The Senator from Rhode Island.

CLIMATE CHANGE

Mr. WHITEHOUSE. Madam President, when we yielded to accommodate the majority leader, I was talking about the episode on the Senate floor with the Republican Senators coming to bash the Green New Deal. I wanted to go on to say that the USA Today editorial—the one saying climate change is ''a true crisis facing the United States and the world''—also said this about the Green New Deal critics:

> Republicans in the White House and Congress are having a grand old time mocking the Green New Deal. . . . But the critics owe this and future generations more than scorn; they have an obligation to put better ideas and solutions on the table.

So far we have not seen much from my Republican colleagues by way of better or, indeed, any solutions.

Madam President, I would like to take a moment to express my gratitude and appreciation to Senators MURKOWSKI and MANCHIN for the joint piece that they wrote in the ''Washington Post'' recently.

I ask unanimous consent to have that article printed in the RECORD at the conclusion of my remarks.

So we get that my colleagues don't like the Green New Deal.

Let's consider other proposals. We have lots of them on the Democratic side. We have had cap and trade. We have had ''keep it in the ground.'' We have had Green New Deals. We have had revenue-neutral carbon fee proposals.

Senator VAN HOLLEN, of Maryland, is here to discuss his ideas. We are ready here.

Republicans said last week they wanted innovation to address climate change—great, me too. But you can't count on the innovation fairy to fly down and wave innovation fairy dust on the problem and make it go away. One of the reasons that Senator BARRASSO's and my bipartisan carbon capture bill was necessary is because there was not enough innovation. There was not enough innovation because, quoting the USA Today article, ''fossil-fuel polluters keep using the atmosphere as a free waste dump.''

It is really hard to spur innovation when there is no revenue in the business model. So our bill put revenue in the business model. We did it in the form of tax credits.

But the big driver for developing innovation and for developing innovative, new technologies would be a price on carbon, just like Senator SCHATZ and I have in our American Opportunity Carbon Fee Act—a revenue-neutral, border-adjustable carbon fee. This bill passes all the major Republican tests. It is a market solution that fixes a market failure. It does not grow government or regulation, and it does not put American industry at a disadvantage against foreign competitors. It will drive innovation: Put a $50 per ton price on carbon emissions, and every polluter paying the price has an incentive to spend up to $49 per ton on solutions. That is how you get innovation.

This carbon pricing idea has support from a swath of senior Republican officials, including seven Chairs of the Council of Economic Advisers, six current and former Members of Congress, four EPA Administrators, three Secretaries of State or Treasury, two Chairs of the Federal Reserve, and one Congressional Budget Office Director—all Republicans. Some of these Republicans were members of a group of prominent economists, including 27 Nobel Prize winners, who recently published this statement in the Wall Street Journal editorial page supporting just the kind of carbon fee model that is the basis of Senator SCHATZ's and my legislation. Since then, over 3,500 U.S. economists have signed this statement, and that is because it is pretty obvious how you have to solve this problem, once you want to.

Former Republican Congressman Bob Inglis has been very active in this area. He said of our carbon fee proposal: ''Democrats . . . have offered Republicans an olive limb, not just an olive branch.''

We are trying to reach out. We are trying to get to yes, and that olive branch will remain extended as long as it takes.

If you think all of our bills are no good, come up with something better, for Pete's sake. Give it a try. I am ready to work with Republicans on passing a carbon fee or other climate change legislation. I think I have proved that by working in a bipartisan fashion. But when Republicans will not propose anything and will not agree to anything—even an olive limb offered to them—then, that is a pretty strong sign that there is something more going on than objections to a Green New Deal. If you don't like the Green New Deal, tell us what you do like. Go the carbon fee route. Go ''leave it in the ground''—whatever. But please, let's get together and solve this problem.

As USA Today said, ''the American people are getting impatient.''

