

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 be 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

or their grandmother. They have the integrity, the character, and the ability to repay.

If the lending in rural America becomes nothing more than a computer program in which you punch in the numbers and character becomes something that is irrelevant—there is not a computer program to measure character. If we lose the opportunity for a relationship developed between a lender and a farmer, we lose the ability to make things work in difficult times. Those times are with us.

The primary point I would like to make today is that we need exports and we need them now. And while there is always a debate about the value of a particular trade agreement—and that debate is useful—we ought never lose sight that there is no real debate about the value of exports. So we need to put in place the mechanisms that allow farmers and ranchers and others in my State to be able to export a product around the globe.

I would encourage the administration and I would encourage Members of Congress, as we develop our policies in this new session, to make certain that exports are front and center in our economic policy because the survival of the folks I represent in Kansas and the communities in which they live is in jeopardy if we don't get those markets back and if we don't retain those markets.

Exports are important to us. We can't afford not to pursue each and every one of them. If we are not going to have multilateral trade agreements, we need to have bilateral trade agreements, and we can't wait very long for those agreements to take place.

Again, 95 percent of the consumers live outside the United States, and our ability in Kansas to have a bright future is determined by the ability to connect with those consumers outside the United States.

If I can take just one more moment to also point out that I have requested USAID and the Department of Agriculture in our food and hunger programs around the globe to increase the role that wheat and other commodities play in feeding a hungry world. We want to sell commodities in the export market, but as we develop our programs to combat hunger, we can get something that is very noble and something very valuable—helping people around the globe be able to go to bed with a full stomach is a desirable and noble goal, and the utilization of an increasing amount of agriculture or commodities grown in the United States in that effort would benefit farmers in our country, as well. It is the proverbial win/win. The noble accomplishment of helping people fight back food insecurity and at the same time creating an additional opportunity for the export of wheat, for example, which, because of significant amounts of harvest, is in an overabundant supply—is in abundant supply here in the United States.

Madam President, thank you for the opportunity to visit with my col-

leagues here on the Senate floor today and to express the desire to work with each of them as we develop the efforts to make certain that exports are front and center, particularly as they relate to agricultural interest of the United States.

Madam President, I yield my time. I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Madam President, my friend from Kansas is here. A lot of people around the country think there is probably not much we agree on. I want to say that I agree with just about everything the Senator from Kansas just said. And the fact that 95 percent of the world's markets are outside of our borders—if we lose sight of that, forget about the value of exports; we make a huge mistake.

I was a supporter of the Trans-Pacific Partnership. I believe the Senator from Kansas was, as well. Some people are saying: Well, we need to forget all about that, and what we need to do is renegotiate NAFTA.

In the context of negotiating the transpacific trade agreement, we negotiated NAFTA. I hope you won't throw out that baby with the bath water as we go forward.

I commend the Senator for his remarks and say how much I enjoyed working with him on many issues. I hope to work with him again.

Madam President, I mentioned earlier today before the Presiding Officer took the chair that I received a lot of letters, emails, phone calls, and faxes from Delawareans who are concerned about the nomination of Mr. Pruitt to lead the EPA. As of today, my office has received a total of 7 letters supporting Mr. Pruitt's nomination and we have received 1,880 letters opposing his nomination—remarkable numbers. Please compare this number to the 278 letters my office received opposing the nomination of Congressman TOM PRICE to lead the Department of Health and Human Services. That is pretty amazing. The Republican nominee to lead the Department of Health and Human Services, 278 letters against; Mr. Pruitt, 1,880 letters and emails against. Delawareans are clearly paying attention, and they are clearly concerned by the idea of Mr. Pruitt being charged with safeguarding our environment and our health.

I want to take a moment to read a letter sent to me—I have gotten a lot of letters—a letter sent to me last week from a woman named Danielle D., a new mother and small business owner who lives in Wilmington with her infant son. Danielle wrote to me because her concerns go beyond politics and to the core values of giving our children the best lives possible. Danielle writes:

Dear Senator Carper, I am reaching out to you today as both a new mother and a small business owner urging you to oppose Scott Pruitt's nomination as Administrator of the U.S. Environmental Protection Agency.

As a business owner, I support a number of President Trump's cabinet nominations and

many of his pro-business policies. But there are very few policy decisions that touch every facet of our lives like environmental policies do. Our environment affects our health, our economy and our everyday lives. The decisions we now make will affect Americans for generations to come.

She goes on to say:

My son is 5 months old. Like any parent, I can only hope I am able to advance my son's life by leaps and bounds, as my parents did for me.

However, I am extremely concerned that, should Mr. Pruitt be chosen as the next Administrator of the EPA, the decisions we make today will make it nearly impossible for me to leave my son a better environment than the one I brought him into.

In short, we need an EPA Administrator who will work to prove America is the best when it comes to environmental policy. Mr. Pruitt is not that person.

I share this letter today so that our colleagues know that my constituents and, indeed, Americans across the country do care deeply about the person who will lead the EPA, although they may support other nominees of President Trump. Those who have contacted us want to know that the individual leading the EPA is on their side and that the first question that person will ask is, How will this affect the environment and how will this affect the health of the least of these, like Danielle's 5-month-old son?

Clearly, thousands upon thousands are afraid or fearful that Scott Pruitt doesn't care to ask those questions and that he will not be an advocate for the American people whom the EPA is charged with protecting. I share their concerns.

I yield the floor and reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. SULLIVAN. Madam President, I rise in support of Attorney General Scott Pruitt to be the next Administrator of the Environmental Protection Agency, and I think it is important, as we are continuing this debate, to make a couple of things perfectly clear.

