greenhouse gas emissions. Reports show that it is Asia, China, India, and other Asian countries. They are the countries that will drive energy consumption 25 percent higher by 2040 and with it, global gas emissions.

The Green New Deal doesn't tell the positive story right here at home that the U.S.—and listen to this—is actually a world leader in technological energy innovation; that is we, the United States, leads the world in reducing energy-related carbon emissions. In fact, since 2007, our emissions have decreased about 14 percent. In fact, it is more innovation, not more regulation, that will further reduce global carbon emissions.

Our world is a safer, more secure place if we accelerate energy innovation here at home, not cut the rug out from under us and cede that leadership to Asian countries. To top it all off, under the Green New Deal, it is the American people and it is Montanans, the hard-working taxpayers, who are going to pick up the bill.

Some estimates have found this radical proposal would cost hard-working families over $600,000 per household over the proposed timeframe of that deal. That is about $65,000 every year.

After only 10 years of implementation, Montanans will be stuck with a $93 trillion tab; roughly, $10 trillion more than the combined GDP of every nation on the planet in 2017. You see, this Green New Deal has nothing to do with conservation and the environment.

The people of Montana believe in smart and efficient conservation. Listen, I am an avid backpacker. I am an avid fly fisherman. I spend more time in the wilderness than many. My wife and I love to put backpacks on and get back in the High Country and chase golden trout, the elk, and cattle. I love pristine environments. Montanans share a similar passion for the outdoors, but Montanans know we need smart and efficient conservation, and there is not one smart or efficient thing about this proposal.

The Green New Deal is not a bold step forward. It is tragically backward. This is taking us back to Lewis and Clark, but don't take it from me. Take it from the hard-working Montanans, like our mine workers, like our pipe fitters, like our labor unions, which say:

> We will not accept proposals that could cause immediate harm to millions of our members and their families. We will not stand by and allow threats to our members' jobs and their families' standard of living go unanswered.

That is why I am here today. We will not let this Green New Deal proposal go unanswered.

WELFARE-TO-WORK PROGRAMS

Mr. President, our Nation's primary welfare-to-work program is broken. The Temporary Assistance for Needy Families Program, also called TANF, was created with bipartisan support in 1996. It was recently reauthorized temporarily, but I believe we need to take bold action to reform it for today's generation.

TANF recognizes that funding and maintaining a job is the most effective way for healthy, working-age parents to go from government dependency to self-sufficiency. It is not about handouts. It is about giving a hand to those who need help the most.

Now, the more liberal voices of the times argue that TANF Programs wouldn't work. In fact, it was our former colleague, Senator Daniel Patrick Moynihan, who predicted that TANF would result in ''children sleeping on grates, picked up in the morning frozen.''

The critics were wrong. They were very wrong. TANF was a huge success. After TANF became law, welfare caseloads plummeted, child poverty declined, and unemployment among low-income, never married parents went up.

Yet more than 20 years after the historic 1996 reforms, Congress has neglected to act on the loopholes that are undercutting its fundamental work requirements.

Today, very few States are meeting the work participation rate required by the law. In fact, my home State of Montana is one of many that is falling short. You see, the law calls for 50 percent of welfare enrollees to be engaged in work. In Montana, they are only reaching about one-third.

Many States are also using TANF dollars for purposes unrelated to work, and we need to hold those States accountable. That means more transparency and accountability metrics.

As we have seen in President Trump's recent budget proposal, the President agrees that stronger work requirements must be a priority of this Congress. We can take the next bold step forward in reforming the TANF system to close these loopholes and get the American people back to work.

We are fortunate our economy continues to grow, and there are more opportunities being created. Just last Congress, we passed tax relief for the American people so working-class families got to keep more of what they earned and small business owners could afford to invest and grow in their business, creating more jobs. Main Street in America is thriving again.

As employers are rapidly looking to hire, we need to close the gap and ensure those jobs are filled by Americans who need them most. A strong, revitalized TANF Program is urgently needed to close this jobs gap and empower more Americans to find work.

We have a problem in this economy now. In fact, there are too many jobs available and not enough people to fill the jobs. That is a wonderful challenge to face. We have seen that now for 10 consecutive months. That is a great problem to face now in our country, but it is still a problem we need to solve. That is why we will be joining the U.S. House Ways and Means Committee this week to introduce the JOBS Act to demand positive work outcomes, rather than simply meeting ineffective participation rules.

It engages with every work-eligible individual to develop a plan that can lead to a sustainable career. It holds States accountable for their work outcomes and bolsters transparency of every State's performance.

The JOBS Act doesn't just demand work. It enables work. It substantially increases funding for vital childcare services so parents can ensure their child is cared for when they are trying to provide for their families.

