

upon the table and the President be immediately notified of the Senate's action.

THE PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Hawaii.

DARK MONEY

Mr. SCHATZ. Mr. President, in his confirmation hearing last January, EPA Administrator Scott Pruitt said there was evidence that climate change had actually leveled off over the past two decades.

In response to Mr. Pruitt's comments, an atmospheric scientist in California named Benjamin Santer pulled together some colleagues to study satellite data from around the world. They found that Mr. Pruitt was in fact wrong, and they prepared to publish their findings in *Nature Scientific Reports*.

Then something pretty weird happened. A few of the scientists came forward and said that they didn't want their names listed on the research. They were worried about their ability to get a green card in the United States. Mr. Santer told the *New Yorker* that this was the first time in his life that he had seen his colleagues fear putting their names on research because they were worried about the negative consequences for themselves and their families.

In this country, scientists should not work in fear. They should not worry about their work being politicized. But this is where we are, and it is a moment that has been carefully planned by a small group of people who do not want the United States to act on climate. Because of these groups, the United States is home to the only major political party that opposes climate action. Because of these groups, Scott Pruitt—a man who denies that climate change is real and that it is caused by humans—is running the Federal Agency charged with dealing with climate change.

For too long, these groups have gone unchallenged, their web of deceit untouched. So I am joining with my colleagues to shine a light on these groups and how they have warped our ability to make good choices.

The Heartland Institute was started in 1984, ostensibly by a group of Libertarians. Each of their positions boils down to the idea that the government has no role—not to work on ending tobacco use or to define what health insurance should look like. But they are especially focused on keeping the government from doing anything about climate change.

The Heartland Institute denies that climate change is happening, and I disagree with them. Ninety-seven percent of all climate scientists disagree with them. But they are not playing by the average think tank rules because they are not your normal think tank. Over the years, the Heartland Institute has gained a reputation for, as one website put it, being a mouthpiece for the cor-

porations who fund it, and their funders are very, very hard to track because Heartland keeps its donations secret. But we know that donors like the Koch brothers, ExxonMobil, and the Mercers are some of Heartland's biggest funders, and these donors just so happen to benefit from American inaction on climate.

If the government does what Heartland wants and stops protecting the environment, these people will profit. It is almost as if the Heartland Institute exists to promote the interests of its donors.

Last year, they mailed a package to hundreds of thousands of science teachers. It had pamphlets, a DVD, and a book called "Why Scientists Disagree about Global Warming." The mass mailing was an effort to disseminate fossil fuel industry talking points as curriculum for science teachers. They tried to send it to every middle school, high school, and college teacher in the country.

The institute has also done everything it can to defend Mr. Pruitt, who is being investigated for a historic number of ethical lapses. Heartland wrote a letter to the White House just recently that called on the President to continue supporting Mr. Pruitt. The letter said the 10 ethical investigations into Mr. Pruitt amount to "an orchestrated political campaign by [the President's] enemies."

Heartland also supports a new proposed EPA rule, and—get this one—it is a new EPA rule that will restrict the use of scientific studies in EPA decision making. It will restrict the use of science in EPA decision making.

The American Association for the Advancement of Science, the American Chemical Society, the American Lung Association, and the National Council for Science and the Environment are some of the 50 science organizations and higher education institutions that have opposed the new rule. But the Heartland Institute is for this rule.

I want to be really clear about this. This isn't about someone having a conservative ideology or different view from mine about what our energy future ought to be. There is no leftwing equivalent of the institute that acts like this. Brookings, the Center for American Progress, and other left-leaning think tanks all have dissent within their ranks, and even on the right, AEI and many others have legitimate academic discussions within the context of their political philosophy. That is not what this is. These other think tanks do not ignore scientific facts because they are real think tanks. But Heartland is not a think tank in any true sense of the word. Their work is focused not on promoting analysis based on science but on trashing analysis based on science. If you don't know that, then you can easily think they are legitimate.

