

good reasons for Democrats to support it, there are good reasons for Republicans to support it, and the President has asked for it.

Here is what it does, from my point of view. The so-called Alexander-Murray legislation, which was recommended to the Senate by Senator MURRAY and me—there were 12 Republicans and 12 Democrats who were original cosponsors, including Senator ROUNDS and myself. That doesn't happen very often here. That is one-quarter of the Senate offering a bipartisan bill on a contentious subject to the Senate.

Here is what it does. One, it lowers premiums. In 2018, where the rates are already set, it requires the States to work with the insurance companies and give rebates for the high premiums that have already been set. In 2019, it will lower premiums. That is the first thing it does and the first reason why I and many Republicans support it.

Because the premiums are lower, it also means fewer tax dollars are going to pay for ObamaCare subsidies. That is another reason Republicans and conservatives like the idea of the Alexander-Murray bill.

Another reason we like it is, because there are lower subsidies, there is less Federal debt. The Congressional Budget Office has examined our bill and has said that it saves money over 10 years, nearly \$4 billion.

There are other reasons we like it. It gives States flexibility in increasing the variety and choices of the insurance policies they can recommend. That is the biggest difference of opinion we have between that side of the aisle and this side of the aisle. They want Washington to write the rules; we want the States to write the rules.

We agreed to make some changes so that States can write more rules. For example, the Iowa Senators, Mr. GRASSLEY and Mrs. ERNST, are cosponsors of the bill because the language in the Alexander-Murray amendment would permit the Federal Government to approve the Iowa waiver. Iowa has a way that it wants to use the Federal dollars to enroll more people and to give them lower costs. It would allow New Hampshire to use Medicaid savings to help pay for its Obama waiver. Both the Democratic Senators and the Republican Governor of New Hampshire have asked for that. It allows Minnesota to use a stream of Federal funding so that it can have its own waiver. It would allow Oklahoma, which has been waiting, to get its waiver approved.

What do we mean by "waivers"? What this means is that States can look at the people in their State and make their own decisions or more of their own decisions about a variety of choices. Alaska did that earlier. They are the only State that has been able to use the section 1332 innovation waiver, as we call it, and they were able to create a special fund for very sick people and then to lower rates for every-

one else by 20 percent and to do 85 percent of that with Federal dollars—no new Federal dollars, 15 percent by the States.

The reasons Republicans like the Alexander-Murray bill, the reasons we have 12 of us on this side of the aisle cosponsoring it, along with 12 Democrats, are lower premiums, fewer tax dollars for ObamaCare subsidies, less Federal debt, more flexibility for States, a new so-called catastrophic insurance policy so you can buy a policy with a lower premium and a higher deductible so that a medical catastrophe doesn't turn into a financial catastrophe. Those are all reasons to support it.

Here is the long and short of it. The American people have healthcare on their minds. It is certainly true in Tennessee, where the rates are up 58 percent. It was certainly true in Virginia yesterday. It is certainly true in Maine. I see the Senator from Maine is here, and he has been an important part of this discussion.

The people of America say: Why don't the President, the Republicans, and the Democrats in both bodies get together and do something about it? I am happy to report we have. We have a bipartisan proposal. It doesn't solve every problem, but it limits the damage. It lowers premiums. It avoids chaos. It saves Federal tax dollars. It has the support of a significant number of Republicans and Democrats, and it is done at the request of the President.

I hope that when the President returns from Asia, he will go to his desk and find a nice package there with a bow on it, presented by Senator MURRAY and me, 24 of us in the U.S. Senate—Republicans and Democrats—which does exactly what the American people, I think, want us to do: Lower premiums, avoid chaos, work together, take a step in the right direction, and let's see if we can help the American people in that way.

I know the Senator from South Dakota is here, and I thank him for his leadership on this. He, along with the Senator from Maine who is here, Mr. KING, spent a good deal of time working on this piece of legislation, which has a lot that Democrats like and a lot that Republicans like—so much so that we are able to recommend it in a bipartisan way. I know he may have things that he may want to say about the bill.