It provides struggling beneficiaries with additional time to get the mental health or substance abuse treatment they need before they can hold a job.

It adds apprenticeships as a permissible work activity, alongside job training, getting more education, and building job readiness skills. It targets funds to truly needy families by capping participation to families with incomes below 200 percent of the Federal poverty level.

The JOBS Act recognizes there is dignity in work. A job, to most Americans, is more than just a job. It is an opportunity for mobility. It is a step up toward realizing the American dream. It is a track toward earning higher wages and better benefits. It can be a springboard to a meaningful career, and more importantly, it is hope for those who know hard times all too well. The dignity work brings can provide this hope.

The JOBS Act equips and empowers low-income families toward a better future. I urge my colleagues, Republicans and Democrats, to join me in taking bold action by supporting this important legislation to make our largest welfare-to-work program actually work again.

I yield the floor.

Mrs. FEINSTEIN. Mr. President, I rise today in opposition to the nomination of Neomi Rao to the U.S. Circuit Court of Appeals for the DC Circuit.

The DC Circuit is considered by many to be the most powerful appellate court in the country. This is true in large part because the DC Circuit hears challenges to many actions taken by the Federal Government, including challenges to the adoption or repeal of Federal regulations.

I believe it is particularly relevant that Ms. Rao has a record of working to dismantle key regulations that ensure the air we breathe is safe, that address climate change, and that protect American workers and consumers.

Ms. Rao has a troubling and aggressive record as the head of the Office of Information and Regulatory Affairs. She has led efforts to weaken fuel economy, or CAFE standards, which I authored with Senator Olympia Snowe and which has been the law since 2007. Before the administration proposed freezing these standards, we were set to achieve a fuel economy standard of 54 miles per gallon—MPG—by 2025.

Ms. Rao has also led efforts to repeal the Clean Power Plan. This repeal has been estimated to result in up to 1,400 premature deaths annually by 2030, due to an increase in particulate matter from emissions that are linked to heart and lung disease. Further, the repeal of the Clean Power Plan is expected to cause up to 48,000 new cases of serious asthma and 15,000 new cases of upper respiratory problems every year.

Ms. Rao was also instrumental in reversing the Equal Employment Opportunity Commission's actions to address pay discrimination. Specifically, Ms. Rao eliminated reporting requirements proposed by the EEOC that were designed to identify wage discrimination on the basis of gender or race. Just last week, a Federal judge ruled that Ms. Rao's action was ''arbitrary and capricious,'' which is significant because the arbitrary and capricious standard is high and hard to prove. The judge concluded that Ms. Rao's rationale for her decision was ''unsupported by any analysis.''

Ms. Rao also approved the recently finalized title X ''gag rule'' on family planning. Under this rule, any organization that merely refers patients to an abortion provider is ineligible for title X funding. This will result in many women going without lifesaving cancer screenings, and it will reduce access to contraception.

I asked Ms. Rao about her work dismantling these key regulations. In response to me, she downplayed her responsibility, saying that her role was simply to ''coordinate regulatory policy.''

But when answering the questions of Republican Senators, Ms. Rao expressed pride in her work. Asked specifically about her ''primary contribution to pushing forward with deregulation,'' Ms. Rao responded: ''There are a lot of regulations on the books that don't have the effects that were intended . . . . And, you know, we're looking to pull back the things that are no longer working.''

However, to take just one example, the CAFE standards have been working; they have already saved $65 billion in fuel costs for American families and prevented the emission of 250 million metric tons of carbon dioxide. Unfortunately, her words don't match the actual actions under her leadership.

Moreover, I asked Ms. Rao if she would commit to recusing herself from any case involving regulations that she worked on while serving in her current position. She refused to make such a commitment.

This is of great concern as other nominees have understood the appearance of bias and unequivocally made such commitments.

For example, President Trump's first nominee to the DC Circuit, Greg Katsas, said, ''Under the governing statute, I would have to recuse myself from any case in which, while in the Executive Branch, I had participated as a counsel or advisor or expressed an opinion on the merits.''

In addition to her record of dismantling key regulations that protect the environment, consumers, and worker health and safety, Ms. Rao has taken a number of extremely controversial positions in articles she has written. At Ms. Rao's hearing before the Judiciary Committee, I noted that, while the writings that received the most attention are from when she was in college, several are relevant to the work she has led in the Trump administration and to cases she could hear if confirmed.

For instance, in addressing the issue of date rape, Ms. Rao wrote that if a woman ''drinks to the point where she can no longer choose, well, getting to that point was part of her choice.''

