

Mitch McConnell, John Boozman, Jerry Moran, Marco Rubio, Deb Fischer, John Barrasso, Richard Burr, Ben Sasse, Richard C. Shelby, Cory Gardner, Mike Crapo, James E. Risch, Shelley Moore Capito, John Hoeven, Dan Sullivan, Rob Portman, John Thune.

The PRESIDING OFFICER (Mr. TOOMEY). By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Samuel Dale Brownback, of Kansas, to be Ambassador at Large for International Religious Freedom, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. CORKER) and the Senator from Arizona (Mr. MCCAIN)

The yeas and nays resulted—yeas 49, nays 49, as follows:

[Rollcall Vote No. 22 Ex.]

#### YEAS—49

Alexander	Flake	Perdue
Barrasso	Gardner	Portman
Blunt	Graham	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rounds
Capito	Heller	Rubio
Cassidy	Hoeven	Sasse
Cochran	Inhofe	Scott
Collins	Isakson	Shelby
Cornyn	Johnson	Sullivan
Cotton	Kennedy	Thune
Crapo	Lankford	Tillis
Cruz	Lee	Toomey
Daines	McConnell	Wicker
Enzi	Moran	Young
Ernst	Murkowski	
Fischer	Paul	

#### NAYS—49

Baldwin	Hassan	Peters
Bennet	Heinrich	Reed
Blumenthal	Heitkamp	Sanders
Booker	Hirono	Schatz
Brown	Jones	Schumer
Cantwell	Kaine	Shaheen
Cardin	King	Smith
Carper	Klobuchar	Stabenow
Casey	Leahy	Tester
Coons	Manchin	Udall
Cortez Masto	Markey	Van Hollen
Donnelly	McCaskill	Warner
Duckworth	Menendez	Warren
Durbin	Merkley	Whitehouse
Feinstein	Murphy	Wyden
Gillibrand	Murray	
Harris	Nelson	

#### NOT VOTING—2

Corker	McCain
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The VICE PRESIDENT. On this vote, the yeas are 49, the nays are 49. The Senate being equally divided, the Vice President votes in the affirmative, and the motion to invoke cloture is agreed to.

Mr. MCCONNELL. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Samuel Dale Brownback, of Kansas, to be Ambassador at Large for International Religious Freedom.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak for up to 15 minutes as in morning business.

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

#### OFFSHORE OIL AND GAS DRILLING

Mr. WHITEHOUSE. Mr. President, I begin today by adding a Rhode Island voice to the chorus of coastal communities around the country standing against President Trump's reckless and unwelcome choice to try to allow oil and gas drilling off of nearly all U.S. coasts.

The Rhode Island ocean economy is worth over \$2 billion and employs more than 40,000 people. For whatever potential gain of fossil fuel corporations, offshore drilling introduces all sorts of hazards to our fishing industry and people who work in tourism and recreation along Narragansett Bay.

Remember how devastating the 2010 BP oilspill was in the Gulf of Mexico? This graphic depicts what a spill that size would look like off of New England.

The administration has tossed aside a 5-year plan that underwent multiple revisions and involved multiple agencies over multiple years taking into account the input of stakeholders and literally millions of comments from the public.

The final plan that had been developed after all that effort allowed for only 10 lease sales in the Gulf of Mexico and one sale in the Cook Inlet program area off the Alaska coast. There were no lease sales allowed in the Pacific or Atlantic. Why? Because everybody hates it.

In ruling out drilling off our Atlantic coast, the Bureau of Ocean Energy Management cited "strong local opposition, conflicts with other ocean uses, . . . current market dynamics, . . . [and] careful consideration of the comments received from Governors of affected states."

None of that has changed, and the Trump administration ought to listen to those coastal voices, not just the occasional Republican Governor of a coastal State seeking a political boost.

Rhode Island, the Ocean State, has come out strongly opposed to this proposal. Our Governor, Gina Raimondo, said the administration's plan is "endangering the health of nearly all coastal waters in our country, including our 400 miles of coastline in Rhode Island, so that rich oil companies can get richer."

Rhode Island Attorney General Peter Kilmartin vowed to "continue to fight this latest move by the Trump admin-

istration to give the oil and gas industry carte blanche to destroy our environment."