I yield the floor.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of William L. Wehrum, of Delaware, to be an Assistant Administrator of the Environmental Protection Agency.

The PRESIDING OFFICER. The Senator from Maine.

#### HEALTHCARE

Mr. KING. Mr. President, I don't wish to take much of the Senate's time, but I want to emphasize and echo the comments made by the Senator from Tennessee. He and his ranking member,

PATTY MURRAY of Washington, have done a magnificent job. What I want to emphasize is not necessarily the content of the bill, which he has outlined expertly, but the process by which this bill has come to the U.S. Senate. To me, it is an example of how this place can and should work.

There were a series of essentially four all-day hearings. There were workshops to which all Senators were invited, and I think at least half of the Senate attended several of those workshops. We had a bipartisan witness list. We had Governors. We had insurance commissioners. We had experts on the health services industry from around the country. The result was a piece of negotiated, compromised but thoroughly worked through, and important legislation that can do exactly what the Senator from Tennessee outlined: Lower premiums, end the chaos in the individual market, save the Federal Government money over the period of the next 10 or 20 years, and really make a difference for the people of Maine.

I particularly want to compliment and express my appreciation to Senator ALEXANDER and Senator ROUNDS for the work they have done to bring the issue to this point. I deeply hope, as the Senator from Tennessee, Mr. ALEXANDER, just said, that when the President returns from his trip, he will see this bipartisan agreement—or in my case, a nonpartisan agreement—that has come forward to solve some serious problems. It doesn't solve all the problems, but it is a step forward. It also is exactly what the American people want us to do—to talk to each other, listen to each other, gather the data and the information, and come up with legislative proposals that make common sense and will make a better place, a better healthcare system, and serve our citizens and our people across the country in a better way than the current arrangement.

Again, I want to compliment my colleague from Tennessee and also my colleague from South Dakota, Senator ROUNDS, for the work they have done on this. We are at a place where we can really do something good, not only substantively but also by showing the Nation how this body can and should work.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. ROUNDS. Mr. President, let me begin by acknowledging the leadership that Chairman ALEXANDER and Ranking Member MURRAY have offered and also by saying how much I have appreciated the hard work that Senator KING from Maine has participated in, as well, in this process. They have worked together, side by side, to try to find some common ground while still retaining and protecting the principles they all hold with regard to how health insurance, long term, should be approached.

Coming to a bipartisan agreement on this very important piece of legislation

is only the first step. As you know, a deal was announced last month to give States permanent flexibility to avoid some of ObamaCare's most crushing mandates, while also temporarily authorizing the cost sharing reduction, or CSR, payments for 2 years. That is what the piece of legislation we are referring to in this particular case, the Alexander-Murray legislation, would do.

This agreement is a win for conservatives who have spent the past 7 years promising to relieve the American people of ObamaCare's skyrocketing premiums, limited choices, and Federal chokehold. For the first time since ObamaCare was forced onto the American public, the Alexander-Murray legislation is an opportunity to provide permanent, meaningful opportunities for States to opt out of some of ObamaCare's most egregious mandates under the 1332 waiver program, while making healthcare more affordable for their constituents.

As a former Governor, like my colleagues Mr. ALEXANDER and Mr. KING, I understand that the best decisions are made at the State and local levels, not by Federal bureaucrats. Empowering States with new opportunities to innovate and strengthen their individual health insurance markets in a way that meets their citizens' unique needs is a first step toward repealing ObamaCare and allowing the marketplace to once again be competitive and innovative.

In exchange for the permanent 1332 waiver changes, we have agreed to temporarily authorize the administration to make CSR payments for 2 years, similar to the provisions of the Better Care Reconciliation Act, which 49 Republican Members of the U.S. Senate supported earlier this year.

Recall that President Trump announced recently that he would stop the CSR payments after a Federal court found them to be illegal because they had not been appropriated by Congress. Not surprisingly, the previous administration had continued making these payments, a practice that President Trump rightfully and correctly stopped after months of warning that he would do so. We applaud the President for returning this appropriations decision to its constitutional place—with Congress.

