

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

#### NORTH PACIFIC FISHERIES CONVENTION IMPLEMENTATION ACT

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 405, S. 1335.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1335) to implement the Convention on the Conservation and Management of the High Seas Fisheries Resources in the North Pacific Ocean, as adopted at Tokyo on February 24, 2012, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Ms. COLLINS. Mr. President, I ask unanimous consent that the Sullivan substitute amendment be agreed to, the bill, as amended, be read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 4003) in the nature of a substitute was agreed to.

(The amendment is printed in today's RECORD under "Text of Amendments.")

The bill (S. 1335), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

#### ORDERS FOR WEDNESDAY, MAY 18, 2016

Ms. COLLINS. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Wednesday, May 18; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate be in a period of morning business for 1 hour, with Senators permitted to speak therein, and with the majority controlling the first half and the Democrats controlling the final half; that following morning business, the Senate then resume consideration of H.R. 2577; finally, that all time during the adjournment and morning business count postclosure on the Blunt-Murray amendment No. 3900.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### ORDER FOR ADJOURNMENT

Ms. COLLINS. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order following the remarks of

the Senator from Rhode Island, Mr. WHITEHOUSE.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Rhode Island.

#### CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I thank the chairman for giving me this time at the end of the day and congratulate her on the progress that has been made with my senior Senator, JACK REED, on this bill.

This is the 137th time that I have addressed this body, asking us to wake up to the threat of climate change. While we sleepwalk, our atmosphere and oceans continue to suffer the damage caused by carbon pollution. As we do nothing, more and more Americans demand action. Look at the new findings from Yale and George Mason Universities. Despite years of industry climate denial propaganda, 75 percent of all registered voters—88 percent of Democrats, 78 percent of Independents, and 61 percent of Republicans—support regulating carbon dioxide as a pollutant; 74 percent of registered voters—88 percent of Democrats, 74 percent of Independents, and 56 percent of Republicans—say corporations and industry should do more to address global warming, and 68 percent of all registered voters—86 percent of Democrats, 66 percent of Independents, and 47 percent even of Republicans—believe fossil fuel companies should be required to pay a carbon tax and the money should be used to reduce other taxes, such as income taxes, by an equal amount.

So why does this Chamber sit idly by and not even have that conversation? Take the fossil fuel industry. For years Big Oil and its allies funded outright denial of man-made climate change. Now they have shifted strategies, from denial to dissembling—saying one thing but doing another.

Take ExxonMobil. In 2007, the oil giant committed to stop funding the front groups that promote science denial. Here is what they said: "In 2008, we will discontinue contributions to several public policy research groups whose positions on climate change could divert attention from the important discussion on how the world will secure the energy required for economic growth in an environmentally responsible manner."

This sounds like a step toward responsible corporate behavior. A casual reader might believe that ExxonMobil would in fact stop funding groups with anti-scientific climate positions. One might think that, but one would be wrong.

According to publicly available company documents, in 2014, ExxonMobil funded several organizations that promote climate science disinformation, including the American Legislative Exchange Council, which peddled legislation to State legislatures that include a finding that human-induced global warming "may lead to . . . possibly

beneficial climactic changes"; the Hoover Institution, whose senior fellow is not a climate scientist, argued that climate data since 1880 supports a conclusion that it would take as long as long as 500 years to reach 4 degrees centigrade of global warming; the Manhattan Institute of Policy Research, where a senior fellow writing about climate change said: "The science is not settled, not by a long shot. . . . Furthermore, even if we accept that carbon dioxide is bad, it's not clear exactly what we should do about it"; the so-called National Black Chamber of Commerce, whose President and CEO, Harry Alford, played the debunked denier card, that "there has been no global warming detected for the last 18 years. That is over 216 months in a row that there has been no detected global warming." By the way, NASA just reported that April was the hottest April ever recorded, just like every one of the past 7 months was the hottest ever recorded for that month. Let's not forget our friends at the Pacific Legal Foundation, whose senior attorney attacked EPA's authority to even regulate CO<sub>2</sub>, in part, because it is a "ubiquitous natural substance essential to life on Earth."