For example, the Heartland Institute sends a monthly newsletter about climate issues to every legislator in the

country—State and Federal. It is actually a pretty good-looking product. This is a copy of it. It is actually really well done and well laid out in color, so it is not immediately obvious that this isn't even analysis. It looks like a publication from a scientific institution.

The people they quote or rely on for data are almost always from industry-supported think tanks funded by the same people. This month, they highlighted one of their own policy analysts who said that Oklahoma should not subsidize wind power because the industry can't survive without subsidies. They claim that wind energy is far less reliable and far more expensive than the power derived from fossil fuel. Who benefits from that analysis?

The fact is that wind energy is now the largest source of reliable electricity-generating capacity in the United States. In Oklahoma alone at least 30 percent of all power consumption comes from wind farms, and subsidies for fossil fuels are 40 times those for clean energy.

Also in their April newsletter, Heartland claims that natural gas has little effect on global temperatures. But recent evidence shows that methane emissions from oil and gas are vastly undercounted.

The temperature data on the back cover of this newsletter is from a climate denier at the University of Alabama whose data is considered unreliable and biased by the vast majority of the scientific community. This is not normal intellectual dissent within the scientific community. This is not normal political dissent about what our energy future should be. These people are propagating propaganda. This is not the work of a legitimate think tank. A legitimate think tank does not ignore facts and evidence. It does not publish data from a climate denier who is known in the science community for publishing work loaded with errors.

They are pushing us away from science and from doing the hard work of protecting and preserving our country's clean air and water so that a few of their donors can continue to make as much money as possible.

I was pleased with President Macron's speech today. There was so much he reminded us that we had in common, not just between America and France but between Democrats and Republicans. As he reminded us of our great history together, as he reminded us of our cultural exchange, as he reminded us of our military cooperation, he also reminded us that our great democracies believe in science. We have to believe in science. We have to believe in expertise. It is absolutely appropriate.

The Presiding Officer and I do not share the same political philosophy, but we have to share the same set of facts. That is what is so damaging about a so-called think tank like Heartland. They are not like AEI; they are not like CAP; they are not like Brookings. They are not like any other

think tank in Washington, DC, that on the level, from the standpoint of their own political philosophy and their own objectives, tries to get the right answer. That is an absolutely appropriate function for an institution to serve in this city, but what these guys do is not that.

I think it is very important that we draw a distinction between those who are relying upon facts and science, and those who are not. That is why I wanted to point out what Heartland is all about.

I yield the floor.

I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

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

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

Mr. WYDEN. Mr. President, it is hard to find the words that will truly reflect what an abomination the campaign finance system in America has become. The fact is, the only people who seem happy with the current state of campaign finance are billionaires who have phones full of contact information of the most powerful people in the land. Otherwise, if you are a typical American—putting in a hard day's work, supporting your family—you probably have the sense the campaign finance laws are rigged for the big and the powerful.

There was an era when running for office was as simple as putting your name out for the public, getting a few local civic groups in your corner, and bringing in a few modest donations to get your campaign off the ground. Certainly, it is not that way anymore. It has now been well chronicled how a wave of money—particularly from a few secretive powerful individuals like the Koch brothers—has flooded American politics in the last few decades. That has grown exponentially in the years since the Citizens United decision. The fact is, there has been a tidal wave of dark money buying influence across America's political system.

This isn't just about too many political ads on television and radio. Voters know that unless they unplug entirely and settle for a life out in the woods, they are going to see a lot of ads. Even beyond ads in the election season, there is this deluge of money buying the support of beltway think tanks, currying favor among lobbyists, funding so-called social welfare organizations that, frankly, aren't doing a whole lot of social welfare.

The bottom line is, for those like the Koch brothers, having deep pockets means you can buy the right to grab hold of the levers of power of the American Government. You can create a whole lot of noise that virtually drowns out the constituents back home.

I am heading home tomorrow. I have about nine townhall meetings sched-

uled in rural communities. They are always amazed that we are having those kinds of discussions—my colleague Senator MERKLEY does them as well—because it seems that in most of the country, everything that resembles the government we know so well, direct contact, open to all town meetings, is getting drowned out by a deluge of dollars that creates all of this noise—fake noise, to use the language of the times—that drives out real discussion about substantive issues.