We all, like the Senator from Delaware who has been leading the debate, believe in clean water, clean air, how important that is to all Americans, certainly important to my State, which has some of the cleanest water, cleanest air, the most pristine environment in the world. I certainly don't think any of us debate that. We all agree on properly disposing of waste and cleaning up contaminated sites. And just this past year, Congress passed very dramatic legislation, very important—bipartisan, by the way; I am on the Environment and Public Works Committee—the Toxic Substances Control Act, TSCA, which does that. And I think most of us agree that the EPA has an important role in ensuring that we have clean water—with in the authority granted to that Agency by Congress. So I think the vast majority of this body agrees with that.

But as I have been listening to my colleagues on the other side of the aisle and their criticism of Attorney General

Scott Pruitt, one thing that has not come up over the past 24 hours in this debate—as a matter of fact, on the EPW Committee, on which I sit, the past 2 years, I don't think I heard my colleagues on the other side of the aisle ever talk about this issue, and it is a very important issue for the country. It is the rule of law and the U.S. Constitution.

We have been debating Scott Pruitt's nomination for a while now, but not one of my colleagues has uttered that phrase—not one—even though many of my colleagues are lawyers and former law professors and former attorneys general themselves.

Why is this important? Why is it important to have a debate on the rule of law when we are looking at Scott Pruitt's nomination?

Well, I think it is incredibly important because if you looked at the EPA's actions and activities and focus over the last 8 years—the last 8 years—it has not been an Agency that has focused on the rule of law. In many ways it has been a lawless Agency, a rogue Agency. So when we are having this debate, we need to put the debate of Scott Pruitt's nomination and confirmation in the context of what has happened over the last 8 years.

We have had an Agency in the EPA that does not listen to States, even though it is required to by Federal law; that ignores the rule of law, as evidenced by numerous Federal court decisions rebuking it; and that believes it has the power to regulate every nook and cranny of American life—every economic activity of America. That is literally what we have right now with regard to our current EPA. This is not just one Senator making this claim. It has become the conventional wisdom and the common narrative with regard to this EPA in the last 8 years by a variety of Federal courts and law professors throughout the country.

Let me provide a few examples. A number of my colleagues have talked about the waters of the United States rule, WOTUS, and how this aggressive, far-reaching rule claims authority—the EPA claims authority to regulate literally puddles and irrigation ditches throughout the country, an enormous power grab.

A number of us were concerned about this. In hearings and in letters, I asked the previous EPA Administrator, Gina McCarthy, where she got the legal authority to do this. It was a pretty big deal. It took months to get an answer. States, under the law, are supposed to be consulted on this issue. States like my State, the great State of Alaska, were not consulted. They were ignored.

So what happened? What happened? Thirty-two States—bipartisan by the way, including Alaska—sued the EPA over this law, over this regulation, the waters of the United States. This is a critical point. “Cooperative federalism,” another term I have heard very little of in this debate, is the bedrock of environmental laws like the

Clean Water Act and the Clean Air Act. The principle establishes that the States and the EPA are partners. Indeed, under these Federal laws, the States are the primary protectors and implementers of our environmental protection laws.

That is in the law. That is in the Federal law. But for the past 8 years, the EPA has consistently ignored this on major rules. The most dramatic is right here, the waters of the United States. Thirty-two States sued to stop the EPA on this regulation. What happened in the lawsuit? The Sixth Circuit Court of Appeals put a stay on the entire rule, expressing serious doubts about its legality. That is one instance and a big deal.

Let's look at another one, the so-called Clean Power Plan. I know the Presiding Officer has talked this, about how it is very concerning for her State of West Virginia. Whatever your views are on climate change and the appropriate response, there should no debate in this body that we have to address this issue in a way that is consistent with the U.S. Constitution and rule of law—no debate.

Again, I never hear anyone talk about the rule of law on the other side. So this rule is promulgated. Once again, the Environmental Protection Agency, in the promulgation of this rule, took actions that the court and commentators across the political spectrum viewed as likely another illegal rule by the EPA.

So, like the waters of the United States rule, numerous States and others sued to stop the Clean Power Plan, in which the Environmental Protection Agency claimed somehow they had the authority to regulate almost the entire U.S. energy sector. Look at the rule. That is what they are claiming, that Congress somehow gave them that power.

In a previous Supreme Court case called Utility Air Regulatory Group, which was a lawsuit against the EPA—at the time I was serving as attorney general for the State of Alaska and was one of the AGs who initiated this suit—the EPA lost that one, and the Supreme Court and Justice Scalia, in writing the majority opinion stated:

When an agency, the EPA, claims to discover in a long extant statute an unheralded power to regulate a significant portion of the American economy, we typically greet its announcement with a measure of skepticism. We expect Congress to speak clearly if it wishes to assign an agency decisions of vast economic and political significance.

In other words: EPA, you didn't have the power to regulate a huge swath of the American economy. The Supreme Court struck that down—Utility Air Regulatory Group v. Environmental Protection Agency—so it was not surprising that with regard to the Clean Power Plan regulation, the Supreme Court of the United States put a stay on that rule. The Supreme Court of the United States put a stay on that rule before any other court, any other lower

court, a district court, a court of appeals, had heard the arguments on that rule. Think about that. Do you know how many times the U.S. history that has happened? Do you know how many times in the history of the U.S. Supreme Court that has happened? Never before. It was the first time in the history of the Supreme Court that it saw a rule that it probably felt was so egregious that it put a stay on it before any other court ruled on that rule. It was pretty dramatic, pretty remarkable.

Clearly, the U.S. Supreme Court has serious doubts about whether the EPA is acting in a lawful manner on the Clean Power Plan. If you think it is just conservative jurists and lawyers and Senators who hold that view, you would be mistaken. Here is what Laurence Tribe said about the EPA's authority with regard to the Clean Power Plan.