Rhode Island is a leader in offshore wind development. It was the first in the Nation to have steel in the water, first in the Nation to have electrons flowing to the grid. We also have vibrant fisheries and a longstanding fishing economy. We depend on our coastal economy for that, for tourism, and for many other things. Also, we are especially susceptible to sea level rise and other consequences of climate change. We are not about to go back in time and endanger our coast with the extraction of more dirty fuels.

Here in Washington, I led a bipartisan group of New England Senators seeking legislation to bar offshore drilling along our New England coast. My Rhode Island colleague, Representative DAVID CICILLINE, introduced the companion legislation in the House of Representatives. The Trump administration will not be following through on its rash plan if New England's bipartisan Members of Congress have anything to say about it. The value of healthy oceans and coasts is tangible and immediate for us.

The larger backdrop to this conversation about offshore drilling is that our oceans are steadily getting sicker, even without the threat of additional oil spills. The oceans have absorbed approximately 30 percent of the excess carbon dioxide that we have added to the atmosphere since the industrial revolution began. That is changing the ocean's chemistry dramatically. The oceans have already absorbed roughly 90 percent of the excess heat trapped in the atmosphere by those greenhouse gases. We would not be living the way we have gotten used to through our development as a species if it weren't for the ocean absorbing so much of that excess heat. We owe the oceans a lot, but as a result of that excess carbon dioxide and excess heat, our oceans are warming, and because they are warming, they are rising and, as well, of course, they are growing more acidic, putting marine life, coastal communities, and ocean economies all in jeopardy.

Oceans face another emerging problem, which is deoxygenation. Oceans need oxygen, and fish and other creatures that live in the ocean need oxygen, and we are finding that there is less and less. Low-oxygen zones in the ocean are nothing new. Dead zones or areas where oxygen levels drop too low for marine life to survive occur naturally, but dead zones are worsening. They are worsening near the coasts where agricultural runoff spurs rapid blooms of phytoplankton. When the phytoplankton die, their decomposition consumes large amounts of oxygen from the water, and fish and other marine animals suffocate. We saw this just a few years ago in Narragansett Bay's Greenwich Bay area.

Now, the Gulf of Mexico routinely sees dead zones as nitrogen-rich waters

flow from farms in the heartland, down the Mississippi River, and into the gulf. Last year's gulf dead zone reached record levels. NOAA, which measures these things, estimated the dead zone to be the size of New Jersey—the largest ever recorded in the Gulf of Mexico. NOAA assessed that the cause was unusually heavy rains in the Midwest associated with climate change that washed large amounts of fertilizer into the river and down to the gulf.

NOAA is not alone. Last year's Climate Science Special Report, the scientific backbone for the Federal Government's Fourth National Climate Assessment, discussed the growing issue of climate change-driven ocean deoxygenation. The report did not mince words. "Global ocean deoxygenation is a direct effect of warming." As water warms, it loses its capacity to absorb gases like oxygen, and warmer water circulates less, meaning there is less mixing of water and oxygen between the surface and deeper waters. The report attributes 85 percent of global oxygen loss to this stratification, as it is known, of the water.

Worldwide, ocean oxygen levels have declined. According to the Climate Science Special Report, the North Pacific, North Atlantic, Southern Ocean, subtropical South Pacific, and South Indian Oceans are all expected to experience further deoxygenation. Oxygen may drop off as much as 17 percent in the North Pacific by 2100 if we don't rein in carbon emissions.

Not surprisingly, fish and other marine wildlife try to steer clear of dead zones. If they are not able to breathe in these low-oxygen waters, they can die. Dr. Callum Roberts, a researcher at the University of York, has also warned that large and fast-moving fish that use more oxygen, like tunas, billfish, sharks, and fish like this unbelievably beautiful marlin, are being relegated to shrinking high-oxygen areas causing them to change how they hunt. A 2010 paper in *Deep-Sea Research* estimated that from 1960 to 2008, the areas in the ocean where oxygen levels are too low to support fish and other big ocean organisms have grown by over 1.7 million square miles—an added 1.7 million square miles with oxygen levels too low for God's beautiful creatures like this one.