I am going to talk about an example, one that has certainly generated some real concern over the last few months. If you want to see what is wrong with the election system, in my view, you don't have to look much further than some of the letters I have exchanged recently with the National Rifle Association. A few months ago, there were news reports of a potential financial relationship between a Russian oligarch close to Vladimir Putin and the NRA. The big question was whether the Russian money had been funneled into the NRA to assist the Trump campaign and influence the outcome of the election. In my view, I would say that is a question that most right-minded Americans would like to have answered.

I am the ranking member of the Senate Finance Committee, where we have jurisdiction over the Federal Tax Code. That includes the rules that pertain to political groups and tax-exempt 501(c)(4) organizations like the ones that are maintained by the NRA. I began in a series of letters that were sent to the organization, sent to the NRA, to ask questions about their foreign funding. The series of shifting answers I got in return from the NRA was enough to give you whiplash. First, when we inquired—because we had seen all of these news reports—they said: "Nothing to see here."

Then, as we followed up and found that a little hard to square with these public news reports, they said: "Well . . . we get foreign funding, but just from that ONE Russian, and that's it."

Then, we heard another version of what was going on at the NRA. They said it was a couple of dozen Russians giving money to the NRA. We continued to follow up, and they told the press and they told me: Hey, we are done with the Congress. We are not interested in answering any more questions. We are busy. We have other things to do.

That pretty much sums up the problem we have heard described on the floor this week with the campaign finance system. The information Americans have access to in campaign finance reports is just the tip of the iceberg, just the beginning of unpacking this whole question of where the money comes from in our political system. Everything under the waterline is where it gets seedy, but powerful interests have managed to figure out how to keep their handiwork hidden. The powerful use shell companies to mask the identities of who is funding campaigns

and so-called independent expenditures. Even simple questions asked of these powerful groups influencing campaigns—questions like, "Do you get money from overseas," the Congress and the American people cannot get a straight answer.

There are Members who want to see real changes made to bring some sunlight into this system. They see how important this is, giving the onslaught of attacks on the campaign finance laws that are coming from the Supreme Court. These attacks are one major reason why I have cosponsored legislation to create a constitutional amendment allowing Congress and the States to regulate and restore faith in our campaign finance system.

With respect to this approach, I didn't arrive at this judgment casually. Constitutional amendments, in my view, ought to be reserved for those situations when the delicate balance set up by the Founding Fathers has been upset or, in this case, jurisprudence that governs the system has also changed. That is the situation and the challenge our country faces today.

I know several Members of this body have put policy ideas forward. Many of them, in my view, have real merit. Virtually all of them, in my view, would be an improvement on this rotten abomination of a campaign finance system that exists today. Virtually every day folks back home get inundated with the smarmy political ads sponsored by groups that have these names that are just nonsense—names like the "American Association for American Values in America." There is one after another. I will hear about what citizens think about this during those nine townhall meetings that I am going to be having over the next few days at home. Citizens often say it is really good to have our elected officials do this. Sometimes they would kid me that we have more cows than we have voters.

Still, we are here to have this conversation because that is what I think the American political system ought to be about—direct communication, an ongoing discussion with voters, our actually being there, having the people we have the honor to represent be able to look us in the eye, to ask questions, and say: We want to hear your thoughts because we believe that is how we can hold you accountable. The flip side of that judgment is that they don't think they can do it with the campaign finance system I have described today.

All of this is fed by these reports about lawmakers who march up to Koch Industries in order to plead for support for one proposal or another. When people read these articles, they say that it sure feels like that is what the political system has become all about. It is why I have done even more open-to-all town meetings. It is one way that I can show, at least on our watch, that that is what we are doing to counter the fact that a handful of

the most powerful, like the Koch family, can generate a disproportionately loud voice in our system of government.

The fact is the campaign finance system is broken, and it is long past the time to have fixed it. I have appreciated my colleagues' coming to the floor this week to speak out on it.