For those of you who don't know Laurence Tribe, he is a very well-respected constitutional law professor at Harvard but very liberal. He was President Obama's law professor, but he is well-respected. Here is what he said about the EPA's authority on this very important regulation. He wrote in challenging the Clean Power Plan:

Even more fundamentally, the EPA, like every administrative agency is constitutionally forbidden to exercise powers Congress never delegated to it in the first place. The brute fact is that the Obama administration failed to get climate legislation through Congress. Yet the EPA is acting as though it has the legislative authority anyway to re-engineer the nation's electrical generating system and power grid. It does not have this power.

That is Laurence Tribe. He later testified in front of the House Energy and Commerce Committee in 2015 with regard to this regulation:

The EPA is attempting to exercise law-making power that belongs to Congress and the judicial power that belongs to the Federal courts. Burning the Constitution should not be part of our national energy policy. EPA is attempting an unconstitutional trifecta: usurping the prerogatives of the States, Congress and the Federal courts all at once.

That is Laurence Tribe. That is Harvard professor Laurence Tribe, who believes EPA is clearly acting in an unconstitutional manner.

It is not just losing in court and in the realm of both conservative and liberal leagues of public opinion; it has been the way that the EPA leadership, from the top to its foot soldiers, has treated the American people over the last 8 years—the American people whom the Environmental Protection Agency is supposed to serve.

That treatment can be described in many ways as with disdain. Let me provide a few examples of that. On the eve of another Supreme Court case, which the EPA lost—this is EPA v. Michigan—EPA Administrator Gina McCarthy was asked on a TV show, Did she think she was going to win the case?

She responded as you would think most Administrators would. She said

yes, she was going to win. OK. That is fine. She probably believed it and had good lawyers telling her that. But then she went on to say this:

But even if we don't [win], it was 3 years ago. Most of [the companies] are already in compliance, investments have been made, and we'll catch up.

Think about that quote. This is the head of the EPA, essentially saying: Even if we lose, we win. We are the Federal Government. We don't have to abide by the law. Those companies and American citizens who are abiding by the law, who are abiding by the regulations, they have already made investments—hundreds of millions. They are stuck. We win. Heads we win, tails we win. That is a remarkable statement by the leader of a Federal Agency who shows disdain for the law.

Let me give you another example. My colleague and good friend from Colorado came down and talked about the Animas River and what happened there. Clearly it was a mistake. I don't believe that the EPA meant to do that, to spill millions of gallons of toxic waste into a river. But in a hearing in the EPW Committee, I asked the Administrator: Well, are you going to hold the EPA officials who did that to the same standard you would the private sector? In the private sector, in similar kinds of activities, the EPA has actually criminally charged people for doing something like that—negligence—criminally charged them.

She looked at me and said: Senator, not only are we going to hold ourselves to that standard, we are going to hold ourselves to a higher standard.

OK. That is a pretty good answer.

So what has happened on the Animas River, with the EPA holding themselves to a higher standard? Remember, they put people in jail for doing this. Was anyone held responsible? Was anyone criminally charged? Did anyone go to jail?

Of course not. Nothing happened.

In my State, the EPA's disdain for my constituents has manifested itself in a couple of remarkable ways. First, we had the Administrator, former Administrator Gina McCarthy, in Alaska visiting after she came into office.

There was a big Wall Street Journal article on her visit. She was given some gifts by Alaskans, my constituents, the people she serves. When she was given gifts from my constituents on her visit to my State, she was later asked by a reporter what she did with them according to the government ethics rules.

Here is a quote from that story:

[Gina McCarthy] has been surprised by the government ethics bureaucracy and its gift guidelines. Remarking how officials chased her down for a dinky North Pole—

That is a community in Alaska—

pin someone gave her at an event as a gift ("I threw the f-ing thing away," she told them).

With regard to another gift she got, a jar of moose meat from a young girl at a hearing in Alaska, she said that gift "could gag a maggot."

This was the leader of an Agency serving the people, and yet she was doing it in a way that is clearly disrespectful.

Let me talk about another incident in Alaska, in a place called Chicken, AK, where we have plaster miners out mining—small mining operations, family businesses, mining for gold.

The EPA thought there was going to be some Clean Water Act violations, which they never found. So what did they do? They didn't talk to the local community. They did a raid—body armor, assault weapons—on my constituents, a raid, a military assault to find clean water violations, which they never found, and they never apologized for the raid.

Now, you might ask: What does all this have to do with the nomination of Attorney General Pruitt? My answer is: Everything; everything.

He understands that the EPA needs a serious course correction, that it must get back to listening to the States and following the rule of law and, most importantly, regaining the trust of the American people, which has been lost over the last 8 years due to some of the actions I just described.

The American people see this. They see statements like this, and they know this has been an Agency that has not been acting in their interests and has not been acting according to the law.

Not only does Attorney General Pruitt understand this, he emphasized this during his confirmation hearing—6 hours long, which I sat through the entire thing.

Let me conclude by reading a few excerpts of his opening statement. The American people need to hear this because this is what Attorney General Pruitt is going to do when he leads the EPA. He said his priorities were:

First, under our Constitution, the role the EPA plays in protecting the environment is defined by statute, just as statutes limit every Federal Agency.

Members of this body—the Senate—and the House of Representatives have worked tirelessly over decades to set the balance in environmental policies through laws that have been passed. The EPA's role is to administer those laws faithfully.

As attorney general of Oklahoma, he stated: I saw examples where the Agency became dissatisfied with the tools Congress had given it to address certain issues and bootstrapped its own powers and tools through rulemaking. This, unfortunately, has only resulted in protracted litigation, where the courts suspended most of these rules after years of delay.

In the meantime, we lost the opportunity for true environmental protection as a nation. This approach is not right. So getting back to the rule of law, that is No. 1 for Attorney General Pruitt.