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, March 8, 2019]

LISA MURKOWSKI AND JOE MANCHIN: IT'S TIME TO ACT ON CLIMATE CHANGE—RESPONSIBLY

(By Lisa Murkowski and Joe Manchin)

Lisa Murkowski, a Republican, represents Alaska in the U.S. Senate, Joe Manchin, A Democrat, represents West Virginia in the U.S. Senate.

The two of us have more in common than might meet the eye. We come from different parties, but we are both avid outdoorsmen and represent states that take great pride in the resources we provide to the nation and to friends and allies around the world. Alaska and West Virginia know that resource development and environmental stewardship must move in tandem, which is why we are committed to putting forward bipartisan solutions to help address climate change.

There is no question that climate change is real or that human activities are driving much of it. We are seeing the impacts in our home states. Scientists tell us that the Arctic is warming at twice the rate of the rest of the world. Rising temperatures and diminishing sea ice on Alaska's shores are affecting our fisheries and forcing some remote communities to seek partial or total relocation. In summer 2016, West Virginia experienced unprecedented flooding that killed 23 residents and inflicted tremendous damage across the state.

Congress is in the middle of a debate about the appropriate way to tackle climate change. This is often portrayed as an issue with just two sides—those who support drastic, unattainable measures to reduce greenhouse-gas emissions, and those who want to do nothing. We believe the time for sensationalism is over. And we are seeking ideas that will bring people together, rather than drive them apart.

On the Senate Energy and Natural Resources Committee, we are working together to find pragmatic policies that can draw strong and enduring support. In our hearings this year, we have heard from a range of experts who are helping us to gather facts that shape these efforts.

Just this week, we held a hearing focused on climate change and the electricity sector. We heard that utilities are pursuing cleaner energy technologies and integrating them into their networks. These changes to the generation mix reduced carbon dioxide emissions by 28 percent between 2005 and 2017 and lowered costs to consumers.

Yet, our witnesses also agreed that to effectively mitigate the impacts of climate change, we must do more to pursue low- and zero-carbon technologies that will continue to lower emissions.

The United States leads the world in research and development. Our national labs and universities are working toward the next scientific breakthrough, and private investors are pursuing the next game-changing technology. The United States is at the forefront of clean-energy efforts, including energy storage, advanced nuclear energy, and carbon capture, utilization and sequestration. We are committed to adopting reasonable policies that maintain that edge, build on and accelerate current efforts, and ensure a robust innovation ecosystem.

The impact of developing these new technologies will be felt by Americans from all walks of life, including residents of rural communities and other areas served by older technologies. Transitioning these communities to more efficient forms of energy will provide them with cleaner energy that is also more stable and has lower costs, which will bring about additional benefits.

American ingenuity has solved many of the great challenges of our time and is key to addressing climate change. If the United States is going to lead by example, we must continue to lead the world in the development of new and improved technologies. On the Energy and Natural Resources Committee, we agree it is time to act. And that is why we will work to find responsible solutions worthy of West Virginians, Alaskans and all Americans.

Mr. WHITEHOUSE. Madam President, I am now honored to yield the floor to my distinguished colleague from Maryland who has been working on this issue in the House before he came to the Senate and has become a real leader in our Senate caucus, Senator VAN HOLLEN.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. VAN HOLLEN. Thank you, Madam President. I want to start by thanking my friend, the Senator from Rhode Island, Mr. WHITEHOUSE, for his leadership on addressing the climate issue for many, many years, taking to the floor of the Senate time and again to raise the alarm about the dangers of climate change and what it means to communities throughout this country and people throughout the world, and, much more than that, putting forward very specific ideas—constructive ideas—on how we can address this issue together. I am proud to join the legislation that he referenced, along with Senator BARRASSO, to look at carbon capture technologies and to incentivize those technologies, as Mr. WHITEHOUSE indicated. It is a small measure but maybe a first baby step that we can work on here together.

Like the Senator from Rhode Island, I have been listening carefully to the floor discussion over the last couple of weeks. I have heard many of our Republican colleagues come to the floor. They have come to criticize the Green New Deal. The Green New Deal, of course, is a very ambitious set of goals to address the crisis of global climate change and to put out some ideas for how we address this generational challenge.

