that the drug epidemic is, at its heart, a public health emergency and an illness. A reversion to law enforcement harshness in dealing with this problem will simply not be effective.

CLIMATE CHANGE

Mr. President, now, if I may, I turn to my 182nd appearance to remind us of the global crisis of climate change, which has recently come so perilously close to our American shores.

This recent graphic from NOAA shows above-average temperatures in our oceans. Anything that is pink is above average; if it is reddish, it is much warmer than average; and if it is really red, like here, that is a record. That is the warmest record.

As one can see, from 2015, 2016, and 2017, the oceans have warmed significantly, and warmer oceans mean stronger storms. It is as simple as that. In this hurricane season, Hurricanes Harvey, Irma, and Maria have all struck the United States. It is the first time ever that the United States has been hit by three category 4 Atlantic storms in 1 year. Hurricane Ophelia, now out in the Atlantic, has become the 10th consecutive hurricane-strength storm. That ties a record that was set way back in the 1800s. We have gone more than a century without having this kind of storm activity. It is a rarity, but it is going to be less and less of a rarity because the oceans are warmer. That powers up those big storms, and those big storms bring damage to property and infrastructure. They destroy businesses and homes.

Away from the coastline, other aspects of climate change bring an array of other harms, like longer and fiercer wildfire seasons, as California is experiencing; depleted fish stocks, as our Rhode Island fishermen are experiencing; decreased agricultural yields, as the Midwest is experiencing; acidifying seas, as the northwest coast is experiencing; and risks to human health from new disease vectors and hotter heat waves felt across our country. All of these harms carry costs. Together, these costs are known as the social cost of carbon pollution. It is the cost to people and to communities of carbon pollution and climate change.

During the Obama administration, by scientists and economists from across the Federal Government who relied on scientific literature and well-vetted models, the social cost of carbon was put at around $50 per ton of carbon dioxide. There is a new book out by a number of conservative economists and scientists that looks at the climate change problem and recommends a revenue-neutral, border-adjustable carbon fee as a solution. In that book, the exemplar carbon price also runs at about $50 per ton of emitted carbon. It tracks from the Obama administration to conservative analysts as well.

This social cost of carbon is well established. Over and over, courts have instructed Federal agencies to factor the social cost of carbon into their permits and regulations. States are using a social cost of carbon in their policymaking. Major American corporations—even ExxonMobil—factor a social cost of carbon into their planning and accounting, and the social cost of carbon is at the heart of the International Monetary Fund's calculation that the fossil fuel industry gets an annual subsidy in the United States of $700 billion—that is ''billion'' with a ''b.''

The point of this particular speech is that a new calculation has emerged, not just of the harm of carbon pollution, but of how individual fossil fuel companies have contributed to that harm. This was not just some op-ed, nor was it the phony hack science that the fossil fuel industry cranks out to propagate climate denial on the talk show circuit. This is a peer-reviewed study that was published in the scientific journal Climatic Change.

The study tells us that major fossil fuel producers are responsible for as much as half of the recorded global surface temperature increase. Then it dives down into the data for individual companies and demonstrates a method for attributing the real, observable effects of climate change to the likes of Chevron, ExxonMobil, ConocoPhillips, Peabody Energy, Arch Coal, and Devon Energy, among about 50 investor-owned, carbon-producing companies.

The history here is telling. More than half of all emissions that were traced to carbon producers from 1880 to 2010—across a span of 130 years—were produced after 1986, which was just in the last 24 years. This was when the climate risks of fossil fuel combustion were well established. Those were the years in which we knew. Many of these companies knew the harm of their fossil fuel products; yet they carried out a decades-long campaign to deceive the public about the risks of fossil fuel energy production and to bring influence to bear on this institution.

These companies knew that their products posed a threat to the global environment. They could have taken steps to reduce emissions. They could have invested in new technologies and emissions reduction technologies and renewable energy. They could have communicated honestly with their shareholders and with the public. They chose not to—an infamous decision that has kept carbon pollution dumping into the atmosphere, where it will affect the chemistry, the physics, and the biology of our planet for centuries to come. This is this generation's sad and sordid legacy.

This study shows that we can trace those harms back to individual companies, to their boards of directors, and to their managers. We can use the emissions data from this study. In using those established social cost of carbon estimates, we can estimate individual corporate accountability. This is new.

In using the study's emissions data and the social cost of carbon, we can calculate, for instance, the carbon pollution cost for which ExxonMobil is accountable. If one does this for 2010—just that 1-year's worth—the cost to the rest of us was over $22 billion. For Chevron, in 2010, it was $14.5 billion. For BP, it was $18.8 billion just for the harm that they caused in 2010. What about some of the major coal companies, like Peabody and Arch? Pollution attributable to Peabody Energy had a cost of $17.8 billion just for 2010. For Arch Coal, it was $11.7 billion. For Devon Energy, it was $3 billion. Devon, one may remember, is the company whose lobbying letter EPA Administrator Scott Pruitt put on his official Oklahoma attorney general letterhead, in the masquerade of official duty on behalf of special interests, which is still his hallmark now that he is at the EPA. If we add up all of this, we are looking at $88 billion in attributable damages—attributable to ExxonMobil, Chevron, BP, Peabody, Arch, and Devon—just for 2010. That is a 1-year cost that we all bear for allowing these polluters to pollute our air and oceans for free. That is why the IMF said that the subsidy was $700 billion.

As nature has so powerfully shown us this year, taxpayers, communities, and local businesses, especially those in vulnerable coastal areas, bear the cost of the irresponsible choices these big polluters have made. This is the cost these companies transferred to us by spending millions of dollars in deceiving the public about climate science and in using millions more in political spending in order to block sensible limits on carbon emissions. They spent millions to dodge billions, and we let them get away with it.