Second, he said:

Cooperative federalism must be respected and applied by the EPA with regard to our

environmental laws. Congress has wisely and appropriately directed the EPA through our environmental statutes to utilize the expertise and resources of the States to better protect the environment, and for the States to remain our nation's frontline environmental implementers and enforcers. If we truly want to advance and achieve cleaner air and water the States must be partners and not mere passive instruments of federal will. If confirmed, I will utilize the relationships I have forged with my counterparts in the States to ensure that EPA returns to its proper role, rather than using a heavy hand to coerce the States into effectuating EPA policies.

Cooperative federalism—that is in the law, and he wants to uphold it.

Third, and finally, he said:

It is critical to me that EPA also truly listen to the diverse views of the American people, and learn from them. If confirmed as Administrator, I am committed to ensuring EPA's decisions are conducted through open processes that take into account the full range of views of the American people, including the economic consequences of any regulation.

Environmental regulations should not occur in an economic vacuum. We can simultaneously pursue the mutual goals of environmental protection and economic growth. But that can only happen if EPA listens—listens to the views of all interested stakeholders, including the States, so that it can determine how to realize its mission while considering the pragmatic impacts of its decisions on jobs, communities, and most importantly, families.

Finally, in the closing of his opening statement, Attorney General Pruitt said this:

My time as Attorney General of Oklahoma afforded me the opportunity to travel my state meeting farmers, ranchers, landowners, and small business owners of all sorts. These are good people—hardworking Americans who want to do the right thing by the environment. They want the air that their children breathe and the waters in which they swim to be clean. They want to follow the law. But recently they have felt hopeless, subject to a never ending torrent of new regulations that only a lawyer can understand. They fear the EPA, and that just shouldn't be the case. If confirmed, I will work tirelessly to ensure that the EPA acts lawfully, sensibly, and with those hardworking Americans ever in mind.

That is how he ended his testimony.

Scott Pruitt is the right person to lead the EPA. We have gotten to the point, as he noted in his testimony, where millions of Americans, including some of my constituents in Chicken, AK, certainly have come to fear their own Federal Government, especially when it acts in a lawless fashion.

He is exactly the right person, with the right qualifications and the right emphasis to fix this problem, and I encourage all of my colleagues to support the confirmation vote we are going to make on him in a few hours.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Madam President, no one wants to live on a dirty planet. Before we created the Environmental Protection Agency, the EPA, nearly 50 years ago, rivers actually caught fire from pollution, smog covered our cities, and powerplants spewed arsenic

and mercury into the sky with impunity.

In the years since, the EPA has been at the vanguard of the effort to protect the air we breathe and the water we drink.

This work is not easy, and the person who leads the EPA has a tough job. It requires toughness and fortitude to fight back against polluters and special interests.

In all the years the EPA has been around, we would be hard-pressed to find someone more hostile to the Agency's fundamental mission or as less suited to leading it than Scott Pruitt is.

As Oklahoma's attorney general, Mr. Pruitt organized, led, or participated in virtually every challenge to the EPA's work during his time in office. His lawsuits have, among other things, sought to prevent the EPA from enforcing rules that keep our water safe, protect our air from harmful pollutants, like mercury and arsenic, and limit the carbon pollution that causes climate change.

These lawsuits beg the question: Does Scott Pruitt believe the EPA should even exist? In the weeks and months since he was nominated, Mr. Pruitt has gone out of his way to try and smooth over his record and say what he thinks we want to hear, but we can't fall for it.

Instead of listening to what he is saying now, let's examine more closely what he has done as Oklahoma's attorney general.

His record is troubling. Throughout his term of office, Mr. Pruitt has been very cozy with fossil fuel companies and affiliated interest groups.

A 2014 investigation by the New York Times revealed that energy lobbyists drafted letters for Mr. Pruitt to send on State stationary to the EPA against the Obama administration's environmental regulations.

The CEO of Continental Energy—an oil and gas company based in Oklahoma—served as the campaign chairman for his reelection bid. We just got word yesterday that a State district judge in Oklahoma ordered the attorney general's office to turn over as many as 3,000 documents related to Mr. Pruitt's communications with oil, gas, and coal groups during his time in office. Unfortunately, we will not get a chance to see what these documents reveal before voting on his confirmation.

Based on his record and associations, however, I think we can make an educated guess that these documents will reveal the extent of Mr. Pruitt's ties to fossil fuel interests, and we have no reason to believe he will renounce these connections if confirmed to serve as EPA Administrator.

He also fought relentlessly against the EPA's efforts to establish basic limits on smog, arsenic, mercury, and other dangerous air pollutants.

Mr. Pruitt, for example, sued the EPA not once but twice to overturn the Mercury and Air Toxics Standards.

These standards would prevent 40,000 pounds of mercury emissions every year and would help keep our food supply safe from contamination.

Mr. Pruitt has also repeatedly questioned whether climate change is real.

In an op-ed in the Washington Times, Mr. Pruitt refused to accept settled science that humans contribute to climate change. He said there are "a wide range of viewpoints regarding the extent to which man contributes to climate change."

In the National Review, Mr. Pruitt said "scientists continue to disagree about the degree and extent of global warming."

The fact is, 97 percent of scientists agree that climate change is real and that human beings contribute to it. I hardly think 97 percent of scientists agreeing constitutes a wide range of viewpoints on climate change and the extent to which man contributes to it.

From his perch as Oklahoma's attorney general, Mr. Pruitt sued to prevent President Obama's Clean Power Plan to cut carbon emissions from taking effect. He argued that the Federal Government doesn't have the authority to regulate carbon emissions. This is wrong.

The Supreme Court ruled twice—first in Massachusetts v. EPA in 2007 and again in Utility Air Regulatory Group v. EPA in 2014—that the EPA has the authority to regulate carbon emissions as pollution under the Clean Air Act.

If confirmed, Mr. Pruitt has promised to kill the Clean Power Plan and undo much of the positive work that President Obama did to address climate change.

