

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I won't stay the whole night debating my colleague, although I would enjoy that. But let me just say, No. 1, he has the power, as a colleague in the majority, to go to the chairman of the Foreign Relations Committee and say: I really think this resolution is timely and needs to be done.

We are going to be in session next week. The chairman of the Foreign Relations Committee can call a markup next week. For his resolution, I will give him my word that I will support asking the chairman to put his resolution on the business meeting, and, probably, with some modifications, I would support it. But he needs to ask the chairman to hold a markup, No. 1.

No. 2, the reality is that the concern about TPS not being "temporary"—well, that concern was vitiated. I don't know if it was the Ninth or Eleventh Circuit Court of Appeals that recently held a decision that said the President of the United States can give TPS, and he can end TPS, in his judgment. I don't necessarily agree with that judicial decision, but, nonetheless, that is, right now, the law of the land, so that concern is over.

The suggestion that we have to end TPS as we know it in order to make sure that it only remains a temporary protected status—the courts have determined that. They have said that the President can give TPS and can take it away. So, as far as I learned in my civics lessons, the court is the final law of the land in interpreting what it is that the law is.

Lastly, I am going to look at—I would like the gentleman to get in contact with—I don't know what legislation he keeps referring to that somehow we blocked, but before the gentleman even arrived here, I have been pursuing the Castro regime for 20-something years—since I was in the House of Representatives, passing the LIBERTAD Act and so many others—and, certainly, the Maduro regime as well. So I am happy to look at that.

But let's get the chairman of the Foreign Relations Committee to hold a markup, and I think we can solve a lot of these problems.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, may I inquire if the Senators are concluded with their discussion?

The PRESIDING OFFICER. They have both yielded. It appears they are.

#### CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I am back again, thee and me once again together, to discuss climate change as unprecedented wildfires scorch the west coast and a deadly hurricane season turns in the Atlantic and Americans cry out for action.

Powerful players outside this Chamber hear that cry, including, recently, over 200 CEOs of major American cor-

porations who form the Business Roundtable.

Here are some of the 200 companies represented by those CEOs. As I discussed last week, the Business Roundtable just earlier this month called for science-based climate policy to reduce carbon pollution, consistent with the Paris Agreement, and specifically endorsed carbon pricing—from Verizon, to Chevron, to Apple, to Wells Fargo, to McKinsey, to American Airlines, to Amazon, to Pfizer, to Ford. It is quite the who's-who of corporate America.

So why, you might ask, did the Business Roundtable do this when normally business lobbyists are up here telling us to get out of their way? The answer is economics 101. Pollution is the textbook example of market failure. A factory dumps toxic pollution into a river, and anyone living downstream bears the costs of that pollution. They can't use their well, perhaps. Their property values decrease. They may even get sick. It is basic economic theory that polluters ought to bear those costs, called negative externalities—the downstream costs, if you will. Even Milton Friedman, the patron saint of free market economics, agreed that polluters should pay the costs associated with their pollution.

For climate change, for the big carbon polluters, this is big bucks. The International Monetary Fund calculates that fossil fuel enjoys a \$600 billion—not million but billion with a "b"—subsidy in the United States every year—every year, \$600 billion. It is mostly because the industry has managed to offload the costs of carbon pollution onto the general public. Why do you think they are so busy here in Congress all the time? They are trying to protect that subsidy.

So if it is economics 101 that a product's price should reflect its true cost, and if, in the case of fossil fuels, they are cheating on that rule, then a price on carbon pollution, as the Business Roundtable recommends, is a correction to that market failure.

The CEOs also read the same warnings as the rest of us. Dozens of central banks, economists, and other financial experts warn of massive economic risks caused by our failure to address climate change—risks one recent estimate put at triple the 2008 great recession; risks that are commonly called systemic, meaning they take down the whole financial system, not just fossil fuel. Business executives tend to take that kind of warning seriously.

So this is a good-news story if you look at the business voice coming through the Business Roundtable. Here is the problem: The business voice doesn't just come through the Business Roundtable; it also comes through other groups—groups that are historic enemies of climate action, constantly up to climate mischief.

The very same corporations whose CEOs sent that friendly message through the Business Roundtable send the opposite and even louder message

through these enemy groups, which brings me to the U.S. Chamber of Commerce, by far the largest lobbyist in town, a prolific litigator, a dark-money elections spender, and an inveterate opponent of serious climate action.