We also recognize that there are millions of Americans who will face steep premium increases come January as a result of this challenging decision. This is in addition to the already skyrocketing premium increases that Americans are facing because of ObamaCare, because of the concept on which it was built. The American people did not ask for ObamaCare, and they shouldn't be unfairly punished.

By extending these payments for only 2 years, our legislation will stabilize the market and help provide a smooth transition as we continue to work on a full repeal and replacement. Providing a smooth transition away

from ObamaCare has been included in every serious Republican healthcare plan to date. We have to have a transition in order to move away from the existing healthcare plans. In fact, I cannot think of a single GOP colleague who doesn't support a smooth transition so that we don't hurt families as we move away from our current, unworkable system.

It is also important to point out that Alexander-Murray is merely a step one in the total repeal and replacement of ObamaCare. Because of House and Senate rules, the 1332 waiver changes outlined in our bill are not eligible to be included in budget reconciliation legislation, which is the vehicle being used to repeal and replace ObamaCare by congressional Republicans and which we continue to work on. We need both bills. This is a two-step process.

We fully expect there to be an opportunity for us to finish the full repeal and replace of ObamaCare next year and are united in our desire to get it across the finish line. But 1332 waiver changes found in this bill require bipartisan support in the Senate, period. It requires 60 votes. That is not available to us or is not part of the remaining part of the challenge of the total repeal and replacement. We need both bills in order to get this done.

We have also included additional assurances within this bill to make certain our bill does not bail out insurance companies, as Senator ALEXANDER stated earlier. CBO, or the Congressional Budget Office, confirmed this in the October report, noting that it benefits taxpayers and low-income policyholders, not insurance companies.

I also want to point out that there is also a fiscal case to be made for continuing the CSR payments in the short term. The nonpartisan Congressional Budget Office—once again, the CBO—found that the Federal Government will be on the hook to subsidize care of the individuals who otherwise would receive premium assistance via the CSR payments.

The CSR payments have ended. Insurers who stay in the individual marketplace will be forced to raise their prices to compensate. Instead of costing \$7 billion, as it did this year under the use of CSRs, the CBO estimates that the disruption caused by abruptly ending the CSRs will cost the Federal Government an average of \$25 billion annually, more than four times the current rate.

The fact that ObamaCare is failing is not a partisan issue. Members of both parties have acknowledged that it is rapidly sinking. Our colleagues on the other side of the aisle believe it is fixable. Republicans believe we have to go in a different direction. Democrats have refused to admit the failure. They recognize it is sinking—they think it is fixable—but, until now, have been unwilling to make any concessions to the law they were solely responsible for creating.

We must seize the opportunity to provide States with much needed relief

from ObamaCare and show that States are far better at coming up with health insurance rules which are tailored to their individual needs. The only trade-off is in fulfilling our promise to stabilize the individual market temporarily while we continue our work to repeal ObamaCare and replace it with a truly competitive market-based system. In the meantime, States will already be given that option under our plan.

Let me just share this. Sometimes when you look at a bipartisan piece of legislation, our colleagues on the other side of the aisle will point to the fact that they want to stabilize the market now. Republicans will point to the fact that we need to stabilize the market and provide the opportunity for the full repeal and replacement to become effective. ObamaCare started in 2009. It was passed in 2009. Yet it took until 2014 for all of the impacts to actually begin to accumulate—5 years. To undo it, it will take time for the States to create their fixes.

We have to pass the legislation, and the HHS has to create the rules. Then, at the local level, at the State level, the State legislatures have to create the laws once again that were torn apart by ObamaCare in the first place. Then their divisions of insurance and their departments of health have to actually create the rules. The insurance companies that are out there that want to compete once again have to be able to contract with doctors and hospitals. They have to go on out and not only write the contracts that will comply with the law and the regulations, but then they also have to go on out and market that product to individuals.