Saying one thing and doing another—ExxonMobil is publicly saying it is separated from the climate denial outfits, but it is still subsidizing their work to undermine public understanding of climate change. This doesn't even count whatever they may be doing behind the dark money curtain that wretched Citizens United decision gave them.

The hypocrisy turns even worse in fossil fuel industry lobbying. An ExxonMobil executive recently stated: "When governments are considering policy options, ExxonMobil believes a revenue-neutral carbon tax is the most effective way to manage carbon emissions."

I have a revenue-neutral carbon tax bill, along with Senator SCHATZ, and I can assure this body that ExxonMobil is not lobbying in support of it. Every Member of Congress knows that all the massive political infrastructure of the fossil fuel industry is adamantly opposed to any meaningful action.

Shell Oil issued a report just last week that states: "Economy-wide carbon pricing—whether through carbon trading, carbon taxes or mandated carbon-emissions standards—provides an efficient and cost-effective way of aligning incentives and motivating action across the economy to reduce carbon emissions."

Top executives of six large European oil and gas companies, including Shell, BP and Statoil, issued a joint letter calling on governments "to introduce carbon pricing systems where they do not yet exist at the national or regional levels. . . . [W]e and our senior staff will seek to engage and share our companies' perspectives on the role of carbon pricing in several important settings," which includes "in our meetings with Ministers and government representatives."

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

The question is, Has any Member of the Senate ever seen Shell or BP or Statoil or any other oil and gas company or any of their lobbying entities even once lobby Members of Congress on carbon pricing—other than, of course, to say, hell, no.

My bill with Senator SCHATZ, the American Opportunity Carbon Fee Act, provides a market-based, revenue-neutral carbon fee—just like these companies say they support. It is built on principles espoused by leading Republican economists and by Republican former officeholders.

Despite the industry's claims, I have seen exactly zero evidence that any of these companies—or their sizable trade associations—are using any of their lobbying muscle to advance carbon pricing legislation. Instead, ExxonMobil and Shell and the trade associations that represent them continue to pump millions of dollars into political machinery designed to lobby against any action on climate change. They say one thing, but they do another.

This chart from the nonprofit research organization InfluenceMap shows the streams of money flowing from ExxonMobil and from Shell, as well as from the American Petroleum Institute, the Western States Petroleum Association, and even the Australian Petroleum Production and Exploration Association. In 2015 alone, ExxonMobil spent \$27 million, Shell spent \$22 million, and the American Petroleum Institute spent \$65 million on obstructive climate lobbying. This money deluge includes advertising and public relations, direct lobbying in Congress and at statehouses, and political contributions and electioneering. They say one thing but do another—to the tune of \$100 million a year.

As late as 2014, ExxonMobil gave the U.S. Chamber of Commerce \$1 million for the chamber to propagate its climate message, delivered loud and clear not only here in Congress but in the courts, of absolute intransigence against any serious climate action. The U.S. Chamber is powerful, and in Congress we all see everywhere around us its implacable hostility against serious climate legislation.

The gap between ExxonMobil's stated support for a revenue-neutral carbon tax and its lobbying activities in Congress against any such thing is why Representative TED LIEU of California and I recently asked the American Geophysical Union, a topnotch scientific society, to reexamine its financial support from ExxonMobil. The American Geophysical Union is made up of honest scientists. In their world, they likely expect that when people say something, it is true. Sadly, in Congress we don't enjoy the same experience. The good-hearted folks at the American Geophysical Union appear to have been taken in by ExxonMobil's

false claims of support for a carbon price. Since we actually see the fossil fuel industry's lobbying presence, we wanted to correct any false impression.