I believe, as has been written, that this series of letters that I have exchanged with the NRA, just over the last few months, is a textbook case of how broken the campaign finance system is—what happens when powerful organizations and individuals like the Koch family can have a disproportionately large voice in the political system.

I think the Senate ought to get about the business of fixing this system and ending the current way in which political campaigns are financed, which, as I said when I began my remarks, is such an abomination that it doesn't pass the smell test.

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

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

Mr. MERKLEY. Mr. President, we are at a critical moment in world history, filled with innumerable dangers and challenges. Russia is causing enormous trouble attacking the foundation of democracies around the world, interfering in our elections, developing new tools to move public opinion in countries other than its own while hiding behind robotic social commentaries. We have a nuclear-armed North Korea seeking legitimacy and recognition and critical talks about to occur over the effort to denuclearize the Korean Peninsula. Syria is not just in the grip of a civil war, it is in the grip of a fractured chaotic state as a result of the destruction of cities and towns throughout the nation, leaving them as destroyed shells of buildings with infrastructure completely decimated. We have a humanitarian crisis in Burma and Bangladesh with massive ethnic cleansing. We have four famines unfolding in Africa, with 20 million people at risk of starvation. In every place you look, there are more of these challenges related to corruption of foreign governments, to climate chaos, to civil conflict.

We need a Secretary of State who can help navigate our country in these difficult times. We need to be able to work with neighbors around the world, with allies around the world, exercising diplomacy in partnership with the strength of the United States.

I come to the floor to share that I have grave doubts that Mike Pompeo does not bring the right skills to this job. I am concerned about his choice of

military action over diplomacy in a position that is supposed to bring the art of diplomacy to its full execution. I am concerned about his statements of disrespect and dishonor to the fundamental nature of our Constitution under the first article that calls for Congress to be able to open the door to the exercise of military power, not the President. I am concerned about his deep-rooted conflicts of interest that may prevent him from tackling one of the gravest threats to humans on this planet; namely, climate change. So I will be voting against his nomination and felt it only appropriate to share more of my concerns.

Let's start with the issue of diplomacy. The United States led the world in working to stop the Iranian nuclear program, working with the P5+1 group of states and with Iran to say that such a program of developing the basic elements necessary for nuclear weapons was absolutely unacceptable and bringing to bear such international pressure that Iran said: We will agree to that. We will agree to that. We will dismantle our nuclear powerplant—our plutonium plant. We will fill it with concrete. We will proceed to eliminate the stockpile of uranium enriched up to 20 percent. They agreed to cut the stockpile of low-enriched uranium by 98 percent, to profoundly reduce its gas centrifuges, shutting down two-thirds of them. On top of that, Iran agreed to the most aggressive and furthest reaching inspections that the International Atomic Energy Agency has ever had in any agreement, giving us profound insights into the operation of their nuclear program or, to put it differently, profound insights into the operation of their program and the dismantlement of their program.

Yet Director Pompeo has condemned this effort in diplomacy to stop the uranium program. He has told me it was unneeded because Iran wasn't pursuing a nuclear weapon. Well, quite interesting, but Iran was pursuing, clearly developing, all the elements necessary to have a nuclear weapon, and that represented a significant threat to the United States of America, and this agreement stops that threat in its tracks. So he condemned it, not just saying it wasn't necessary but that it showed negotiations occurred "where we should have shown strength," and he said the United States "bowed when we should have stood tall."

What did he mean by that? He meant we didn't need an agreement in order to stop the Iranian nuclear program because we had something else. We had the sword that we could stop their nuclear program with, as he put it, "2,000 sorties"—"2,000 sorties," he said, "to destroy the Iranian nuclear capacity . . . is not an insurmountable task for [United States] coalition forces."

Simply carrying the sword and saying we could stop other nations from doing things by bombing them is not the expertise we need in a Secretary of State.

