

Last year, GAO reported that coastal areas face particularly high financial risks and that annual coastal property losses from sea level rise and increased storms will run into the billions of dollars every year in the short run and over \$50 billion every year by late century. GAO pointed to an EPA estimate of \$5 trillion in economic costs to coastal property from climate change through 2100. Our coastal States can't laugh that off because it makes the oil industry uncomfortable to talk about climate change.

Investors, creditors, appraisers—everybody who works coastal markets—is taking notice. Last December, the credit rating agency, Moody's, adopted indicators "to assess the exposure and overall susceptibility of U.S. states to the physical effects of climate change." This is Moody's. Moody's looks particularly at coasts and at the share of a State's economic activity generated by its coastal communities. It counts the homes built on flood plains, and it counts the risk of extreme weather damage as a share of the local economy.

The managing director at Moody's told the Chicago Tribune that Moody's would be taking these risks into consideration when evaluating the credit ratings of coastal municipalities and States.

Property appraisers are also starting to incorporate these risks into their work. The Appraisal Institute's Valuation magazine quoted Rhode Island appraiser Brad Hevenor's warning that homes that receive a 30-year mortgage today "might be completely different types of property [by the end of their mortgage] than they are today." He points out, as Senator MENENDEZ pointed out, that FEMA flood maps are defective, backward-looking, and often insufficient at accurately predicting risk for communities and homeowners.

My frustrations with FEMA's flood risk maps are no secret. They are notoriously inaccurate, incomplete, and outdated. The Agency's modeling is often based on inaccurate data and on methodology from the 1970s. It has proven particularly incapable of accurately capturing the different wave and dune dynamics that determine real flood risk along coasts during major storms.

The Rhode Island Coastal Resources Management Council, a small State agency, has had to develop its own models to provide better risk information to coastal residents and communities than FEMA provides. The contrast between the State's work and FEMA's maps highlights just how costly and potentially life-threatening reliance on FEMA's maps can be.

This map is FEMA's map relative to mean sea level for a 100-year storm hitting Charlestown, RI. Here is the code as to how much flooding to expect. The worst flooding for the homes that surround Ninigret Pond, along Rhode Island's southern coast, looks to be around 14 feet around this area here.

This map shows the CRMC's prediction for the same area for the same storm. It projects that homes in this same area may see closer to 20 feet of floodwaters, which means FEMA's map is underestimating flood risk by 6 feet.

It is not just errors in Rhode Island. Rice University and Texas A&M found that FEMA flood risk maps captured only about 25 percent of the actual damage from storms that hit Houston between 1999 and 2009—25 percent. According to the Houston Chronicle, more than half of homes damaged by Hurricane Harvey were not listed in any flood risk areas, meaning they were not required to have flood insurance or meet any flood risk mitigation building codes.

Congress continues to fund these maps on the cheap, leaving Americans to bear the risk of antiquated models that don't reflect the changes that climate change is bringing to our coasts. Families are forced to endure the repeated damage and destruction of their homes, and taxpayers are made to pay the cost of over and over and over rebuilding the same building in the same place that is already washed away.

After Hurricane Harvey in 2017, the Flood Insurance Program hit its \$30 billion borrowing limit. We maxed out. So in October of 2017, Congress had to forgive \$16 billion worth of debt to free up money to pay off claims for Harvey, Irma, and Maria. The program is currently at least \$20 billion in debt, and claims from the 2018 hurricane season are still being processed. The Congressional Research Service, as of September 2018, found that the program had only \$9.9 billion of remaining borrowing authority.

It is time to get serious about reforming this broken system and reform it for a changing climate and for changing coasts—the things we know are coming at us. The current system often leaves homeowners no option but to rebuild the same building in the same place on the flooded property. CRS estimates that only about 2 percent of current NFIP-related properties are considered repetitive loss or severe repetitive loss properties—only 2 percent, but that 2 percent accounts for 16 percent of claims, \$9 billion. Over the life of the NFIP, those repetitive loss or severe repetitive loss properties have totaled around 30 percent of all claims, about \$17 billion.