The exchange from one contract under ObamaCare to a contract with a competitor, which is when insurance carriers can actually offer different types of products to group plans or to individuals, will take time. That transition can hardly be done in less than 2 years, thus the need and the offer in all of the Republican proposals to take this 2-year time period and actually help the American people get through this very difficult time without hurting them more than the pain they will have already felt with the continuation of ObamaCare. It simply takes 2 years to make any reasonable transition happen.

Once again, I would like to acknowledge the hard work of the Senator from Tennessee, Mr. ALEXANDER, and the way in which he has created a team effort, a team plan, on getting this through. I also acknowledge the hard work of Senator MURRAY and her working side by side with Senator ALEXANDER in trying to find common ground so her colleagues see the importance, from their perspectives, while, at the same time, those of us on this side of the aisle reflect on the first step in a long-term goal of the repeal and replacement of ObamaCare.

For the first time, we have a chance. For the first time, we have an opportunity to take a step statutorily, with

a 60-count vote, in actually making changes to the substance of ObamaCare. It is high time. It is time to get started. It is time to move forward.

I thank all of our colleagues for working side by side in at least slowing down the damage which has been occurring and which will continue to occur until we get the full replacement of ObamaCare behind us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, I ask unanimous consent that my remarks not be counted against my postcloture time.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. CARPER. Mr. President, while Senators ALEXANDER and ROUNDS are on the floor—Senator KING has just left—I find it ironic that the four of us who are gathered here are former Governors and are interested in getting things done and are interested in working across the aisle. We want to be able to achieve better results for less money. I applaud Senators ALEXANDER and MURRAY for their efforts in trying to ensure that we begin to do that.

I think my friend from South Dakota gives much credit to President Obama in his attacking what was originally bipartisan legislation that had been introduced here in 1993 by Senator ORRIN HATCH, with 22 Republican cosponsors, and that later became RomneyCare.

The idea behind their proposal was that there ought to be exchanges in every State and that the people could join if they did not have healthcare coverage; No. 2, that there would be a sliding scale tax credit to help buy down the cost of coverage for people who got their care in the exchanges; No. 3, that there would be an individual mandate that said you don't have to get coverage but that, if you don't, you have to pay a fine; No. 4, that there would be an employer mandate that said employers of a certain size would have to cover their people; No. 5, that insurance companies could not refuse to cover people with preexisting conditions.

Barack Obama had nothing to do with that. We continue to hear folks deride the idea of the exchanges and the five points I just mentioned as ObamaCare. He had nothing to do with it. When we marked up the Affordable Care Act, we took, really, those ideas from the 1993 legislation here, with 23 Republican cosponsors—RomneyCare—and proposed and implemented it, I think, in 2006. It worked. When we were marking up the Affordable Care Act, we were actually looking for something that worked in order to give coverage to people in a cost-effective way.

In 1993, the Republicans used, I think, what was originally a Heritage idea—Romney in 2006. They had a good idea, and it used market forces. What we have never done since the Affordable

Care Act went into place is actually enable a good Republican idea to work. I think what Senator ALEXANDER has put together with Senator MURRAY can help move us closer to that step.

Some other things that I think we ought to do include a reinsurance plan along the lines that Senator KAINE and I have introduced, and that, I think, has a fair amount of support in a lot of corners. If we are not going to have an individual mandate—and I think we ought to, but if we are going to take it away—the other thing is to make sure that we put in its place the exchanges having young, healthy people so you have a group of folks in each State in the exchanges who are insurable without the insurance companies losing their shirts.

I think one of the great things about what Senator ALEXANDER and Senator MURRAY are trying to do here is to take the small step of ensuring that the cost-sharing reductions really help lower income people with their copays and help them with their deductible costs. If we can do that, along with the 1332 waiver, which I support, this can be a confidence builder. Maybe we can do some other things like the reinsurance ideas we have and others have. If there is a better idea than the individual mandate, by golly, let's do that, but we need healthy, young people in the exchanges.

My hope is, we can find common ground and make it on a little broader range of ideas to bring us good healthcare coverage at an affordable price and then turn—kind of pivot—to the Affordable Care Act itself. As for the stuff in the Affordable Care Act that ought to be changed or dropped, let's do that. As for the portions of it that ought to be preserved, let's do that as well.