While I heard a lot of criticism, as Senator WHITEHOUSE said, I didn't hear a single—not one—idea about how we can work together to significantly address this challenge, which is why Democrats have asked our Republican colleagues to join us in supporting S. J. Res. 9, which was introduced by Senator CARPER, along with the Democrats and, I am pleased to say, one Republican. The question, of course, is where are the other 52 Republicans when this is the language? I am going to read it because it is very straightforward, and I think the American public will ask themselves why we don't have 100 Senators on this piece of legislation:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the sense of Congress that—

(1) climate change is real;

(2) human activity during the last century is the dominant cause of climate crisis; and

(3) the United States and Congress should take immediate action to address the challenge of climate change.

It is simple, straightforward. I want to just take these very quickly, one at a time.

''Climate change is real.'' Look, we all know that there are a few greenhouse gases. You have methane, which is a very potent greenhouse gas. But the most prevalent one, of course, is carbon dioxide. It is a greenhouse gas, and you can measure the concentration of carbon dioxide in our atmosphere. You can go out and take samples and measure it.

In doing that, we find that we have seen huge increases in the concentration of carbon dioxide in our atmosphere over the last 100 years.

I am proud to represent the State of Maryland, which is home to NASA Goddard, where they do a lot of climate science, and home to NOAA, or the National Oceanic and Atmospheric Administration. I am holding the latest measurement they did in January 2019. It shows the carbon dioxide in the atmosphere at 411 ppm. That is a jump just from 2006, when it was at about 380 ppm. If you look at that over time, you see a big jump in concentration. These are greenhouse gases, and that is why you see, of course, the increasing temperatures.

I am now holding in my hand something from NASA that just came out on February 6 of this year, headlined ''2018 fourth warmest year in continued warming trend, according to NASA, NOAA.'' It points out that globally 2018 temperatures ranked behind those of 2016, 2017 and 2015, and it goes on to say that the past 5 years are collectively the warmest years in modern record.

So there are large concentrations of CO_2 and rising temperatures. I hope our Republican colleagues will agree with us on that point in the resolution.

No. 2 is that it is caused by ''human activity.'' There is no doubt that if you look at how fossil fuels that were in our Earth for millions of years have been released during the Industrial Revolution in the last century—be it from coal-fired powerplants, oil, or gas—all of a sudden you saw this carbon which had been trapped in the Earth released into the atmosphere through human activity, and that also is measurable.

So I hope our Republican colleagues will agree with us on those two points, and if they agree with us on those points, then I hope they will agree with us that we should all do something about it, because the consequences of climate change are very real, and we can see them all around us.

Senator WHITEHOUSE mentioned a recent study that showed that the probability that the scientists were wrong was .001 percent—negligible.

We just saw last Thanksgiving—this last year at Thanksgiving time—that 300 U.S. scientists issued the Fourth National Climate Assessment. I have a copy of part of that in my hand right here, and they make it very clear—these are U.S. scientists—that the impact of these growing temperatures is real and, of course, we see them all around us in the form of much more extreme and frequent droughts. We see it in the form of more forest fires. We see it in the form of flooding and sea level rise. We see it all over our country in every community and all over the world. The costs of doing nothing are mounting by the day.

If you look at this report that was issued around Thanksgiving, they also talk about the regional impact of disruption and of the impacts of climate change. They look at different regions around the country, including the Northeast. Of course, Senator WHITEHOUSE represents Rhode Island, and I have the honor of representing Maryland. It says these areas, these regions, will get hot faster than many other areas.

It also talks about the impact of climate change on the Chesapeake Bay, which is a national treasure and is very important to Maryland's economy. They predict stronger and more frequent storms and an increase in rain, which will lead to more pollution in the bay, increased water temperatures, and sea level rise. By the way, one island has already disappeared in the Chesapeake Bay, and a couple more look like they will be going under in the coming years because of sea level rise.

If you go to the Naval Academy in Annapolis and you talk to folks there, they will tell you that they are already experiencing the negative impact of flooding and sea level rise right there at the Naval Academy. Of course, our military has warned for years about the consequences of climate change.