What we see in Congress is that their lobbying efforts are 100 percent opposed to any action on Climate. . . . Whatever position AGU chooses to take, you should not take it based on self-serving representations by ExxonMobil.

POLITICO reported that in November ExxonMobil sent executives to Capitol Hill to try and convince congressional critics that ExxonMobil is a conscientious corporation that supports "sound climate policy." Who did they think they were kidding? Do they think we don't know how they lobby? We are the targets of their lobbying. We know how they lobby. Unsurprisingly, the ExxonMobil executives left DC "empty-handed . . . after refusing to directly answer questions about whether [ExxonMobil] had suppressed internal research that underscored the threat of climate change while publicly sowing doubt about climate science."

Given the fossil fuel industry's massive conflict of interest on carbon pollution, there is every reason for them to play a double game: trying to buy a little credibility for themselves with their public comments, while at the same time using all their lobbying muscle to crush any threat of bipartisan action on the carbon pricing they claim to espouse.

Sadly, in this double game they play, the fossil fuel industry has essentially no corporate opposition in Congress. Across the private sector, there are great corporate leaders on climate change, but from what I see, corporate climate lobbying from the good guys nets to zero. The good guys have given up the field and let the fossil fuel industry to have its way with Congress unopposed, and the result is predictable: Many good Members of Congress are frozen in place, often against their better judgment.

I ask unanimous consent to have printed in the RECORD an article I recently wrote for Harvard Business Review explaining this reality.

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

[From the Harvard Business Review, Feb. 25, 2016]

THE CLIMATE MOVEMENT NEEDS MORE CORPORATE LOBBYISTS

(By Sheldon Whitehouse)

Across corporate America, there is broad support for action on climate change. Leading businesses and executives vocally supported President Obama on the Paris Agreement. Many companies have committed themselves to getting onto a sustainable path, and many are pushing their commitment out through their supply chains. This is good, and it's important.

But it makes us in Congress feel a little left out. The corporate lobbying presence in Congress is immense. But in my experience, exactly zero of it is dedicated to lobbying for a good, bipartisan climate bill.

Dante wrote that above the Inferno was a sign: "Abandon hope all ye who enter here." But there is hope in Congress. Many of my

Republican colleagues are eager for some political support, to counter the fossil fuel industry's relentless onslaught.

Despite the statements emitted from oil companies' executive suites about taking climate change seriously and supporting a price on carbon, their lobbying presence in Congress is 100% opposed to any action. In particular, the American Petroleum Institute, the oil industry trade association, is an implacable foe. Given the industry's massive conflict of interest, there is every reason to believe they are playing a double game: trying to buy a little credibility with these public comments while using all their quiet lobbying muscle to crush any threat of bipartisan action on the carbon pricing they claim to espouse.

I am a sponsor of a Senate carbon fee bill, so I know this firsthand. I see their destructive handiwork all around me—and they have no corporate opposition.

Let me use the example of two good guys: Coca-Cola and PepsiCo. I believe they care about climate change. They have no conflict of interest like fossil fuel companies do. Both signed a public letter urging strong action on climate in Paris. Pepsi signed two major business climate action pledges, the Ceres BICEP Climate Declaration in the United States and the Prince of Wales's Corporate Leaders Group Trillion Tonne Communiqué in the UK.

Coca-Cola's website says it will reduce CO<sub>2</sub> emissions by 25% by "making comprehensive carbon footprint reductions across its manufacturing processes, packaging formats, delivery fleet, refrigeration equipment, and ingredient sourcing." Coca-Cola says, "We . . . encourag[e] progress in response to climate change." Indra Nooyi, chair and CEO of PepsiCo says: "Combating climate change is absolutely critical to the future of our company, customers, consumers—and our world. I believe all of us need to take action now."

And they are taking action. Their effort puts Coke and Pepsi at the forefront of corporate climate responsibility. But they lobby Congress through a trade association, the American Beverage Association, and through the business lobbying group, the U.S. Chamber of Commerce. The American Beverage Association sits on the board of the U.S. Chamber of Commerce and contributes a lot of money to it.

