

the Venezuelans who are already in the United States. If the Trump administration is serious about helping Venezuela recover from a devastating crisis, it cannot require Venezuelans to return to a deteriorating security situation there.

It is not our place to dictate the negotiated terms of a resolution that will end this crisis. That is the role and the responsibility of the people of Venezuela and their representatives, but the United States and the international community should create the right environment for those negotiations to go forward, and they should provide the assistance to allow this transition to occur.

We don't want to see greater violence or greater civil war in Venezuela. Interim President Guaido's offer of amnesty to Maduro's military and political supporters who wish to end their support for autocratic rule is a good step, as is his explicit call for a transitional government and free and fair elections. His role should and must remain that of a steward until those elections take place pursuant to the Venezuelan Constitution.

There is an example in the region. The peace agreement in Colombia signaled the end of six decades of conflict. The hemisphere is on a trajectory toward peace with there being no ongoing hostilities in the more than 30 countries. It is critical that we keep it that way.

In conclusion, during my time in Honduras, I learned a very important prayer that we used to say at mealtime. It was this: (English translation of the statement made in Spanish is as follows:) "Lord, give bread to those who hunger and hunger for justice to those who have bread."

I call on this body and our colleagues in the international community to support the people of Venezuela in their quest for both bread and justice.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Mr. CARPER. 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 President, I ask unanimous consent that the order for the quorum call be rescinded.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. CARPER. Mr. President, before my colleague from Virginia leaves, I admire him so much. I just want to applaud him and applaud his early work as a missionary in Honduras.

During our past recess, Senator JEFF MERKLEY and I and four of our colleagues from the House were privileged to be a part of a 5-day congressional delegation to Honduras, Guatemala, and El Salvador. We were there to find out how the Alliance for Prosperity was being implemented, of which the Senator has been very supportive, as have I, in order to focus on hope, economic opportunity, crime, violence, and corruption.

The Alliance for Prosperity is focused on all of those matters. The United States puts up some of the money to address them, but we expect the other countries, including Honduras, to put up even more. It is like being at Home Depot—you can do it, and we can help. For every \$1 in El Salvador, they put up \$7, and we leverage our money to get the support of foundations, NGOs, private companies, and others to do their share. It is like turning the course of an aircraft carrier, and it is starting to turn.

Probably late this week—maybe tomorrow—I suspect Senator MERKLEY and I will want to have a colloquy on the floor. It would be great if the Senator could join us because he has forgotten more about that part of the world than we will ever know.

Thank you.

I didn't come to the floor to focus on that, but I am glad I had the chance to since Senator KAINE was here.

NOMINATION OF ANDREW WHEELER

Mr. President, I rise this evening to continue to share with my colleagues the concerns I have about the nomination of Andrew Wheeler to be the Administrator of the Environmental Protection Agency.

I want to talk for a couple of minutes about an issue that is important for all Americans, and that is reducing mercury and air toxic pollution that affect the health especially of our children.

As a number of our colleagues know, reducing mercury and air toxic pollution from our Nation's powerplants is something of a passion for me, and I know it is for some of my colleagues, too, Democrats and Republicans. In my home State of Delaware, for example, we have made great strides in cleaning up our own air pollution. Unfortunately, a number of the upwind States to the west of us have not made the same commitment.

When I was the Governor of Delaware, I used to say I could have literally shut down Delaware's economy—I could have taken cars, trucks, and vans off of highways and shut down every business—and we still would have been out of compliance for air quality because of the pollution from other States. That is because over 90 percent of Delaware's air pollution comes from our neighboring States—over 90 percent.

This air pollution is not only dangerous to our hearts, to our lungs, and to our brains, but it also costs a great deal in doctor and hospital bills and in our quality of life. It makes healthcare costs in Delaware more expensive than in other places where they get cheap electricity. We ended up having to clean up our emissions. We have more expensive electricity and higher healthcare bills. It is just not fair.

Delaware has depended on the EPA to ensure our neighbors do their fair share so that we can protect our citi-

zens in the First State. Just recently, Delaware petitioned the EPA under something called section 126 of the Clean Air Act, which requires upwind powerplants that are located in other States to turn on and fully operate their installed pollution technology. I will say that again—to use their installed pollution technology. They are not to turn it off but to leave it on.

Unfortunately, Mr. Wheeler ignored the health of Delawareans. The people of Maryland had the same concern, and the people of Connecticut had the same concern. He rejected all of our petitions. Talk about the Golden Rule. How is that consistent with the Golden Rule of treating other people the way you want to be treated? It flies in the face of it. We thought it was unforgivable.

Some of the air pollution that crosses our border is toxic. It is coming into our State as a silent killer. It wasn't too long ago that uncontrolled fossil fuel powerplants were the largest source of unregulated mercury and air toxics in the country—coal-fired powerplants.

For those who may not know, mercury and other toxics, such as lead, arsenic, benzene, and acid gases, that are emitted by uncontrolled coal-fired powerplants get into our airways, our waterways, and our seafood. As we breathe and ingest these air toxics, they build up in our bodies and cause cancer, respiratory illness, mental impairment, and even death.

Mercury pollution is especially dangerous for unborn children, who can suffer long-lasting neurological damage if they are exposed during their development at very early ages—even before they are born. The American Academy of Pediatrics has stated there is no safe level of mercury exposure for children—none.