I just want to give a very simple analogy since I mentioned the Chesapeake Bay. Like many of us, we have worked hard to protect water bodies in this country, and the Chesapeake Bay is an incredible natural estuary. Years ago, everyone recognized that the bay was dying. We saw more sewer overflows into the bay because we didn't have enough sewage treatment plants. We saw runoff from suburban roads and highways. We saw nutrient runoff from farms in the Chesapeake Bay watershed. The bay was on its way down fast. Of course, with all of those nutrients in the watershed, you lose the oysters, the crabs, and the seafood industry. You lose the Chesapeake Bay.

The same thing is, of course, happening to our planet. Just like with the Chesapeake Bay, there is a limit to how much carbon pollution you can put on our planet. We have all seen those amazing photographs of the Earth from outer space. The Earth is telling us that there is a limit as to how much carbon pollution we can spew into it, and it is telling us by its screaming out with these extreme weather events. So the real question is, What are we going to do about it?

As Senator WHITEHOUSE said, there are many things we should be doing. I will close my remarks by mentioning one that also involves putting a price on carbon because, among the array of tools we need to deploy, that really needs to be one of them. It is really based on the simple idea we have pursued in this country to fight pollution, which is that the polluter pays, right? The folks—the industries—who are causing the pollution that is impacting our communities in harmful ways should pay. How do you make them pay? You put a price on the carbon pollution that is being emitted. When you put a price on the carbon pollution that is being emitted, there is an incentive to emit less of it, and there is an incentive for others to find innovative ways to generate energy without there being carbon pollution.

That is why, for many years, I proposed what is called the cap and dividend bill, which looks at the science and says: OK, if we want to make sure to avoid these huge costs to our communities, we have to limit the amount of carbon pollution that is being emitted.

We base that cap on science, and that generates a price for carbon. That means, as Senator WHITEHOUSE said, that in order to avoid that price, people will look for ways to reduce carbon emissions. We take the funds generated from putting a price on carbon, and we rebate those funds to the American people. A study by an economist at the University of Massachusetts Amherst found that if you do that—if you rebate the funds you generate by putting a price on carbon and making polluters pay and if you rebate that to American households—80 percent of American households will actually have more money in their pockets at the end of the day than they started with. That doesn't even count the additional benefits from there being a cleaner environment and fewer storms and severe weather events. It also doesn't include the incredible economic opportunities that would be unleashed by having more people invest in clean energy technology and energy efficiency.

So it is really a pleasure to be here with my friend Senator WHITEHOUSE because that is one tool among others, including the need to invest in more research. The Senator said you have to put some resources behind research and innovation. It doesn't just happen by magic. We can have clean energy portfolio standards, we can do a lot of things, but we need to start with something real. That is why we are here, because that is the final part of that resolution. It is a very simple resolution that says that climate change is real, that it is caused by human activity, and that the U.S. Congress should take immediate action to address the challenge.

It is time for our colleagues to stop criticizing everybody else's ideas and to put their own ideas on the table. We are ready to work with our colleagues on a bipartisan basis to address this most pressing of issues that face our country and the world.

Mr. WHITEHOUSE. If I may, Madam President, I would like to remark on the figure that Senator VAN HOLLEN used of the recent measurement in our atmosphere of a carbon dioxide concentration of 411 parts per million. Standing on its own, that may not seem particularly significant, so let's put that into context.

NASA, which Senator VAN HOLLEN mentioned and which has important facilities in Maryland, has been measuring this for a long time.

By the way, I think NASA's scientists have demonstrated they know what they are talking about. They have rovers driving around on Mars right now, so they know what they are talking about.

The scientists have gone back and determined what the carbon dioxide levels were on Earth over a period of 400,000 years. If you look back, there is a graph that NASA has that shows the carbon dioxide levels ramping up and down, up and down, over 400,000 years. For that entire time, the levels have stayed between 180 parts per million and 300 parts per million. That was the range within which the entire human species experienced our development—180 parts per million at the low and 300 parts per million at the high. At 411, we are now out of that range by almost the entire range. We are not out by a little; we are out of that range by a lot.