Then there is Mr. Pompeo's attacks on the Muslim community—falsely claiming that Islamic leaders in America were silent in the face of terrorist attacks like the Boston Marathon bombing. It was not true, but he chose to attack Muslim Americans—single them out for assault. He said they were "complicit" and failed in the "commitment to peace," not even bothering to get the facts in advance.

Then there is his longstanding opposition to equal rights for LGBTQ Americans. Much of what we try to do around the world is to lay out a vision of opportunity for all, and we should quit slamming doors in the faces of individuals around the globe who are pursuing personal happiness, opportunity, and success just as we try to end the door-slammings here at home—the discrimination, the prejudice, the hatred, the bigotry, but Mr. Pompeo engaged in calling the end of discrimination a "shocking abuse of power" when the Supreme Court ruled in *Obergefell*. Not only that, but when he went to the CIA and the mother of Matthew Shepard was scheduled to give a speech on hate crimes, he canceled, at the last second, her speech. He did not want the mother of a victim of hate crimes to talk about the crime against an LGBT American strapped to a wire fence and left to die. Shouldn't that be exactly the sort of speech that should be given about our respect for all Americans and about how much we stand against hate crimes?

So that is very disturbing, when you go into a world where respect for people of every religion, from every part of the world, is part of the negotiating power and strength of America. If you disrespect people, they do not join us in partnership to solve problems. So those are my concerns on the diplomacy side.

I am also concerned that he expressed a complete lack of interest in the constitutional power invested in article I, which is the article for Congress to declare war. He indicated that the President had unlimited power in article II, which is the ability to conduct a war after Congress has authorized it, but he seemed to completely overlook that first step of congressional authorization.

We have tried to encapsulate that congressional authorization in the War Powers Act, making it clear that the President cannot take us to war without a declaration of war or, second, without explicit authorization through something like an authorization for the use of military force or without a direct emergency involving an imminent attack on the United States, our assets, or our forces. It is the War Powers Act that embodies the heart of the Constitution about the conduct, the ability, and the limitations on the President to start a war. It is given to Congress to decide whether or not we can go to war, and Mr. Pompeo does not agree with that important, important congressional factor. I don't

know, quite frankly, how one can take the oath of office and not respect the Constitution as it delivers that power to this body, not to the President.

My third concern goes to the conflict of interest that he brought into consideration for this position. Specifically, it is the conflict of interest that he carries into his career through his very, very close association with the Koch brothers. He has been given the nickname "the Congressman from Koch." The headquarters of Koch Industries is located in his district. The Koch brothers gave him the money to start his business. The Koch brothers were the biggest donors to his campaign. His entire career is carefully intertwined with the Koch brothers and advocating for whatever they wanted him to advocate for.

What we see is that the Koch brothers are advocating against our working with other nations to take on the challenge of climate chaos. Now, Mother Nature sent us a big, rude awakening this last year with three powerful hurricanes tearing apart parts of our country and with forest fires stretching from Montana across to the Pacific Ocean and down the Pacific coast, deep into California, because of the carbon pollution that is warming the seas and changing the weather patterns and drying out our forests.

We suffer that, but we see so much more. We see the moose dying. We see the lobsters migrating. We see the oysters unable to have babies. A billion of them died back about the time I took office here in the Senate because of the acidification of the ocean, coming from carbon pollution.

The whole world is coming together to try to take on this problem, but Mr. Pompeo is uninterested in this major threat facing humanity. He supports our disengaging from the international community and taking this on. He is fine letting China take the lead and producing the economic results of taking the lead instead of the United States taking the lead and being engaged in these partnerships. So, colleagues, those are my concerns.

We need an individual dedicated to the power of diplomacy, not someone who reaches first for the sword. We need an individual who respects different religions and respects the opportunity in the United States that we carry to the world as a beacon of freedom, not one who disrespects it. Third, we need an individual whose career is not tied to a single industry and whose outlook is to continue to protect that industry, even in taking this job.

So for those reasons, this nomination should be turned down.

Thank you, Mr. President.

The PRESIDING OFFICER (Mr. PERDUE). The Senator from North Carolina.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. TILLIS. Mr. President, I ask unanimous consent that the Senate resume legislative session for 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.