The American Beverage Association, as far as I can tell, has never lobbied on climate change. When the Association thought Congress might impose a soda tax to fund health care, they lobbied like crazy—nearly \$30 million dollars' worth. They know how to lobby, when they want to. But on climate, I've never seen it.

Everyone in Congress knows that the U.S. Chamber of Commerce is dead set against Congress doing anything serious about climate change. The U.S. Chamber is very powerful, and its power in Congress is fully dedicated to stopping any serious climate legislation. We see their hostility everywhere.

The result is that Coke and Pepsi take great positions on climate change in their public materials and private actions, but here in Congress their lobbying agencies don't support their position.

No corporate lobbying force is exerted for good on climate change. Mars, maker of the iconic M&M, is going fully carbon neutral. Its climate performance is spectacular. No lobbying. WalMart, America's biggest retailer, is spending tens of millions of dollars to become sustainable. No lobbying. Apple and Google and Facebook are forward-looking, cutting-edge companies of the future, and they lead in sustainability. No lobbying.

The reasoning I am given is always the same. People fear retribution, so embedded is the fossil fuel industry in Congress. The

result is the good guys abandoning the field to the worst climate actors in America: the fossil fuel industry and its array of front groups. They don't just lobby. The roughest of these, Americans for Prosperity, boasts loudly that it will spend \$750 million in this election (it's already through \$400 million and climbing) and that any effort to address climate change will put candidates in "political peril," that they'll be "at a severe disadvantage." Subtle like a brick.

My response is twofold.

Climate change is not just any other issue. It's so big an issue that the world's leaders just gathered in Paris to address it. It's so big an issue that it has its own page on most corporate websites. It's so big an issue that our former Pacific commander, Admiral Samuel J. Locklear, said it was the biggest national security threat we face in the Pacific Theater. To use his words, climate change "is probably the most likely thing that is going to happen . . . that will cripple the security environment, probably more likely than the other scenarios we all often talk about." So it's big enough for corporations to treat it as more than just another issue in Congress.

Second, they can't hurt you if you organize. An antelope alone may fall to the hyenas, but the herd will protect itself. The fossil fuel industry can't punish Coke and Pepsi and WalMart and Apple and Google and Mars and all the other 100-plus companies who rallied publicly around a strong Paris agreement. You have to stand together.

Around Congress, the bullying menace of the fossil fuel industry is a constant. If the good guys cede the field to them, the result is predictable: members of Congress frozen in place, often against their better judgment. It doesn't have to be this way. I'm in Congress, and I'm writing here to say: we need you guys to show up.

Mr. WHITEHOUSE. Mr. President, it is time not just for us to wake up but for the good guys to show up. Fossil fuel folks for years outright denied climate change and happily funded their array of denial front groups. That failed the tests of truth and decency, but at least it was consistent. This new hypocrisy, to say one thing and do another, is playing with fire. First, it poses a legal risk. It is never good to say things you can't truthfully say under oath, which may be one reason we see such histrionics from the climate denial front groups about investigations where fossil fuel executives may have to tell the truth under oath. Second, it is a real reputation risk, especially among younger consumers who aren't going to love an industry that lies. It is hard to say that you are not lying when what you are saying and what you are doing are opposite.

It is time for the fossil fuel industry to end this new double game. Either put your money where your mouth is and start working with Congress to enact a price on carbon, as you say you wish, or go back to your climate denial and your creepy front groups and see how that works out for you, but saying one thing while you are doing the exact opposite is just not sustainable.

I yield the floor.

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

MAY 29, 2015.