Again, I commend my friends for coming up with this very good step. My hope is that we can get a vote for it.

I met with a lot of insurance company folks earlier today. We do not agree on everything, but one of the things I heard from them is, if we were to do what Senator ALEXANDER and Senator MURRAY have called for with respect to cost-sharing reductions and if we were to do some kind of reinsurance plan along the lines of what TIM KAINE and I have suggested—but not necessarily that—and if we were to do something to make it clear that the individual mandate or some other mechanism were going to be in place and stay in place so we could get young people into the exchanges, if we were to do those three things, they told us, we could bring down premiums anywhere from 30 to 35 percent in the exchanges.

Who benefits the most? As it turns out, it is not just the people who are getting their coverage in the exchanges. Who else benefits the most is Uncle Sam because, if we reduce premiums by 30 to 35 percent, Uncle Sam, which pays all of these tax credits to help buy down the cost of coverage in

the exchanges, reaps a big benefit as well, and that helps to bring down the size of the deficit, which is good.

I was just inspired by your words, of both of you, and wanted to say that and to applaud your efforts. It is a pleasure and an honor to work with you, and I look forward to doing more of that.

Thank you.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I want to briefly thank the Senator from Delaware.

As the Senator from South Dakota said, this has been a very contentious issue, but we thought that if we listened enough, we might find a few things we could agree on. Senator MURRAY and I not only involved our committee, which is a committee of 22 or 23 Senators, but we invited anyone not on the committee to come and meet with the witnesses—the Governors and the State insurance commissioners—for an hour before the hearings. We had nearly 60 Senators involved in the entire process on those 4 days. That is pretty remarkable when you have 60 Senators—more than half of whom are not on the committee of jurisdiction—attending and participating, and that helped develop what we did.

The person with the best attendance was Mr. CARPER, the Senator from Delaware. He is not a member of the committee, but he came to every one of the committee meetings, and he often stayed for the hearings themselves. I thank him for his active participation.

In boiling it all down, I think what we are trying to say is, there is a lot we still do not agree on, but we have heard the American people. Healthcare is on their minds. They are signing up, and those who are in the individual market are getting sticker shock if they do not have any government support. For the next couple of years, we have a plan that will avoid chaos and begin to limit the growth of premiums and, in 2019, reduce premiums. In addition to that, it will give Americans a new plan to buy called the catastrophic plan, and it will give many States the opportunity to use some of their own ingenuity to create a larger variety of choices.

That is a good set of options with which to respond to the American people who ask: Why don't the President and the Congress work together to do something about healthcare? It does not solve all of the problems, but it is a step in the right direction, and it is something we can build on.

I thank the Senator from Delaware for his contribution, and I thank the Senator from South Dakota for his.

I hope, when the President returns from Asia, that he will look at the agreement he asked us to produce, and I hope he will support it. If he does, I believe it will be part of the law when we go home for Christmas.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, my hope is that during President Trump's visit to Japan, he asked the leader of Japan why it is that when Japan only spends 8 percent of its GDP on healthcare, it gets better results than we do, and it covers everyone. Yet, when we spend 18 percent, we don't cover everybody, and we don't get better results. That is a good question, and I hope the President and Prime Minister Abe got into that. Yet that is something I need to turn away from now.

Mr. President, I rise in opposition to the nomination of Bill Wehrum to be EPA's Assistant Administrator for Air and Radiation.

We have seen this movie before, but like many sequels, this one may actually be worse than the original. My opposition to this nominee should not come as a surprise to my colleagues or to Mr. Wehrum because, in 2005, President George W. Bush nominated him for the exact same position, Assistant Administrator for Air and Radiation at the EPA. I opposed his nomination at that time, as did many of my colleagues, and he was not confirmed.

Prior to his nomination in 2005, Mr. Wehrum was an industry lawyer and later a political employee at the EPA. He served as chief counsel to Jeff Holmstead, then the Acting Assistant Administrator for Air and Radiation, from 2001 through 2005. While serving at the EPA during this time, Mr. Wehrum had a concerning track record of suppressing scientific information and the work of the EPA's career staff, deferring to industry on issues of public health, and not responding to my colleagues and to me when we were then serving on the Environment and Public Works Committee.

