nominees very seriously, and as I have looked into Mr. Pruitt's record, one thing has become abundantly clear. Scott Pruitt doesn't work for you. He works for the polluting industries that have bankrolled his political career. His nomination to head the EPA poses significant risk to our Nation's most basic environmental protections.

Protections like the Superfund program, the Clean Air Act, and the Clean Water Act have provided a legacy of health and wellness for millions of Americans. And time and time again, Mr. Pruitt has proven untrustworthy as a protector of that legacy.

For that reason, I oppose his nomination as Administrator of the EPA and urge my colleagues to do the same.

Mr. BROWN. 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. MORAN. 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. MORAN. Madam President, I ask unanimous consent that I be able to speak as in morning business.

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

#### AGRICULTURE

Mr. MORAN. Madam President, the Natural Resources Conservation Service is one of the best opportunities we have—and some of the best stewards we have for caring for lands in Kansas are our farmers and ranchers. What a great combination in the public-private partnership when we work together to improve our water quality and quantity, work to make sure our air is cleaner, make certain, as best we can, that the dust doesn't blow in Kansas.

While we talk about environmental issues, I want to mention the work that goes on in my home State and places across the country with a partnership that occurs by the Department of Agriculture—USDA—its agency, the NRCS, and landowners in my State.

I want to highlight the circumstances those farmers and ranchers find themselves in today. In 2016, the price of wheat hit a decade low. Wheat prices fell from a high of \$7.60 a bushel in 2013 to \$4.11 per bushel in 2016, from \$7.60 to \$4.11 in just a short period of time.

Unfortunately, those prices have continued to stay low. Often in Kansas, when commodity prices are a challenge for those who raise crops, we are able to supplement our income by the price of cattle—our ability to raise quality beef and to sell that in markets and to compensate for the challenges that occur on the crop side of agriculture.

Unfortunately, the same thing has happened in the livestock market as well. Live cattle prices dropped from \$166 per hundredweight in January of 2015 to \$132 per hundredweight in January of 2016; again, a fall from \$166 to \$132.

Those things combined, low commodity prices, low price for wheat, low prices for cattle, mean that agriculture in rural America is hurting greatly. This is a tremendous challenge and appearing to be perhaps the most difficult time that agriculture producers, farmers, and ranchers face in the Midwest since the thirties.

I have come to speak about this today. Senator ROBERTS, the chairman who chairs the Agriculture Committee, is having a hearing of the Agriculture Committee in Kansas during the next few days. I appreciate the opportunity he is providing Kansans to have input as the process begins for a new farm bill. I congratulate him and welcome the input that everyday folks who earn a living in agriculture will have as a result of his efforts.

What I want to highlight today is that with the circumstances so challenging, we need to do things that reduce the input cost associated with production agriculture. But the focus I want to make today is that we need every market possible for our farmers and ranchers to sell into. Ninety-five percent of the mouths to feed, 95 percent of the consumers are outside the United States, and our ability to sur-

vive in agriculture in Kansas and this country is related to our ability to export those agriculture commodities, as well as food products, around the globe.

In the confirmation hearings that I have been involved in based upon my committee assignments and in addition to conversations with the nominee to be the Secretary of Agriculture, Governor Perdue, I have highlighted time and time again the importance of exports.

If we face this struggle—a struggle we do absolutely face today—a way we can help improve that circumstance is to sell more grains, more meat products, more beef, more pork into foreign country markets. It is not happening the way it needs to happen to lift the prices and therefore increase the chances that farmers and ranchers will survive the difficult and challenging economic circumstances.

I almost said "as an aside." Let me mention another challenge. It really isn't an aside, it is so important. We have difficult times in agriculture. It is a cyclical world, and prices are up and prices are down based upon the laws of supply and demand. But in difficult times, we have always in the past been able to count upon a lender, a banker who is willing to help that farmer, that rancher get through difficult times.

The regulatory environment our bankers now face, particularly in rural communities where there is a relationship—we often operate in banks in my State, and certainly in rural communities across Kansas, as a result of a relationship. So our bankers—those who lend money to farmers—know those farmers. They know their families. They know their parents, their grandparents. They were the financier. They were the ones able to lend working capital to farmers in good times and bad.

Our regulators and I have visited with the Officer of the Comptroller of the Currency, the FDIC, the Federal Reserve, the state banking commissioner in our State, all with the message that in these difficult times, we can't let the consequences of Dodd-Frank overwhelm the ability for a banker to continue to make decisions about lending money to agriculture producers. We can't let the authority of making that decision, based upon long generations of relationships between those in agriculture and those in financing agriculture, be overcome by the rules and regulations that followed the passage of Dodd-Frank, particularly as it relates to those relationships with community banks and lenders.

So while it is challenging in agriculture due to the prices, one of the reasons we have been able to survive over the years in low-price times is because of that relationship and understanding.

I know this farm family—this is the banker talking—I know this farm family, and I have lent money to them for a long time. I lent money to their father or their grandfather, their mother