Mr. Pruitt also has a track record of undermining enforcement of environmental laws and regulations. Shortly after becoming Oklahoma's attorney general in 2010, Mr. Pruitt gave us a taste of what is to come at the EPA when he eliminated the Environmental Protection Unit within the Oklahoma attorney general's office.

For years, this unit investigated water contamination from refineries, lead paint waste, and illegal dumping. In its place, he created the innocuous sounding Federalism Unit. Unlike the unit he eliminated, whose mission was to protect the health and safety of Oklahomans, the Federalism Unit's job is to handle all of Mr. Pruitt's legal challenges against the EPA. Over the past 3 years, Mr. Pruitt has increased the budget of the Federalism Unit by over 700 percent, and the taxpayers of Oklahoma get to foot that bill.

Mr. Pruitt's record paints a clear picture: His priorities directly conflict with the EPA's mission to protect public health and the environment. He is much more concerned about protecting corporate interests than keeping our communities healthy and safe from pollution.

Over the past few months, I have heard from thousands of my constituents who have urged me to oppose Mr. Pruitt's nomination. I would like to

read two of the letters I have received. Georgia is a Ph.D. student at the University of Hawaii. She wrote:

I strongly oppose Scott Pruitt's confirmation as EPA Administrator. Mr. Pruitt is a climate change denier who has actively worked against the mission of the agency.

As a Ph.D. student in science, I know we need an EPA administrator that respects science and supports clean air, clean water, and a healthy environment. Pruitt is the wrong choice for our nation and must be rejected.

Keiko from Kaneohe also wrote to explain what this fight means to her.

This is not a bipartisan issue, but it is as much an American issue as it is a Hawaiian issue, a human issue, and an issue of all inhabitants of Papa, mother earth. I ask that you continue to be vigilant and 'onipa'a in the face of climate change deniers . . . Mahalo for looking out for everyone living today and going to be born tomorrow.

We have come too far over the past 8 years to let someone like Scott Pruitt destroy the progress we have made. I urge my colleagues to oppose this nomination.

I yield the floor.

PRESIDING OFFICER. The Senator from New Mexico.

MR. UDALL. Madam President, I also rise today to oppose the nomination of Scott Pruitt to be Administrator of the Environmental Protection Agency.

I believe the President should be able to assemble his or her own team, and I understand that elections have consequences and that a President should be able to put forth his or her policy agenda. I voted on this floor many times in support of nominees with whom I have policy differences, but they have been qualified persons, experienced in their field, who believe in the fundamental mission of the agency they are tasked to lead. That is not the case with Attorney General Pruitt. Mr. Pruitt has extreme environmental policy views, and he has zero experience running the Environmental Protection Agency. In fact, he does not believe in the fundamental mission of the EPA. Attorney General Pruitt made his name opposing EPA rules that protect human health and the environment—fighting against clean air and clean water, disregarding the science behind the EPA's protections for human health and the environment on behalf of for-profit special interests, not the public interest.

He has brought 19 suits against the EPA. Eight are currently pending in courts, and if confirmed, he won't recuse himself from all the pending cases. As a lawyer and especially as your State's top lawyer, you shouldn't change sides in litigation. It is just not right. There may be an ethics violation here. I have never heard of a lawyer representing both sides of a case.

Let's look at just a few examples from his litigation records, starting with his opposition to clean air. Mr. Pruitt is leading litigation against the EPA's ozone or smog rule. In 2015 the EPA revised its ambient air standards

for ground level ozone. The EPA was long overdue in revising its ozone standards to protect public health. It even had to be sued by States and environmental organizations to make sure the standards adequately protected human health. High concentrations of ozone are bad for public health, children, and older adults, and people with lung diseases such as asthma are especially vulnerable.

The EPA set a standard of 70 parts per billion. This standard is based on the best science, which included thousands of studies analyzing the effects of ozone on public health. In addition, the EPA built in flexibility for States that would have trouble meeting the standard. But the Oklahoma attorney general currently leads a four-State charge to do away with the rule.

Mr. Pruitt thinks it is OK for powerplants to emit unhealthy levels of mercury and other toxins into the air. In 2011, the EPA passed the mercury and air toxics standards. This rule limits emissions from powerplants of mercury, arsenic, and other metals. Like the ozone standard, this rule was long overdue, and the EPA was forced by the courts to develop the standard.

The science is well established that these toxins are a serious public health threat. Fortunately, there are proven and available technologies to limit the emissions. Scott Pruitt fought the mercury and air toxics standards, and he is still litigating in court against the standards even though the vast majority of powerplants in the Nation are currently in compliance with the standards.

Just to show you how serious this is in my home State of New Mexico, pregnant women and children can only eat a very small amount of fish from the streams of New Mexico. Our streams are polluted with mercury. The levels are so high that vulnerable populations are advised to severely limit their consumption. Scott Pruitt wants to continue this pollution of our streams.

Mr. Pruitt testified in the hearing before the EPW Committee that he saw a role for the EPA to address pollution that crosses State boundaries, but his litigation history does not support that testimony. As Oklahoma attorney general, he fought the EPA's cross-state air pollution rule, a rule designed to reduce powerplant emissions across State lines that cause smog and pollution and health problems in downwind States. Especially, the cross-state air pollution rule reduces sulfur dioxide, or SO₂, and oxides of nitrogen or NO_x emissions. NO_x emissions contribute to fine particle and soot pollution and to ground level ozone formation, otherwise known as smog. Even though this pollution affects the air and health of downwind States, Mr. Pruitt sided with the powerplants.

Air pollution is not the only problem that crosses State lines. River and stream pollution does not stop at State boundaries either. The EPA and the U.S. Army passed the clean water rule

in 2015. The rule clarified a dizzying set of Supreme Court cases defining protected water. The EPA and the Army reviewed the best science, reviewing more than 1200 peer-reviewed public scientific studies to define protected waters.