Perhaps judges and juries will be less manipulable. After all, one of the reasons that the Founding Fathers set up an independent judiciary and independent juries is that, in their being experienced politicians, they had seen that the political branches of government could be captured by special interests—what the Founders would have called factions—just as we now are captured by the fossil fuel industry here in Congress.

The average number of billion-dollar weather disasters is about five per year. That is the average in any given year, about five over the long term. Here we are, and it is only October, and 2017 has already seen 15 billion-dollar weather disasters—15 of them just this year, so far.

But the real multibillion-dollar disaster is a captured Congress. We actually have a remedy right before us that ought to be a bipartisan remedy: a carbon fee like the one Senator SCHATZ and I introduced in our American Opportunity Carbon Fee Act. Virtually every Republican who has thought the climate change problem through to a solution comes to the same place. They all come to the same place: Put a price on carbon emissions, let the market work, avoid what is called the negative externality of the carbon polluters not having to pay for their harm, make the

economics correct by virtually everybody's economic principles, and take the revenue that is collected from that price on carbon and return it all to the American people. It is a border-adjustable, revenue-neutral carbon fee. Former Republican Treasury Secretaries Baker, Schultz, and Paulson, and former Republican EPA Administrators Ruckelshaus, Thomas, Reilly, and Whitman and leading Republican conservative economists and former Republican Presidential advisers Arthur Laffer, Gregory Mankiw, and Douglas Holtz-Eakin, among many, many others, support a revenue-neutral, border-adjustable carbon fee. It is the market approach of properly pricing this pollution to eliminate that negative externality and to put the cost into the price of the product in the way that Economics 101 suggests it should be to avoid giving this industry this massive subsidy. That is where the Republicans who thought this through want us to be.

On my side, our answer is yes, but here in Congress, are we there yet? We just will not do it. We just will not do it because the shadow of the fossil fuel industry's millions of dollars in deception and political muscle power falls too darkly on this supposedly august institution.

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

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

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the following nomination: Executive Calendar No. 164.

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

The clerk will report nomination.

The senior assistant legislative clerk read the nomination of Henry Kerner, of California, to be Special Counsel, Office of Special Counsel, for the term of five years.

Thereupon, the Senate proceeded to consider the nomination.

Mr. MCCONNELL. I ask unanimous consent that the Senate vote on the nomination with no intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements relating to the nomination be printed in the RECORD.

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

Is there any further debate?

Hearing none, the question is, Will the Senate advise and consent to the Kerner nomination?

The nomination was confirmed.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to legislative session and be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

(At the request of Mr. SCHUMER, the following statement was ordered to be printed in the RECORD.)

VOTE EXPLANATION

● Mr. MENENDEZ. Mr. President, I was unavailable for rollcall vote No. 217, on the nomination of Callista Gingrich to be Ambassador to the Holy See. Had I been present, I would have voted yea.●

ARMS SALES NOTIFICATION

Mr. CORKER. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD–423.

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

DEFENSE SECURITY COOPERATION AGENCY,
Arlington, VA, Oct. 12, 2017.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 17–26, concerning the Air Force's proposed Letter(s) of Offer and Acceptance to the Government of Kuwait for defense articles and services estimated to cost $342.6 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

CHARLES W. HOOPER,
Lieutenant General, USA, Director.

Enclosures.

TRANSMITTAL NO. 17–26

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Kuwait.

(ii) Total Estimated Value:
Major Defense Equipment* $0.0 million.
Other $342.6 million.
Total $342.6 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE): None.

Non-MDE: Non-MDE items and services for three years (with option for two additional years) of follow-on support of two (2) C–17 aircraft includes participation in the Globemaster III Integrated Sustainment Program (GISP), contract logistic support, Class I modifications and kits support, in-country contractor support, alternate mission equipment, major modification and retrofit, software support, aircraft maintenance and technical support, support equipment, personnel training and training equipment, additional spare and repair parts, technical orders and publications, airworthiness certification support, engine spares, engine maintenance and logistics support, inspections support, on-site COMSEC support, Quality Assurance and other U.S. Government and contractor engineering, logistics and program support. Required upgrades will include fixed installation satellite antenna, Mode 5, plus installation and sustainment, Automatic Dependent Surveillance-Broadcast Out, and other related elements of logistics and program support.

(iv) Military Department: Air Force (X7–D–QAH).

(v) Prior Related Cases, if any: KU–D—SAA.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: October 12, 2017.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Kuwait—Continuation of C–17 Logistics Support Services and Equipment

The Government of Kuwait has requested three years (with option for two additional years) of follow-on support of two (2) C–17 aircraft, which includes participation in the Globemaster III Integrated Sustainment Program (GISP), contract logistic support, Class I modifications and kits support, in-country contractor support, alternate mission equipment, major modification and retrofit, software support, aircraft maintenance and technical support, support equipment, personnel training and training equipment, additional spare and repair parts, technical orders and publications, airworthiness certification support, engine spares, engine maintenance and logistics support, inspections support, on-site COMSEC support, Quality Assurance and other U.S. Government and contractor engineering, logistics, and program support. Required upgrades will include fixed installation satellite antenna, Mode 5, plus installation and sustainment, Automatic Dependent Surveillance-Broadcast Out, and other related elements of logistics and program support. The estimated cost is $342.6 million.

This proposed sale will contribute to the foreign policy and national security of the United States by helping to improve the security of a friendly country. Kuwait plays a large role in U.S. efforts to advance stability in the Middle East, providing basing, access, and transit for U.S. forces in the region.

This proposed sale is required to maintain the operational readiness of the Kuwaiti Air Force C–17 aircraft. Kuwait's current FMS contract supporting its C–17's will expire in September of 2017. Kuwait will have no difficulty absorbing this support.