Almost two decades ago, Senator ALEXANDER and I led legislation that required utilities to reduce mercury emissions by 90 percent. At the time, most utilities told us that it could not be done or that it would be too expensive to achieve.

In 2012, which was a few years later, the EPA implemented something called the mercury and air toxics standards—we call it MATS—which also required utilities to reduce their mercury emissions by 90 percent and other air toxic emissions by half.

Just as with the bill introduced by Senator ALEXANDER and me about a decade ago, many utilities claimed they could not meet those standards to reduce mercury and other air toxics. They predicted consumer rate spikes. They predicted mass powerplant closures. They predicted brownouts. They predicted blackouts. Luckily, those predictions were dead wrong. Under the 2012 MATS rule, the EPA determined it was appropriate and necessary to regulate air toxic plant emissions, like mercury, lead, arsenic, acid gases, and benzene, because of the health hazards of these pollutants. Today, believe it or

not, 7 years later, every utility is now in compliance with the mercury and air toxics rule—every one.

Powerplant mercury emissions are down by over 80 percent from just 7 years ago.

Compliance with MATS was done faster than predicted and for one-third the cost. Imagine that, faster than predicted, for one-third the cost, and we have gotten better results than we could hope for as well.

Let me go on. Consumer retail prices are lower today than they were before MATS was implemented. We are also seeing health benefits, as I said, occur faster than expected originally, and despite some of the original opposition, everyone now has embraced MATS. Isn't that amazing?

All these utilities and folks who opposed what Senator ALEXANDER and I were trying to do a decade ago, what the MATS rule that up to 12 years ago was trying to do—all the folks who were opposed to it then say: No, this is good. It didn't cost as much. We implemented it much faster than we had ever expected—better results than we had expected. So it is pretty amazing, a wonderful outcome—except over the December holiday break 2 months ago, for reasons unknown to me, Acting EPA Administrator Andrew Wheeler signed a proposal to remove the legal underpinnings of the mercury and air toxics standards, remove the legal underpinnings of the MATS rule.

Mr. Wheeler says this action was not intended to get rid of the rule. He says it was necessary and that the proposal strikes a balance. Everyone—everyone—industry, environmental groups, health groups—knows that is just not so. It is just not so.

No court has ordered this action, no utilities are asking for this action, and this proposal is not intended to protect public health.

Here is what EPA has done. In the proposal, EPA mimics flawed arguments used in a recent Murray Energy lawsuit against the MATS rule.

Like the lawsuit, EPA uses outdated data and deems that some benefits—like reductions in cancer, reductions in birth defects, reduction in asthma attacks—are no longer important and shouldn't even be considered.

Think about that. Think about that. Based on this information, EPA determined it is no longer appropriate and necessary for the Agency to regulate powerplant air toxic emissions—no longer appropriate and necessary to regulate mercury, to regulate lead, arsenic, acid gases, benzene pollution from powerplants. Imagine that.

Yet the Agency also proposes to keep the MATS rule which regulates powerplant air toxic emissions in place, even though it is simultaneously saying that the rule is not appropriate and necessary. This confusing conclusion opens the door for future lawsuits to vacate the MATS rule entirely.

That is our concern—not just my concern but a broadly held concern. By undermining the legal foundation of MATS, this proposal unnecessarily puts the MATS rule in legal jeopardy, and despite Mr. Wheeler's claim that he doesn't plan to eliminate the standards themselves, EPA is still requesting public comment in the proposal on whether to do just that.

If EPA is successful and the MATS rule goes away, air pollution control technologies on coal plants across the country will be turned off, just like the coal plants listed in Delaware's 126 petitions and up in Pennsylvania and I think to our west in West VA.

On this issue, Mr. Wheeler seems to be all alone. Environmentalists, States, labor groups, coal-fired utilities, religious leaders, the U.S. Chamber of Commerce all agree that the life-saving protections to limit mercury pollution should stay in place. They all agree. There are not a whole lot of things they all agree on. They all agree on this.

The stakeholders listed on this chart right over here over my shoulder and many more urge this administration not to move forward with their pro-

posal—not to move forward. Mr. Wheeler has chosen to ignore the chorus of the stakeholders who all hoped he would chart a more responsible path.

In talking with my Republican friends, I know many of them can't make sense of the EPA's efforts to undermine the MATS rule. They are as confused as I am by why Mr. Wheeler would be taking a step that will hurt public health and, frankly, hurt the industries that are required to implement this technology and protect our health.

I had hoped we could try to help Mr. Wheeler course correct on this issue during the nomination process. That just doesn't seem to be happening. His lack of willingness to change course on the MATS rollbacks is very troubling to me and one of the reasons I cannot support his nomination to be EPA Administrator at this time.

I have fought for almost two decades in this body to protect our children from mercury and air toxic pollution from powerplants. I am not going to back down. I am not going to go away.

For my colleagues who are concerned about regulating mercury, I would ask that you join me in opposing Andrew Wheeler's nomination vote tomorrow.

I yield the floor.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 7 p.m., adjourned until Thursday, February 28, 2019, at 10 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate February 27, 2019:

DEPARTMENT OF THE TREASURY

MICHAEL J. DESMOND, OF CALIFORNIA, TO BE CHIEF COUNSEL FOR THE INTERNAL REVENUE SERVICE AND AN ASSISTANT GENERAL COUNSEL IN THE DEPARTMENT OF THE TREASURY.