EARTH DAY 2018

Mr. DURBIN. Mr. President, last Sunday, April 22, marked the 49th Earth Day. Given the Trump administration's reckless assault on the environment, it is frightening to think where we might be on the 50th Earth Day.

President Trump hasn't built that "big, beautiful" wall he promised. More than a year into his term, he still hasn't filled dozens of critical posts, from Cabinet Secretaries to ambassadors.

Looking at what hasn't been done, a reasonable person might assume that this President still hasn't learned how to make government work. That might be true in many areas, but when it comes to the environment, it is dead wrong.

From day one of his administration, President Trump has used budget cuts, executive orders, and other administrative and regulatory tools to push a concerted rollback of environmental protections. President Trump has repealed or frozen some 850 rules and regulations, many of which have a direct impact on the environment.

He has signaled his intention to withdraw the U.S. from the Paris climate accord. America is the largest emitter of carbon gases, and we are the only nation on Earth that is not part of the global effort to save the planet from climate chaos and catastrophe.

Under this President, we have ceded global leadership on the climate to other nations, especially to China. Not only is that shameful, it is bad business. Some of the best-paying jobs of the 21st century will be in renewable energy industries. How are we going to create those jobs and industries in America with a President and administration that refuse to admit even the existence of climate change?

Since Earth Day last year, the U.S. has suffered some of the deadliest and costliest disasters in our history. Last August, Hurricane Irma battered the southern U.S., especially south Florida. It was followed quickly by Hurricane Harvey, which caused an estimated \$200 billion in damage and pummeled Houston. In September, Hurricane Maria caused the worst natural disaster on record in Puerto Rico. Nearly 8 months later, most of the island is still without electricity. After the hurricanes came the wildfires, including some of the worst wildfires in California's history.

Scientists warn that without significant reductions in carbon emissions, climate chaos will become more frequent, more deadly and more expensive.

What is FEMA's response? Strategic plans drawn up by FEMA during both the Obama and George W. Bush administrations acknowledged climate change as a serious threat, right up there with terrorist attacks. Under this President, FEMA has dropped any mention of climate change from its strategic plan. The reality we dare not deny has become the crisis whose name the Agency dare not utter.

Last year and again this year, President Trump has sent Congress budget plans that would gut the Department of Interior and the Environmental Protection Agency.

Scott Pruitt, the President's choice to run EPA, is an ethical nightmare, but he is a polluter's dream. He has vowed to withdraw the Clean Power Plan, a plan to cut emissions from the U.S. power sector by 32 percent from 2005 by 2030. Administrator Pruitt has signaled that he wants to roll back modest new fuel efficiency standards for cars and light-duty trucks—standards that would reduce U.S. greenhouse gas emissions significantly. The EPA under Donald Trump and Scott Pruitt has suspended the "waters of the United States" rule, designed to reduce pollution in 60 percent of the Nation's lakes, rivers, and streams.

EPA is not the only member of the Trump Environmental Wrecking Crew.

Today, 94 percent of the outer continental shelf in the Pacific, Atlantic, and Arctic Oceans is off limits from oil and gas exploration. The Department of the Interior is proposing to open 90 percent of the outer continental shelf for future oil and gas drilling. On top of this, this administration has weakened safety requirements that prevent oil spills.

Interior's Bureau of Land Management is also selling off thousands of federally owned parcels of land for oil and gas development. Among the national treasures up for sale are two national monuments in Utah: the Grand Staircase-Escalante and Bears Ears, home to some of the richest and most important archeological finds in our Nation.

Interior Secretary Zinke had a special flag designed for himself and ordered that it be flown whenever he was in the Department headquarters. It would be more fitting if he flew the white flag of surrender because that is what this administration is doing.

They are surrendering America's global leadership in the efforts to save this planet from climate catastrophe, and they are surrendering decades of important and lifesaving progress we have made since the first Earth Day in safeguarding our environment, preserving our natural treasures, and protecting the health and safety of the American people.

They are undoing decades of bipartisan agreements that balanced science