Insurance should allow homeowners to walk away from flood-torn structures and go find new, safer homes. Currently, only States or municipalities can use FEMA to arrange buyouts of flood-prone properties. FEMA then provides up to 75 percent of funding for the local government to buy the property at fair market value, and then it becomes open space. But the buyout process is cumbersome, it is bureaucratic, it is not in the hands of the homeowners, and it doesn't get much use. How many mayors and city councils want to buy out and turn to public use valuable property that is a part of

their tax base and encourage folks, potentially, to leave?

The flood program should work with communities to plan for cost-effective resiliency to flooding, whether it is elevating properties, moving homes, or retreating from rising seas. Homeowners should have these options. It is willful blindness to ignore this problem as seas continue to rise and storms become more unpredictable and ferocious, and it is even worse when you compound it with false and erroneous mapping so that the warnings to these families are wrong.

Property owners and communities deserve proper warning about the flood risks they face, and they deserve alternatives to simply rebuilding the same building in the same place so that it can be flooded again and again and again, which the program now forces them to do.

With so much at risk for American families, it is time to wake up and put in place a smart and reliable system once and for all.

I yield the floor, with my gratitude to the distinguished senior Senator from New Jersey in joining me here today.

THE PRESIDING OFFICER. The Senator from Washington.

NOMINATION OF CHAI FELDBLUM

Mrs. MURRAY. Mr. President, I come to the floor today to raise concerns about the unprecedented and partisan obstruction of a highly qualified nominee to a critical agency.

In this country, it is illegal to discriminate against someone in the workplace because of the traits that make them who they are—their race, religion, sex, disability, and more—and it is the Equal Employment Opportunity Commission's responsibility to enforce those laws and give every person the opportunity to make a living for themselves without fear of discrimination or harassment.

Right now, a single Republican Senator is threatening to derail the confirmation of Ms. Feldblum for another term on the EEOC. Ms. Feldblum has served two terms on the EEOC, where she has earned the respect of her professional colleagues on both sides of the aisle. She has strong support from Republicans and Democrats in the Senate, and she has been confirmed by this Senate twice.

When it comes to independent boards and commissions, including the EEOC, the Senate has a longstanding practice of pairing nominees—one from the majority party and one from the minority party. This is so important because it allows the minority party the opportunity to have a voice. In this case, it allows my Democratic colleagues and me to ensure that employers are held accountable for workers' rights and safety on the job. This practice is also important to bipartisanship in the Senate. Part of that longstanding practice is that the majority cannot railroad

the nomination of a well-respected and well-qualified individual chosen by the minority.

If Ms. Feldblum's nomination is blocked by this Congress, it will be an unprecedented power grab by the majority that would permanently shift the balance of power in the Senate. I hope all of my colleagues take seriously what it would mean if yet another power of the minority in the Senate was taken away. Most importantly, if one Republican Senator insists on blocking Ms. Feldblum's nomination, the work of the Equal Employment Opportunity Commission—an agency workers rely on to protect their rights and safety on the job—is going to come to a grinding halt.

Over the past 2 years, we have seen a shift in this country toward acknowledging and taking action against sexual assault and harassment, especially in the workplace. For far too long, this epidemic of powerful men taking advantage of their subordinates, employees, or those without a voice was swept under the rug. Women and men were told to brush it off or have a sense of humor or just endure the harassment or abuse they were facing in the workplace. Many did because they knew they would be punished, retaliated against, or even fired.

After the Presidential election and the Women's March, when so many women and men around the country made their voices heard and fought back against misogyny, sexism, racism, and tilted the playing field that has favored those at the top for too long, we started to see women and men bravely come forward at a level we have never seen before to say "no more" and to speak out against their experiences of sexual assault and harassment in the workplace.

Because of that courage, a lot of powerful men in Hollywood, in the media, and in Congress have finally been held accountable for their actions, especially when it came to using their power to take advantage of younger or less powerful women and men.

For women and men in industries outside the spotlight—in hospitality, in technology, in farm fields, and in so many offices and workplaces around the country—there has not been the same kind of reckoning. For many of those workers, the EEOC is one of the very few places they can turn to. The EEOC is a resource for workers who need to file complaints of harassment or discrimination. It holds employers and businesses accountable for widespread discrimination and harassment.

Again, because of the objection of a single Republican Senator, it is possible now that the EEOC will be unable to conduct some of its most critical work. Here is what that means for workers in our country. The EEOC would no longer be able to bring some large cases when discrimination is part of employers' general operating standards. That often includes hiring practices, equal pay, or sexual harassment.