President Bush eventually nominated Mr. Wehrum to fill Jeff Holmstead's seat and to serve in an acting capacity as Assistant Administrator for Air and Radiation at the EPA, something Mr. Wehrum would not be able to lawfully do today.

Behind me, to my left, is an excerpt from an editorial from April 2006. The New York Times published an editorial opposing Mr. Wehrum's nomination that mirrored my concerns at the time:

[The Holmstead era at EPA] will be remembered chiefly for its efforts to weaken the Clean Air Act (particularly with respect to rules governing mercury emissions and older power plants), to manipulate science and to elevate corporate interests above those of the public. Mr. Wehrum, who served as Mr. Holmstead's deputy and doctrinal hit man, could make things worse.

That is a direct quote from this editorial. This is the New York Times editorial from 2006 opposing Mr. Wehrum's nomination for the very same position he seeks today.

During the Environment and Public Works Committee's consideration of Mr. Wehrum's nomination in 2005, I voted against him because I feared he would continue to fail to clean our air

and protect public health. Despite the fact that Mr. Wehrum was not confirmed due to his inability to secure the 60 votes needed for cloture on his nomination, he was able to serve as Acting Assistant Administrator for EPA's air office for 2 years.

Since leaving the EPA, Mr. Wehrum has returned to industry and served as an industry lawyer in litigation against the EPA.

Since returning to the private sector, Mr. Wehrum has reflected on his time spent at EPA. In doing so, he didn't point to the good work he did at the Agency to advance its public health mission or the lasting protections he put in place that made a difference in the lives of ordinary citizens; instead, he noted that his tenure at EPA was really good for business, saying:

I'm a much better lawyer now than when I first joined the agency. To really get to know how the agency works and how it ticks, I think that is very valuable. I have expanded my capabilities which will hopefully allow me to be effective in generating business and clients.

In generating business and clients. Sadly, my fears of 2005 were well-founded, and only one thing has changed—the Senate rule with respect to the number of votes we need to consider and confirm a nominee. If Mr. Wehrum is confirmed this week, it will be because he is the beneficiary of the Senate's elimination of the requirement with respect to needing 60 votes to consider nominees. It will not be because he is better suited for this important job.

I will walk through some telling numbers for my colleagues this evening. The first number is 31. That is the number of times Mr. Wehrum has represented industry against the EPA in Federal court since 2009.

Let me be clear on this. After serving in an unconfirmed capacity at the EPA because he was too far outside the mainstream to be confirmed by this body, Mr. Wehrum then left the Agency and has spent the years since suing that very same Agency and attempting to weaken environmental and public health protections on behalf of his industry clients. Many of these lawsuits are still ongoing and, in the majority of the pending lawsuits, Mr. Wehrum has represented the interests of Big Oil.

Look at another poster. The number 27. What does 27 refer to? It refers to the number of times public health groups prevailed in court when challenging Bush-era clean air regulations that Mr. Wehrum helped to craft because they did not follow the law or sufficiently protect public health. Failing to follow the Clean Air Act meant delays in public health protections and uncertainty for businesses across America.

I don't doubt that Mr. Wehrum is a fine lawyer—so why were so many of the rules he helped to write found to be unlawful? The confirmation process is essentially a job interview. It is not a

job interview with EPA, in a sense, and it is not really a job interview with us, but it is a job interview with the American people. In this case, Mr. Wehrum is essentially applying for the job he already had at EPA, and you would think that would be easy, but Mr. Wehrum's resume shows that a great deal of the work he did in his last job as Acting Assistant Administrator for Air and Radiation was not up to par. In this job, subpar work impacts millions of Americans, especially children and the most vulnerable among us.

The next number is 10. Ten is the number of additional years that children were exposed to toxic air emissions from powerplants because of delays Mr. Wehrum helped put into place while at the EPA.