In a recent study by InfluenceMap, the chamber was denominated one of the worst climate obstructers in America. In my view, it is not one of the worst; it is the worst because of the power that it brings behind its message. If you imagine the Business Roundtable as emitting a positive political squeak, the chamber can emit a negative political roar—and they have for a long time.

This chart is a partial list of the companies that are members of both the Business Roundtable and the Chamber of Commerce. I say it is partial because the U.S. Chamber of Commerce, unlike local chambers of commerce, is very secretive. It doesn't disclose its funds. It doesn't disclose its membership. So the companies here either voluntarily disclosed their membership, or the press ferreted it out. So let's look at what some of these companies say about climate change and what they do through the chamber. Let's start here with Johnson & Johnson.

Johnson & Johnson is a giant healthcare and consumer goods company. You probably have plenty of Johnson & Johnson products around your house.

Through the Business Roundtable, Johnson & Johnson says that climate change is serious and that Congress should enact a carbon price. In its corporate materials, Johnson & Johnson says that climate change is impacting health and that "risks resulting from a changing climate have the potential to negatively impact economies around the world."

Johnson & Johnson recognizes the importance of government action, stating:

While companies have a responsibility and ability to [mitigate climate change], the unilateral capabilities of businesses are limited. Addressing these issues requires the collaboration of companies with governments . . . to achieve systemic change at scale.

So it sounds like the company gets it. But Johnson & Johnson also put at least \$750,000 behind the chamber last year.

What did the chamber just do on climate? It filed a brief supporting the Trump administration's effort to undo emissions standards for cars and trucks set by California but honored across the country. Well, the nonpartisan Rhodium Group estimates that revoking those fuel emissions standards would result in up to about 600 million metric tons of additional CO<sub>2</sub> emissions through 2035. That is equal to the emissions in a year from 130 million cars or from the electricity needed to power 100 million homes.

So which voice of Johnson & Johnson are we supposed to listen to—the Business Roundtable voice or the chamber voice?

How about United Airlines. Here is United. United Airlines doesn't disclose its funding of the chamber, but it is on the chamber's board, so it is likely a major financial backer involved in chamber policy decisions. Same thing—through the Business Roundtable, United says that climate change is serious and Congress should enact a carbon price, and on United's website, you will find good language about climate change and the importance of reducing emissions. Indeed, United has pledged to cut emissions in half by 2050.

Meanwhile, what is the chamber, on whose board United sits, doing? The watchdog group InfluenceMap has caught the chamber repeatedly lobbying the Trump administration to unravel carbon pollution limits. So you have to wonder: From its seat on the chamber board, did United know about this? Did they do anything to stop those activities? They sit on the board, after all.

Look also at Coca-Cola, one of our most iconic American brands. Through the Business Roundtable, Coca-Cola says that climate change is serious and that Congress should enact a carbon price. Coca-Cola says in its own materials that "[c]limate change is already having an impact on our business at multiple points in our value chain." It says that it is committed to reducing its emissions. But in 2019, Coca-Cola gave the chamber at least \$34,000. It didn't disclose the total amount.

What was the chamber up to on climate? It was in court litigating in favor of the Trump administration against efforts to reduce carbon pollution from powerplants.

Now, Coca-Cola and the beverage industry also have a trade association of their own, which appears from public reporting to have made zero effort on this climate problem, notwithstanding those multiple impacts on Coca-Cola's value chain. That trade association knows how to lobby when it wants to. On climate, it just doesn't want to.

Let's have a look at AT&T, another one here on the board. I am not seeing it right now, so I am going to keep looking as I talk. It is another iconic American brand like Coca-Cola, and, like United, AT&T sits on the chamber's board. Presumably sitting on the chamber's board, it is influential within the organization. In the first 6 months of 2019, AT&T reported giving the chamber at least \$144,000.

Now, AT&T wants Congress to adopt a very specific climate policy. First, of course, through the Business Roundtable, AT&T says that climate change is serious and that Congress should enact a carbon price. Also, AT&T is a founding member of the Climate Leadership Council, and AT&T supports the CLC's detailed carbon price proposal.