While she has since written a letter expressing that she ''lacked the perspective of how [her articles] might be perceived by others,'' her record demonstrates that these views seem to persist to today. Specifically, Ms. Rao has been personally involved in repealing protections for survivors of campus sexual violence. Ms. Rao has acknowledged that her office approved controversial new rules on campus sexual assault under title IX. Those rules would discourage survivors from reporting their assaults, in part because survivors would be subjected to cross-examination by their attacker's chosen representative. It is safe to assume this change in the guidance will be challenged in the DC Circuit.

In her writings, Ms. Rao also questioned the validity of climate change, criticizing certain student groups for promoting ''a dangerous orthodoxy that includes the unquestioning acceptance of controversial theories like the greenhouse effect,'' which she argued ''have come under serious scientific attack.''

Again, at the hearing, she tried to mitigate these writings saying, it was her ''understanding . . . that human activity does contribute to climate change.''

However, during her tenure in the Trump administration, she has led the effort to overturn the very regulations that combat human contributions to climate change. For example, and as I noted previously, she has overseen the administration's efforts to rescind the Clean Power Plan and weaken fuel economy standards.

I am also concerned about Ms. Rao's professional experience. She is not admitted to practice before the DC Circuit, the court to which she has been nominated. She has never served as a judge, and she has never even tried a case.

In response to a question on the Judiciary Committee's questionnaire about the 10 most significant litigated matters that she personally handled, Ms. Rao listed only three, and two of these were arbitration cases that she worked on while serving as an attorney in the United Kingdom.

Ms. Rao's lack of litigation experience therefore raises an important question as to her qualifications for this seat and suggests that she was nominated not because of her appellate credentials, but because of her anti-regulatory record.

I also have questions about commitments Ms. Rao appears to have made on reproductive rights. I don't believe we should have litmus tests for judicial nominees, and I know many on the other side agree with me on that. Just in 2017, Senator MCCONNELL said, ''I don't think there should be a litmus test on judges no matter who the president is.''

Yet, on a recent radio program, Senator HAWLEY said that, before he could vote for Ms. Rao, he wanted to ''make sure that Neomi Rao is pro-life. It's as simple as that.''

Subsequently, Ms. Rao met with Senator HAWLEY in private and presumably assured him that she would be anti-choice. According to Senator HAWLEY, Ms. Rao went further and ''emphasized that substantive due process finds no textual support in the Constitution.''

Rejecting the entire concept of substantive due process means that Ms. Rao not only believes Roe v. Wade was incorrectly decided, but also other landmark cases, like Griswold v. Connecticut, which held that States cannot restrict the use of contraception.

I am also concerned about her written responses to our questions for the record. She gave several responses that were misleading at best.

Ms. Rao wrote that the center she founded at George Mason University ''did not receive any money from the Koch Foundation.'' She added that the center ''did not receive money from an anonymous donor.''

However, according to public records, in 2016, George Mason University received $10 million from the Koch Foundation and $20 million from an anonymous donor. The grant agreements executing these donations clearly state that support for Ms. Rao's center was one of the conditions of these multi-million dollar gifts and ''Ms. Rao's center benefited from those contributions.''

Additionally, Senator WHITEHOUSE asked Ms. Rao if she had any contact with the Federalist Society when considering potential faculty. Ms. Rao responded ''no,'' but clarified the Federalist Society occasionally made recommendations through its faculty division.

What Ms. Rao failed to mention is that she, herself, was a member of the faculty division of the Federalist Society for her entire time in academia. Given this role, I don't understand why she would claim that she had no contact with the Federalist Society when considering faculty candidates.

In closing, my concerns about Ms. Rao, from her writings to her work dismantling regulations to her lack of candor with the committee, are simply too great for me to support her nomination to the DC Circuit. I will vote

against her confirmation, and I urge my colleagues to do the same.

Mr. MARKEY. Mr. President, I rise to speak in opposition to the nomination of Neomi Rao to serve as a judge on the United States Court of Appeals for the District of Columbia Circuit. Ms. Rao is the latest in a string of ultra-conservative judicial nominees who will rubberstamp Donald Trump's far-right agenda. Her record portends a threat to the rights of women and minorities, to consumer protection statutes and regulations, and to the security of our financial institutions.

Moreover, Ms. Rao utterly lacks the experience to serve on the court that many view as second in importance only to the U.S. Supreme Court. She practiced for only 3 years as an associate at a large law firm. None of her practice was in Federal courts or State courts, before administrative agencies, or involved criminal proceedings.

These are disqualifying reasons on their own, but I rise to speak about Ms. Rao's record on the environment, and the contempt she has demonstrated for fair, reasonable, and commonsense regulations that protect the health of our communities and the safety of our air and drinking water.

Ms. Rao currently serves in the Office of Management and Budget as Administrator of the Office of Information and Regulatory Affairs, OIRA. She is commonly known as the Trump administration's ''regulatory czar.'' This role has her in charge of implementing the Trump administration's anti-environment, climate-change-denying, and polluter-friendly agenda.