The next number is eight. The number eight refers to the number of days before Mr. Wehrum's latest confirmation hearing when he was in a courtroom arguing against rules that would protect 2.3 million miners, construction workers, and bricklayers. According to Mr. Wehrum, "People are designed to deal with dust. . . . People are in dusty environments all the time and it doesn't kill them."

The next number is two, which is the number of times the DC Circuit Court cited "Alice In Wonderland" in its decisions to reject EPA rules that Mr. Wehrum helped craft because, in the court's view, the regulations were based on fantasy rather than following "the rule of law."

The next number is one. One is the number of times that language from a law firm that represented industry—and also happened to be Mr. Wehrum's former employer—made it verbatim into a clean air regulation that Mr. Wehrum stated he was "extensively involved" in preparing.

Think about that.

Zero. Zero is the number of times Mr. Wehrum advocated in court for stronger clean air regulations since leaving the EPA. It is an especially troubling number for those of us living in downwind States like Delaware. We live at the end of America's tailpipe, along with our neighbors in Maryland, New Jersey, Pennsylvania, New York, and folks all the way up to Maine. Zero is also the number of times Mr. Wehrum expressed a desire to protect public health when I met with him prior to his confirmation hearing.

Mr. Wehrum sits before us again today nominated for the very same position he was nominated for 12 years ago. After reviewing Mr. Wehrum's record, talking to him in person, and listening and reading his answers during the hearing process, my position has not changed since 2005, primarily because his views do not appear to have changed.

Like other EPA nominees, Mr. Wehrum was evasive on many of the questions asked of him, even convincingly forgetting a case that he worked on against the renewable fuel standard in *National Chicken Council, et al v.*

EPA. However, what was clear in the answer that he did give, and in his conversation with me, is that public health simply is not Mr. Wehrum's main concern.

In fact, when asked what Clean Air Act regulation he does support, he answered as follows:

I represent clients in private practice. It is my legal ethical duty to zealously represent their interests.

Well, in this job interview with the American people to be Assistant Administrator for the Office of Air and Radiation, the American people are his clients, and the fact that he cannot—or has refused to name—a single regulation that helps to ensure that they and their families have clean air to breathe is almost disqualifying in and of itself. Whether it is carbon, mercury, silica, or other toxic air pollution, Mr. Wehrum continues to show that he sides with polluters over science and doctors every time.

Mr. Wehrum's extreme views will not be good for public health, and quite frankly the legal uncertainty that has resulted from his past work will not be good for American businesses. Businesses need certainty and predictability, and they don't get it with the kind of work he has done.

Let me close by reminding our colleagues that next week we celebrate the 27th anniversary of the signing of the Clean Air Act Amendments of 1990. Twenty-seven years ago, we weren't debating how to weaken or delay our clean air laws. Instead, we passed bipartisan legislation that would improve and strengthen our clean air laws based on the very best science. In the process, we strengthened our economy too. Back then, 89 Senators, including some who still serve in this Chamber, voted to approve the Clean Air Act Amendments of 1990. As a Congressman over at the other body at that time, I voted along with them. A Republican President, George Herbert Walker Bush, signed the bill into law 27 years ago today. It was commonsense legislation, it was bipartisan, and we are all better for it.

When the Clean Air Act Amendments of 1990 passed Congress, I was a Congressman in the House, and I voted in favor of that bill. I was proud of helping to pass that monumental law because I believed then, and I still believe today, that we can protect our environment and grow our economy at the same time—and we have the job numbers to prove it.

We have had some delays in implementation, but, by and large, the law has been a huge success and has benefited just about every American. For every dollar we spend in installing new pollution controls in cleaning up our air, we have seen \$30 returned in reduced healthcare costs, better workplace productivity, and saved lives. We have a return of \$30 for every dollar we spend installing new pollution control.

The bottom line is, fewer people are getting sick and missing work because

of the Clean Air Act and the Clean Air Act Amendments of 1990.

When it comes to the rhetoric surrounding air regulations, there is a lot of fake news that people like to peddle, but as the saying goes: Everyone is entitled to his or her own opinions but not to his or her own facts.