Well, that is through their Business Roundtable and Climate Leadership Council voice. What do we hear through their chamber voice? Well, I could tell you something about where

the chamber is on carbon pricing because, with Senators Schatz and Gillibrand and Heinrich, I have introduced carbon pricing legislation that is not all that different from the CLC proposal. Senators COONS and FEINSTEIN have a carbon pricing bill. So does Senator VAN HOLLEN. Senator DURBIN, our deputy minority leader, just announced one. Over in the House, there are multiple carbon pricing bills, including one with over 80 cosponsors. Has the chamber supported any of these bills? Nope. Not a one. Has it even engaged on any of them? Not with me. Not on ours. Not that I can tell on any of the others.

When election season rolls around, the chamber has spent millions supporting candidates who oppose comprehensive climate policies. So the Chamber message is pretty clear: Don't support a serious carbon price.

So which voice of AT&T's are we to listen to—the CLC and Roundtable positive squeaks about carbon pricing or the chamber's negative roar against carbon pricing, the roar that says to members here: Don't you dare?

These companies—all of them—which just said they support carbon pricing, are funding a group that is opposing climate action and specifically carbon pricing at every turn—in Congress, in court, in elections, in regulatory agencies.

I have called out just a few. There is AT&T right here. I called out just a few companies today to make the point, but every one of these companies—every one of them—is in the same position. The climate policy they support through the Business Roundtable is opposed by the entity they support: the chamber.

They have to straighten that out. Whether you are UPS, Home Depot, American Express, Marathon, MetLife, Northrop Grumman, Sales Force, Marriott, Abbott, Morgan Stanley, Microsoft, Exelon, Sempra, Southern Company, GE, Intel, Citi, PepsiCo—you name it—Anthem, Pfizer, Johnson Controls, Lilly, Dow, ExxonMobil.

You have to straighten this out because these are big and influential companies. In fact, this year, the market capitalization of the entire oil and gas sector dropped below the market capitalization of just Apple. Quartz reported in June that Apple could nearly buy ExxonMobil just with cash on hand.

Yet these companies have been mostly silent while polluters called the shots around here in Congress and for a long time. They haven't asked hard questions about the chamber's fossil fuel funding, and they mostly stood by while the chamber—their own organization—became a worst climate obstructor. I think this is beginning to change.

Last week, I spoke at a CERES, C-ER-E-S, event on corporate climate lobbying during New York Climate Week. Over 100 people from scores of different companies participated. The interest among corporations and investors in

getting a handle on anti-climate lobbying is surging. To all of them I said: Change the chamber. Get it to follow the Business Roundtable and support carbon pricing. Get it to come to Congress in favor of science-based climate policy. Get the truth out of the chamber about how much money it has been taking from the fossil fuel industry, particularly for these companies who are board members of the chamber. You guys have a due diligence duty to know that stuff. Changing that behemoth—the anti-climate chamber—would be a sea change indeed. That would help finally break the logjam that the fossil fuel industry has created here in Congress.

Let me wrap up by pointing out the obvious, which is that time is running out. If we don't act soon, we will lock in the worst consequences of climate change for decades. So to these companies I ask: Why, if this is as important as you say it is, do you not speak with a clear voice? Why do you let corporate America's most powerful political mouthpiece oppose you? Look at these companies. Why do you tolerate that, and why do you fund it and sit on its board while it opposes you? Climate change is not an issue you want to be on both sides of, so why are you on both sides of it? Whom do you expect Congress to listen to? Which voice of yours are we to take as the real one? If you want us to listen to your Business Roundtable voice, you better make sure it is not drowned out by the massive business lobby that you fund that has been our worst enemy against climate action. You all need to wake up.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

#### NOMINATION OF AMY CONEY BARRETT

Mr. YOUNG. Mr. President, I rise today in support of President Trump's nomination of Indiana's Amy Coney Barrett to the U.S. Supreme Court.

In the coming days, Americans will hear a great deal about Judge Barrett—much of it from people who have never met her, who have never worked with her. As a fellow Hoosier, I have had the privilege of actually getting to know Judge Barrett and her family and to understand the breadth of her intellect and the thoughtful reasoning of her work. My own opinions have been informed by my personal interactions with her and supported by the countless students, clerks, and former colleagues who, despite their very political beliefs, are united in their admiration for Judge Barrett. They will second what I tell you here.

Amy Coney Barrett's qualifications to fill this seat are beyond question. The character she will demonstrate, once in it, will be exceptional.

Her career is beyond distinguished. She graduated magna cum laude from Rhodes College and summa cum laude from Notre Dame Law School in South Bend, IN. She was highly decorated while doing both, including Dean's Recognition Award and best exam in numerous courses.