It means workers will not be able to file complaints to stop what happened to them from happening to anyone else.

The EEOC would not be able to rule in cases where the Commission has not previously taken a position and a new policy must be created, and regional EEOC offices would not be able to hire expert witnesses in some cases, meaning that many cases would be stalled or even punted.

This is not hypothetical. Without a quorum—without a quorum—the EEOC would not have been able to participate in the 2016 case against a tire company that refused to hire women for field positions. After the EEOC intervened, that company settled with 46 women and implemented safeguards to prevent further discrimination. The EEOC also would not have been able to participate in a case against the outdoor store that discriminated against African Americans and Hispanic workers in hiring practices and retaliated against workers who stood up against unlawful practices.

Workers around the country rely on the EEOC every day to intervene when they are being harassed, discriminated against, or unfairly treated at work. Whether they are being told they must work on their day of religious observance or being told they cannot do a certain job because of their sex, the EEOC is there for them.

In this moment when sexual assault and harassment in the workplace are at the forefront of our national conversation, this is the wrong message to send to the American workers and their employees. We need to prove to the millions of women and men that we are taking the epidemic of harassment in the workplace seriously.

I have spoken to many of my colleagues on both sides of the aisle to make the case for confirming Ms. Feldblum before the end of this Congress. There is strong support on both sides of the aisle to get this done, with the exception of one lone Republican Senator.

I urge my colleagues across the aisle to push aside this unprecedented obstructionism, and I call on the Senate to move forward with confirming the full slate of nominees to the EEOC before this Congress ends so the Commission can continue to fulfill its duty to workers by enforcing protections and ensuring people are able to go to work and make a living without the fear of discrimination, harassment, or abuse.

I hope that as we are confirming the EEOC nominees, the Senate will also confirm Mark Pearce to another term on the National Labor Relations Board. Like the EEOC, the Senate has a long history of confirming majority and minority members to the Board in pairs. However, this year, Senate Republicans jammed through the majority members without reconfirming Mr. Pearce, allowing a minority seat to sit empty.

Mr. Pearce is extremely qualified and has a long track record of serving his

country for 8 years now as a member of the Board. He has a distinguished background representing unions and workers. Right now, when the Republican Board members are rushing decisions through that chip away workers' rights, even violating ethics pledges to do so, it is clear that the Board could benefit from his knowledge and expertise and voice for workers.

As I have told my colleagues across the aisle, I will not allow the Senate to jam through any HELP Committee nominees until Mr. Pearce and Ms. Feldblum are reconfirmed to their positions on the Board and the EEOC.

UNANIMOUS CONSENT REQUEST— EXECUTIVE CALENDAR

Mrs. MURRAY. Mr. President, I ask unanimous consent that the HELP Committee be discharged from further consideration of PN 1318 and the Senate proceed to the en bloc consideration of the following nominations: PN 1318, Executive Calendar Nos. 379 and 381; and that the Senate vote on the nominations en bloc with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Utah.

Mr. LEE. Mr. President, reserving the right to object, I first want to note that it has been suggested that there is only one objection to Chai Feldblum's nomination to the EEOC. That is not true. I am among those objectors; I am not the lone objector.

My objection to this nominee relates to my belief and religious freedom. You see, religious freedom is very important to me. I am the descendant of people who were ordered exterminated by the Governor of Missouri on October 27, 1837. Religious intolerance cannot be tolerated in this country, and I see a growing wave of religious intolerance. I see a growing wave of sentiment of people suggesting that on the basis of people's religious beliefs, they can be subject to adverse government decision-making.

Ms. Feldblum has written that she sees a conflict between religious belief and LGBT liberty as "a zero-sum game" where "a gain for one side necessarily entails a corresponding loss for the other side." I see no reason why that should be the case, and I think that is fundamentally incompatible with our Nation's long tradition of pluralism and religious freedom.

Make no mistake—there is no mystery about which side Ms. Feldblum thinks should win. In a separate speech, she said: "There can be a conflict between religious liberty and sexual liberty, but in almost all cases, the sexual liberty should win. . . . I'm having a hard time coming up with any case in which religious liberty should win."

I find these remarks stunning, especially because an entire amendment to the U.S. Constitution—the very first one, by the way—is devoted to religious liberty. These are not the words