Ms. Rao has called climate change a ''dangerous orthodoxy,'' led the Trump administration's efforts to gut fundamental environmental protections, and has misused the regulatory review process for partisan political purposes.

The attacks on the environment that Ms. Rao has launched from OIRA include rolling back national auto fuel efficiency standards, challenging California's Clean Air Act waiver that allowed it to set higher fuel efficiency standards, removing safety rules for fertilizer plants, and rolling back safety rules put in place for oil rigs after the Deepwater Horizon oil spill disaster in 2010.

During review of a proposed rollback of the Methane and Waste Prevention Rule, Ms. Rao's office repeatedly pressured the Environmental Protection Agency, EPA, to adopt fossil fuel industry requests to significantly reduce natural gas leak inspections. This would have doubled the amount of methane released into the atmosphere and, according to the EPA's own determination, conflicted with its legal obligation to reduce emissions.

Ms. Rao's office censored language about the impact of climate change on child health when reviewing a proposed rollback of the Refrigerant Management Program, a program that limited the release of greenhouse gases thousands of times more powerful that carbon dioxide.

Ms. Rao's office approved a proposed EPA rule to roll back public health protections that reduce pollution from wood-burning stoves, despite the EPA's own admission that the new rule would cost nine times as much in harm to public health as it would benefit the industry.

Ms. Rao has overseen the Trump administration's repeal of regulations to address climate change, including a repeal of President Obama's historic Clean Power Plan that would have significantly reduced greenhouse gas emissions. By comparison, Ms. Rao has approved a proposal to replace the Clean Power Plan with a rule that would lead to increases in carbon dioxide emissions, asthma attacks, and even death from black carbon, mercury, and other dangerous air emissions from power plants.

It is bad enough that, with Donald Trump, we have a climate-change denier in the White House, and with Andrew Wheeler, we have a coal industry lobbyist running the EPA. We don't need a judge on the DC Circuit whose record demonstrates that she is a sympathetic ally to their anti-environment agenda. I urge my colleagues to vote no on the nomination of Neomi Rao to the DC Circuit Court of Appeals.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

Under the previous order, all postcloture time has expired.

The question is, Will the Senate advise and consent to the Rao nomination?

The yeas and nays have been ordered.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Washington (Mrs. MURRAY) is necessarily absent.

The PRESIDING OFFICER (Mr. LANKFORD). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 53, nays 46, as follows:

[Rollcall Vote No. 44 Ex.]

YEAS—53

Alexander	Fischer	Perdue
Barrasso	Gardner	Portman
Blackburn	Graham	Risch
Blunt	Grassley	Roberts
Boozman	Hawley	Romney
Braun	Hoeven	Rounds
Burr	Hyde-Smith	Rubio
Capito	Inhofe	Sasse
Cassidy	Isakson	Scott (FL)
Collins	Johnson	Scott (SC)
Cornyn	Kennedy	Shelby
Cotton	Lankford	Sullivan
Cramer	Lee	Thune
Crapo	McConnell	Tillis
Cruz	McSally	Toomey
Daines	Moran	Wicker
Enzi	Murkowski	Young
Ernst	Paul	

NAYS—46

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

NOT VOTING—1

Murray

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of William Beach, of Kansas, to be Commissioner of Labor Statistics, Department of Labor, for a term of four years.

Mitch McConnell, David Perdue, John Boozman, Thom Tillis, Mike Rounds, John Hoeven, John Barrasso, Chuck Grassley, Roy Blunt, Johnny Isakson, Lamar Alexander, Mike Crapo, Pat Roberts, John Cornyn, Richard Burr, John Thune, Roger F. Wicker.

The PRESIDING OFFICER. 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 William Beach, of Kansas, to be Commissioner of Labor Statistics, Department of Labor, for a term of four years, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Illinois (Ms. DUCKWORTH) and the Senator from Washington (Mrs. MURRAY) are necessarily absent.

The PRESIDING OFFICER (Mr. PERDUE). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 55, nays 43, as follows:

[Rollcall Vote No. 45 Ex.]

YEAS—55

Alexander	Cruz	Kennedy
Barrasso	Daines	Lankford
Blackburn	Enzi	Lee
Blunt	Ernst	Manchin
Boozman	Fischer	McConnell
Braun	Gardner	McSally
Burr	Graham	Moran
Capito	Grassley	Murkowski
Cassidy	Hawley	Paul
Collins	Hoeven	Perdue
Cornyn	Hyde-Smith	Portman
Cotton	Inhofe	Risch
Cramer	Isakson	Roberts
Crapo	Johnson	Romney