New Mexico is an arid State. We have very little surface water. We need to protect all of our surface water for domestic, agricultural, industrial, and recreational uses. By the way, the EPA and the Army's definition of surface waters is no broader than my own State's definition of surface waters. New Mexico's definition is appropriate and reasonable to protect our precious surface water.

The attorney general of Oklahoma is fighting the clean water rule, too, even though it protects against cross-state pollution.

Here is one more example—the Clean Power Plan. The Clean Power Plan is our country's best effort to address climate change. We know that climate change is happening. We know that the climate change is primarily caused by humans. We know that powerplants are a major contributor. We know that we need to take action and that we need to take action fast to protect our planet. The Clean Power Plan significantly reduces carbon dioxide emissions from existing, modified, and future powerplants. The Clean Power Plan was developed based on the best science. It was developed based on a tremendous amount of input from the States, industry, environmentalists, and others. It provides States with a lot of flexibility with how to comply. Mr. Pruitt, true to form, is litigating against the Clean Power Plan. Mr. Pruitt apparently does not understand the science of climate change.

In the National Review in 2016, he wrote: "Scientists continue to disagree about the degree and extent of global warming and its connection to the actions of mankind." During his confirmation hearing, he similarly stated:

Science tells us that the climate is changing and human activity in some manner impacts that change. The human ability to measure the extent of that impact is subject to continuing debate and dialogue as well as they should be.

That is not what science tells us. That is maybe what fossil fuel special interests tell him, but that is not what science tells us. His views are not consistent with the scientific consensus on climate change. The 2013 report from the Intergovernmental Panel on Climate Change found it "extremely likely" that more than half of the global warming that occurred between 1951 and 2010 was a consequence of human emissions of carbon dioxide and other greenhouse gases.

So many of the decisions made and the regulations passed by the EPA rely heavily upon good science. It is absolutely critical that the EPA Administrator understand and use the best science.

I am not convinced that Mr. Pruitt understands and will use the best

science if he is confirmed to lead the EPA.

When developing regulations, the EPA must first follow the law's requirements to protect human health and the environment. Then, within the law's requirements, the EPA should take account of input and information from all sources—from industry, environmentalists, States, and public agencies.

I am not convinced that Mr. Pruitt will follow the law's requirements to protect public health and the environment, and I am not convinced that he will take into account the input of all stakeholders. Throughout his career as attorney general, Mr. Pruitt has aligned solely with industry and against public health and the environment. He has no record of aligning with the public or of securing our environment for the future.

As attorney general, he engaged in a scorched earth policy against environmental regulations. He dismantled his environmental protection unit. He became very close politically to the energy industry. He adopted letters written by energy lobbyists almost verbatim, and then submitted them on behalf of the State of Oklahoma in Federal legal proceedings.

As chair of the Republican Attorneys General Association, he became even more closely aligned with the fossil fuel-related companies.

Mr. Pruitt's record is one-sided and extreme, and it does not give me confidence that as EPA Administrator he would have any commitment to protecting the public health now or protecting the environment for future generations.

Finally, I am concerned that Mr. Pruitt has not shown and does not have the proper respect for tribal sovereignty. Oklahoma is home to 39 tribes. Mr. Pruitt's litigation history as attorney general has consistently been anti-tribe. As vice chair of the Senate Committee on Indian Affairs, I pay special attention to a nominee's record on tribal issues, especially nominees for agencies that will deal with tribes on a government-to-government basis, like the EPA.

As Oklahoma's top attorney, Mr. Pruitt routinely sought out ways to fight tribal sovereignty—even all the way to the Highest Court in the land. In *Dollar General Corp. v. Mississippi Band of Choctaw Indians*, Mr. Pruitt filed an amicus brief in support of a corporation that refused to submit to tribal jurisdiction. Mr. Pruitt's side lost. This case is a prime example of Mr. Pruitt's misguided views of tribe and their inherent sovereignty. Indian Country needs an EPA Administrator who respects tribal sovereignty. I am not convinced Mr. Pruitt does.

Just recently we had in town the National Council of American Indians. They submitted a letter on January 18. I ask unanimous consent that it be printed in the RECORD.

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

NATIONAL CONGRESS OF
AMERICAN INDIANS,
Washington, DC, January 18, 2016.

Re Indian Country's Concerns with EPA Administrator Nominee Scott Pruitt.

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

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

DEAR CHAIRMAN BARRASSO AND RANKING MEMBER CARPER: On behalf of the National Congress of American Indians (NCAI), the oldest, largest, and most representative American Indian and Alaska Native organization serving the broad interests of Tribal governments and communities, I am writing to express our deep concern with the nomination of Oklahoma Attorney General Scott Pruitt to be the Administrator of the Environmental Protection Agency (EPA) based on his history of fighting environmental regulations and the new Administration's statements denying the existence of climate change. The continuing impacts of climate change are a major concern of Tribal Nations and, before this Committee votes to move forward with Attorney General Pruitt's nomination to lead the EPA, it must thoroughly consider the potential impacts that his nomination will have on climate change, the protection of natural resources, and protection of Tribal trust and treaty rights.

American Indians and Alaska Natives are disproportionately impacted by climate change due to our geographical areas and direct connection and reliance on the surrounding environments. It is threatening to destroy our lands, waters, and natural resources, which will impact our traditional and customary ways of life that has been sustainable for thousands of years. The well-documented plight of Alaska Native villages is probably the most profound manifestation of the climate crisis and requires focused, high priority attention from the federal government. NCAI's Tribal leadership and members have spoken strongly on climate change by passing four resolutions in the past four years calling for action and setting Tribal Climate Change Principles calling on further federal action and partnership with Tribal governments.