One example of this phenomenon comes to us from former NOAA researcher Dr. Eric Prince, who noticed that blue marlin, a fish which is actually well known for its diving capabilities, would not leave the top hundred feet of ocean off of Costa Rica and Guatemala. Elsewhere, in the ocean, marlin regularly go half a mile down to hunt. The reason for constraining themselves to that top 100 feet of ocean? "A deep, gigantic and expanding swath of water that contained too little oxygen." A 2011 study in *Nature Climate Change* estimated that over 50 years the surface ocean habitat in the tropical Northeast Atlantic used by

tunas and billfish, like the blue marlin, has shrunk by 15 percent due to deoxygenation.

A study published earlier this month in the prestigious journal *Science* warned that though there may be a short-term fishing surge due to the crowding of fishing species into surface waters—they are easier to find because there is less oxygenated water that they are in—"in the longer term, these conditions are unsustainable and may result in ecosystem collapses, which ultimately will cause societal and economic harm."

This portends devastating effects. The World Health Organization says around 1 billion people rely on fish as their main source of protein. The U.N. Food and Agriculture Organization estimates 10 to 12 percent of the world's population base their livelihoods on fisheries or aquaculture. Bringing it closer to home, commercial fish landings for Rhode Island for 2016 totaled 82.5 million pounds and were valued at nearly \$94 million. In 2014, the New England ocean economy was valued at over \$17 billion and employed nearly a quarter of a million people. All of that is at risk as we pull out the cornerstones of our ocean ecosystem.

Here is where it actually gets a little weird. Oxygen depletion could actually spur a boom in nitrogen-breathing microorganisms—tiny microbes that breathe nitrogen instead of oxygen. They might then demand enough valuable nitrogen that they crowd out other ocean species that also need nitrogen, and these nitrogen species exhale nitrous oxide, which is a greenhouse gas which creates another possible climate change feedback loop.

As a recent Washington Post story put it, our growing understanding of ocean deoxygenation "underscores once again that some of the most profound consequences of climate change are occurring in the oceans, rather than on land."

As Dr. Denise Breitburg, the lead author of the recent *Science* paper said, "Of course, declining oxygen isn't happening in isolation. . . . Warming itself threatens marine food webs, as does acidification caused by increased carbon dioxide in the water. But the threats are worse when combined."

That is what we are seeing—deoxygenation, warming, acidification combined.

We recklessly ignore the warnings that the oceans are screaming at us. Scientists are seeing numbers and conditions in the oceans they have never seen before. We ignore also the high tides that now regularly flood downtowns of major cities as sea levels rise. We ignore fish species moving northward and offshore in search of cooler waters away from traditional fisheries. We ignore the oyster spat dissolving in acidic seawater before they can grow to maturity. We ignore coral reefs turning white and dying in warm, acidic seas. We ignore the record strength of warm-water-fueled 2017 hurricanes that killed

people, destroyed homes, and caused billions of dollars in damage.

I wonder how long can we ignore the cries from our oceans? Truly, it is time to wake up.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Mr. President, 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.

#### ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that at 5 p.m. today, all postcloture time on the Brownback nomination be considered expired and that, if confirmed, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

I further ask unanimous consent that the vote on the James nomination occur at 1:45 p.m. on Thursday, January 25, with all other provisions of the previous order in effect.

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

The Senator from Maryland.

#### BRINK ACT

Mr. VAN HOLLEN. Mr. President, I want to start my remarks today by focusing on a serious threat to our national security, and that is North Korea's nuclear program—both its nuclear weapons program as well as its missile program.

At this moment the United States must exert maximum economic pressure to get North Korea to engage in meaningful discussions with the goal of denuclearizing the Korean Peninsula.

That is why Senator TOOMEY and I introduced the BRINK Act. I was pleased to see the changing of the guard here at the desk, with the Senator from Pennsylvania having just been the Presiding Officer and the Senator from Colorado taking over, because I know the Senator from Colorado has also been very deeply involved in this issue to try to make sure that we address the threat of the North Korea program.

The BRINK Act is bipartisan legislation passed unanimously out of the Banking Committee back on November 7. It imposes very tough sanctions on North Korea, and, just as importantly, it has enforcement mechanisms to make sure financial institutions anywhere in the world that are not cooperating with the United States and our allies to impose those sanctions on North Korea are penalized. It is a very simple message: You can do business with North Korea or you can do business with the United States. You cannot do business with both.

Given that this passed unanimously out of the Banking Committee on November 7, and that since then North