Here are the facts. Our economy did not take a slide because of clean air protection. Quite the opposite is true. The Obama administration implemented the Clean Air Act based on the best science to date. Now our air is cleaner. We have seen 8 years of economic growth.

I will say that again. We have seen 8 years of economic growth, the longest stretch in our history. Energy prices at the pump and the meter are lower than when President Obama took office—lower, not higher. The beauty of our clean air laws is that they are not static. Our clean air protections keep up with the latest oversight science and the latest technology.

As we learn more about what makes us sick, about what is impacting our environment, and about what can be done to clean it up, the EPA has the authority, under the Clean Air Act, to make adjustments to make it better, to ensure that it protects more people, not fewer. That has been the trajectory to date. As technology and science develop, so do our clean air regulations.

That is also the story of our country. Through innovative and creative solutions, we strive for progress in order to have a better life here at home and to lead the world in tackling the environmental challenges of our time. Mr. Wehrum's policies have been tried and have been proven not only unsuccessful but even dangerous. We don't need to continue to move backward. We need to move forward.

Mr. President, I will leave you and our colleagues with this. I am sorry to say that Mr. Wehrum has worked deliberately to halt that progress, to delay that progress and to roll back clean air laws that have been protecting America and Americans for decades. Unlike many of the nominees who have come before us this year, unfortunately, we don't have to speculate about how Mr. Wehrum would do in this position. We have already seen it. We have already seen it, and the results were not good for the rest of us.

As his clients at this time, we deserve better representation. Today Americans deserve leaders at EPA who will be impartial and will look out for the interests of all Americans, not just Big Oil and the kind of clients who can afford Mr. Wehrum's legal bills.

We have seen this movie before, and there is no need for a sequel. I regret having to say that, but I do believe Mr. Wehrum is not the right fit for this position today, any more than he was a dozen years ago.

I encourage my colleagues to vote no on his nomination to serve as EPA's Assistant Administrator for air.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### VETERANS DAY

Mr. KENNEDY. Mr. President, this Saturday is Veterans Day, a day when we honor the brave women and brave men who have served in the defense of this great Nation. We need to take a moment to reflect on the freedoms that we enjoy every day—and sometimes take for granted—as American citizens, and we need to take that moment to thank those who have devoted their lives to serve and protect the greatest Nation in human history, the United States of America.

Mr. President, as you know, our country is home to over 20 million veterans, and I have the privilege of representing more than 250,000 veterans in my State of Louisiana. Today, I would like to talk about two of those veterans from my State who are illustrative of the extraordinary service that all of the veterans in Louisiana have offered their country.

The two gentlemen I would like to talk about, the two brave Americans, are Ira Schilling and Earl Louis Messmer.

Ira Schilling is from Shreveport. He enlisted in the U.S. Marines Corps in October of 1941, at the age of 16. He was 16 years old. After completing his training, Ira was assigned as a rifleman to L Company, 3rd Battalion, 6th Marines, 2nd Marine Division, and he took part in combat operations on Guadalcanal during the final weeks of that bloody campaign.

Ira was discharged from Active Duty in October 1945. In 1948, Mr. Schilling tried to reenlist in the U.S. Marines Corps. He was married at the time. The Marines Corps turned down his request. Undaunted, Mr. Schilling just went over and enlisted in the U.S. Navy, and he spent another 2 years on Active Duty in defense of this country. Ira is now 92 years young, and he lives in Haughton, LA, and he is a Civil Air Patrol wing chaplain.

Mr. Earl Louis Messmer was born in New Orleans, in the southern part of my State, in 1923. He is very proud—and we are all proud of him—for serving in the Battle of Peleliu from September 15 to November 15, 1944.

That battle was a fight to capture an airstrip in the Western Pacific Ocean. The United States won. We prevailed due to the bravery of the Army's 81st Infantry Division, of which Earl was a member.

Upon his return from World War II, in 1945, Mr. Messmer went to Tulane University.

Earl has 2 daughters, 5 grandchildren, and 10 great grandchildren,