The federal government's treaty and trust responsibilities to protect Indian lands includes the duty to protect lands from the impacts of climate change, which requires not only that sufficient federal resources be equitably allocated to address climate change, but that Tribes be included as partners to solve these issues. Federal programs and policies must allow Tribal Nations to engage effectively in adaptation and mitigation strategies that will help ensure the integrity of our cultures, homelands, infrastructures, and services. Further, it is imperative that federal agencies enforce Tribal treaty and reserved rights to both on- and off-reservation resources.

The EPA's mission to protect human health and the environment means that it plays an essential role in fighting climate change-related impacts. Due to its charge, EPA also has a sacred responsibility to uphold and protect Tribal trust and treaty rights through the protection of Tribal natural resources. In fact, the EPA acknowledges the importance of reviewing how agency actions will impact treaty rights in its recent policy guidance EPA Policy on Consultation and Coordination with Indian Tribes: Guidance for Discussing Tribal Treaty Rights.

Since the EPA is critical to combating climate change and protecting Tribal trust and treaty rights, Indian country is deeply concerned with Attorney General Pruitt's nomination to head the Agency. It is our understanding that, in his role as Attorney General for the State of Oklahoma, Pruitt has repeatedly filed suits against the EPA for its regulations seeking to protect the environment. Further, his nomination comes from an incoming Administration which claims that climate change is a "hoax" and questions whether the EPA should continue to exist.

This Committee must ensure that attorney General Pruitt understands and acknowledges the realities of human impacts on global climate change, the need for the EPA and federal regulations to protect the environment, and the importance of EPA's role in protecting Tribal lands, waters, and natural resources. We must get his commitment on the record to sustain the EPA's role in fighting climate change and protecting Tribal trust and treaty rights. Without these acknowledgements, Indian Country cannot support Attorney General Pruitt's nomination for Administrator of the EPA.

We are at a critical moment in combating the increasing climate changes effects from human-made sources. Indian Country, the United States, and the world cannot afford to take a backseat role in fighting climate change.

Sincerely,

BRIAN CLADOOSBY,
President.

Mr. UDALL. Madam President, I would like to just read a couple of paragraphs from the letter.

On behalf of the National Congress of American Indians (NCAI), the oldest, largest, and most representative American Indian and Alaskan Native organization serving the broad interests of tribal governments and communities, I am writing to express our deep concern of the nomination of Oklahoma attorney general Scott Pruitt to be Administrator of the Environmental Protection Agency based on his history of fighting environmental regulations and the new Administration's statements denying the existence of climate change. The continuing impacts of climate change are a major concern of Tribal Nations and, before this Committee votes to move forward with Attorney General Pruitt's nomination to lead the EPA, it must thoroughly consider the potential impacts that his nomination will have on climate change, the protection of natural resources, and protection of Tribal trust and treaty rights.

American Indians and Alaskan Natives are disproportionately impacted by climate change due to our geographic areas and direct connection and reliance on the surrounding environments. It is threatening to destroy our lands, waters, and natural resources, which will impact our traditional and customary ways of life that have been sustainable for thousands of years.

We are at a critical moment in combating the increasing climate change effects from human-made sources. Indian Country, the United States, and the world cannot afford to take a backseat role in fighting climate change.

In conclusion, my concerns about Mr. Pruitt's record on environmental policy aren't just because we disagree on policy. Mr. Pruitt has made his reputation in litigating fiercely against the EPA's most important regulations to protect public health and the environment, clean air, clean water, toxics on land—you name it—regulations that

comply with Federal environmental laws that are based on good science, that have taken years to prepare, and that have taken fair account of all stakeholders' input.

I cannot support a nominee to lead this Agency whose record is so hostile to the environment. For all of these reasons, I must vote no on Mr. Pruitt's nomination to be EPA Administrator.

Finally, we have today the court's ordering Mr. Pruitt to release a large number of records that are relevant to this particular nomination. He has refused to release them. The administration, in vetting him, did a very poor job. As you know, they do not vet anybody. They throw it up here, and we have to do the vetting. That is our job to do the vetting. This is a critical part of the record—a vast number of emails that should be looked at.

Many of us believe we should have the time to look at these emails, to deliberate about them, to maybe even ask some written questions to Mr. Pruitt about them, but this nomination is being rammed through. In a couple of hours, we are going to have a vote. Luckily, Senator MERKLEY is going to urge that we vote to delay this so we can have a chance to look at those emails. It is so that all of us—all of the 100 Senators—have the opportunity to have a full, complete record on Mr. Pruitt.

Madam 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.

Mr. HATCH. 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. HATCH. Madam President, I rise to speak in support of the nomination of Scott Pruitt for Administrator of the Environmental Protection Agency.

Attorney General Pruitt has a distinguished record of public service in having served for 8 years in the Oklahoma State Senate before being sworn in as the attorney general of Oklahoma in 2010. Two dozen State attorneys general wrote to the Senate Committee on Environment and Public Works in support of Mr. Pruitt's nomination. He has been endorsed by a wide variety of organizations representing a broad swath of America culture and industry, including the U.S. Chamber of Commerce, the National Association of Home Builders, the American Farm Bureau Federation, the National Cattlemen's Beef Association, the Western Energy Alliance, and the Western Growers Association, just to name a few.

In his capacity as State attorney general, Mr. Pruitt has consistently fought against Federal intrusion on State and individual liberties, and he has shown himself to be a thoughtful attorney who is dedicated to the Constitution and to the rule of law. The

next Administrator of the EPA must respect the limits of Federal power. Few know these limits better than Mr. Pruitt, which is why I believe he will be a capable leader at the EPA.

Mr. Pruitt will rein in Federal overreach and put a stop to many of the overbearing regulations that have done very little to protect the environment but much to hurt businesses, large and small.

Modernization of the Environmental Protection Agency is long overdue. For too long, the Agency has acted outside its legal authority. For too long, the Agency has strayed from its core mission of protecting human health and the environment. For too long, it has imposed draconian regulations that cause undue harm to America's small businesses and rural communities.