Also, 400,000 years is a very long time. If you look at how long humankind has been farming—kind of the basic, organized activity of our species—the common view is that we really started farming about 12,000 years ago. Some people push that number further, more towards 20,000 years. We invented the wheel a little over 5,000 years ago in Mesopotamia. If you think about the first people who put seeds in the ground and planted farms, you only go back 12,000 to 20,000 years. If you think about the first people who rolled a wagon or a chariot on a wheel, you only go back about 5,000 years. This record goes back 400,000 years. They know it because you can go into ancient ice, and you can find bubbles of air from tens and hundreds of thousands of years ago, and you can test them. I have been to the freezer at Ohio State University, which is where they keep the cores they have drilled out of glaciers, and I have seen how they go back and do these micro measurements that let you know what the carbon dioxide levels were. So we are not off by a little, folks; we are off by a lot.

When you consider the known scientific effect of carbon dioxide concentrations, we have known what it has done. This has been a greenhouse gas since Abraham Lincoln rode around in his top hat. This is not scientific news; we know this stuff.

When you consider that we are that far out of the range that has made human life and development comfortable on this planet throughout the entire duration of our species—that we are out of that range for the first time in 400,000 years and are out of that range by an amount that is practically equal to the entire range itself—if that is not a signal for us to wake up and pay attention, I don't know what is. The fact that the fossil fuel industry can drown out that signal with its political signal in this body is astounding.

Mr. VAN HOLLEN. Madam President, if I might, that is why it is always interesting to hear some of the critics of climate change say: Do you know what? Carbon dioxide has been around since the beginning of the planet, so it can't possibly be harmful.

Of course it has been around forever, but, as Senator WHITEHOUSE pointed out, it has been around for hundreds of thousands and millions of years at a certain concentration. If you look at all of the evidence from NASA scientists and others, you will see that level of concentration bumped up and down within a certain range for all of those millennia that the Senator talked about. Yet, in the last 150 years, especially the last century, it shot straight through the roof. It is an excellent example of the phrase ''everything in moderation.''

Obviously, carbon dioxide has been part of our planet's gases all along, but the fact is that we have unleashed that carbon dioxide, in the form of fossil fuels, that has been trapped in the Earth for millions and millions of years. We have somehow just let it out within the last 100, and that is what is creating harmful, poisonous levels of carbon dioxide that are poisonous for the planet. Just like with a human being, when you put poison in the body, the body lets you know. The Earth is screaming out in all of these different ways to let us know that it has reached its limit when it comes to carbon dioxide pollution. That is why we have to do something about it.

Mr. WHITEHOUSE. Arsenic, too, is a naturally occurring substance, but you don't want too much of it.

Mr. VAN HOLLEN. There you go.

Mr. WHITEHOUSE. I thank Senator VAN HOLLEN for joining me in this colloquy and for speaking today on the floor.

I see the distinguished ranking member of the Finance Committee here.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, just before they leave, I thank both Senator WHITEHOUSE and Senator VAN HOLLEN for conveying the urgency behind this climate change issue. Both of them have gone through the specifics of what this is all about. Suffice it to say, I share many of the concerns they have been discussing here this evening. I thank them.

NOMINATION OF NEOMI J. RAO

Mr. WYDEN. Madam President, tonight, the Senate is debating another Trump judicial nominee who is attempting to run away from appalling statements they wrote in the not-so-distant past. This time, it is Neomi Rao, who is up for a lifetime appointment to the powerful DC Circuit Court of Appeals.

While studying at Yale, Ms. Rao wrote that sexual assault victims were partly to blame for having been assaulted.

She ridiculed feminism and women's rights activists. She attacked groups that promoted multiculturalism and minority rights. She belittled those who fought for LGBTQ rights. She wrote that warnings about what we now identify as climate change are, in effect, fake news. And that's not all.