I have long held that the EPA can fulfill its vitally important mission of protecting the environment without causing unnecessary harm to the economy, but to achieve this objective will require a massive culture change at the Agency—a culture change that only Mr. Pruitt can bring.

Mr. Pruitt wants an EPA that is both pro-environment and pro-growth. What is wrong with that? That is long overdue. He understands that protecting our lands and helping our businesses succeed is not a zero-sum game. With Mr. Pruitt at the helm, I am confident he will bring much needed change to the EPA and restore the public's trust in the Agency.

Once confirmed, I am eager to work with Mr. Pruitt to discuss how we can best protect our air and our water and how we can best modernize the EPA.

It is amazing to me that some of the greatest leaders in the bureaucracy over the years have been people who have worked in the fields that really constitute what we are talking about here today. They have surprised people by making sure that both sides have really been taken care of and that the laws are faithfully executed and some of the partisanship and biased approaches toward the environment are overcome.

Mr. Pruitt is capable of doing that—a brilliant man with a brilliant record. He is supported by an awful lot of attorneys general in this country. He is a person who, if liberally given the chance, might be able to help turn around some of the things that are just plain wrong at the EPA.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

REMEMBERING BOB MICHEL

Mr. DURBIN. Madam President, every politician alive should aspire for that moment, like Bob Michel, when the last words of tribute to his public service are: "He was the face of decency in public service."

This morning, Bob Michel, who served as the leader of the U.S. House of Representatives for the Republican Party, passed away at age 93.

His replacement as Republican leader in the House marked the end of an era

of civility—Congress has never been the same—but his life as the son of an immigrant, as a decorated veteran of World War II, and as a person who was first a staffer, then elected to Congress, and rose to leadership is a testament to his talent and his commitment to America.

I had known Bob Michel for 35 years. We had adjoining congressional districts downstate. When he was elected in 1982, in the Reagan off-year election, it was a tough year for Republicans. Bob Michel barely survived. Attorney Doug Stevens, of Peoria, had about 48 percent, and Bob had 52 percent. Lane Evans, of the Quad Cities, was elected to Congress, and I was as well.

For 14 years, we were neighboring Congressmen. Bob Michel came in and campaigned for my opponents. I went into his district to campaign for his opponents. You would think that would have created a negative relationship, but it didn't. Despite that—despite our differences on political issues—we were always friends, and we were always respectful.

You could not help but be a friend of Bob Michel's. What an amazing personality—a smile that would light up a room and a man who was determined to fight like crazy, day in and day out, for the things he believed in on the floor of the U.S. House and then, after adjournment, joined with Tip O'Neill for dinner—a dinner that usually ended up with a lot of people singing songs over a few drinks and great memories.

The codels in those days—the congressional delegation trips—were often bipartisan and had both Speaker O'Neill and the Republican leader, Bob Michel, hosting them as they went to important places in the world.

There was a time when Bob Michel was a Congressman and wanted to get home to Peoria every weekend but couldn't afford the airfare. Do you know what he did? He shared a station wagon with Congressman Dan Rostenkowski of Chicago. They would take off and drive back to Chicago and Peoria and then back to Washington on a regular basis. They were buddies and didn't think twice about the fact that they were of different political parties and had different political philosophies.

That was Bob Michel.

His passing really does mark the end of an era, but every one of us currently in public service should remember the quality he brought to his career and the quality he brought to Congress. He left a great legacy—many important issues, many great things for Peoria and Central Illinois. Possibly, his greatest legacy was his chief of staff—his protege—Ray LaHood, who, to this day, embodies the great values that Bob Michel brought to public service.

I stand in tribute to my friend and my Republican neighboring Congressman who served this Nation so well for so many years.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Madam President, when President Richard Nixon created the Environmental Protection Agency in 1970, he recognized that we all share in a "profound commitment to the rescue of our natural environment and the preservation of the Earth as a place both habitable by and hospitable to man." That is a pretty powerful commitment. That is the mission of the Environmental Protection Agency—to rescue our natural environment and keep our planet—our world, our Earth—as habitable and hospitable to humankind.

For more than 46 years, the Environmental Protection Agency has been the top cop on the beat, safeguarding our natural environment while also protecting critical aspects of public health—controlling toxic and poisonous chemicals, improving air and water quality, enhancing vehicle efficiency and emissions controls. The lists of the Environmental Protection Agency's accomplishments go on and on.

Today, we are considering President Trump's nominee for the Environmental Protection Agency. The appropriate question for us to ask is, Does this nominee hold in his heart the mission of the Environmental Protection Agency? Does he have a profound commitment to the rescue of our natural environment, a profound commitment to the preservation of the Earth to keep it habitable by humankind, hospitable to humankind?

This individual is Oklahoma Attorney General Scott Pruitt. We would like to have the full set of information about his work as attorney general that has been very relevant to this question, because the limited information we have shows that he has very deep connections and very close allegiance to the fossil fuel industry. And rather than displaying during his time as AG a profound commitment to our natural environment, to preserve it and keep it hospitable and habitable, he has instead weighed in time and time again on behalf of the polluters.

So for us to have a full sense of these connections, we need to have access to the emails and correspondence that he has generated over the last 2 years tied to the fossil fuel industry.

There are some 3,000 emails and associated pieces of correspondence—we are not sure of the exact total, but that is a substantial body of information that has been identified—and for 2 years, the attorney general, Scott Pruitt, has stonewalled the efforts to obtain these documents. There have been repeated requests time and time again filed with his office, and his office has failed to produce the information requested under the Public Information Act of Oklahoma. Time and time again, he said no, no, no.

So then he comes to this body as a nominee to be the steward-in-chief of the responsibilities for our environment. So here in the Senate, we asked for those emails to help understand