Her Excellency, Ms. CHRISTIANA FIGUERES, *Executive Secretary of the UNFCCC, Bonn, Germany.*

His Excellency, Mr. LAURENT FABIUS President of COP21, *Paris, France.*

DEAR EXCELLENCIES: Climate change is a critical challenge for our world. As major companies from the oil & gas sector, we recognize both the importance of the climate challenge and the importance of energy to human life and well-being. We acknowledge that the current trend of greenhouse gas emissions is in excess of what the Intergovernmental Panel on Climate Change (IPCC) says is needed to limit the temperature rise to no more than 2 degrees above pre-industrial levels. The challenge is how to meet greater energy demand with less CO<sub>2</sub>. We stand ready to play our part.

Our companies are already taking a number of actions to help limit emissions, such as growing the share of gas in our production, making energy efficiency improvements in our operations and products, providing renewable energy, investing in carbon capture and storage, and exploring new low-carbon technologies and business models. These actions are a key part of our mission to provide the greatest number of people with access to sustainable and secure energy.

For us to do more, we need governments across the world to provide us with clear, stable, long-term, ambitious policy frameworks. This would reduce uncertainty and help stimulate investments in the right low carbon technologies and the right resources at the right pace.

We believe that a price on carbon should be a key element of these frameworks. If governments act to price carbon, this discourages high carbon options and encourages the most efficient ways of reducing emissions widely, including reduced demand for the most carbon intensive fossil fuels, greater energy efficiency, the use of natural gas in place of coal, increased investment in carbon capture and storage, renewable energy, smart buildings and grids, off-grid access to energy, cleaner cars and new mobility business models and behaviors.

Our companies are already exposed to a price on carbon emissions by participating in existing carbon markets and applying 'shadow' carbon prices in our own businesses to test whether investments will be viable in a world where carbon has a higher price.

Yet, whatever we do to implement carbon pricing ourselves will not be sufficient or commercially sustainable unless national governments introduce carbon pricing evenhandedly and eventually enable global linkage between national systems. Some economies have not yet taken this step, and this could create uncertainty about investment and disparities in the impact of policy on businesses.

Therefore, we call on governments, including at the UNFCCC negotiations in Paris and beyond—to:

Introduce carbon pricing systems where they do not yet exist at the national or regional levels.

Create an international framework that could eventually connect national systems.

To support progress towards these outcomes, our companies would like to open direct dialogue with the UN and willing governments. We have important areas of interest in and contributions to make to creating and implementing a workable approach to carbon pricing, including:

1. Experience. For more than a century we have provided energy to the world. We are global in reach, closely familiar with managing major projects and risks of many kinds, and well-versed in trading and legis-

tics. As we are already users of carbon pricing systems across the world, exchange of information at international scale could help to identify the best solutions.

2. Motivation. We want to be a part of the solution and deliver energy to society sustainably for many decades to come. Like our counterparts in other industry sectors we will play a key role in implementing the measures and deploying the technologies that will lead to a lower carbon future. Low carbon business models and solutions are fragile until they reach critical size, but with linked carbon pricing systems worldwide, uncertainty would be reduced and such solutions will start to create value for business more rapidly.

3. Pragmatism. We believe our presence at the table could be helpful in designing an approach to carbon pricing that would be both practical and deliverable, as well as ambitious, efficient and effective.

4. A forum for discussion. Our companies and others have come together under the auspices of the World Economic Forum to form the Oil & Gas Climate Initiative, or are members of the International Emissions Trading Association, the World Bank or the UN Global Compact Carbon Pricing initiatives. We believe these forums may offer an appropriate ground for public-private dialogue on how to price carbon into energy.

Practically, we and our senior staff will seek to engage and share our companies' perspectives on the role of carbon pricing in several important settings:

In our meetings with Ministers and Government representatives.

As we attend and address conferences.

As we hold engagements with our investors.

As we conduct meetings with other stakeholders including partners, suppliers, academics and researchers.

As we hold meetings for management and staff within our businesses.

Pricing carbon obviously adds a cost to our production and our products—but carbon pricing policy frameworks will contribute to provide our businesses and their many stakeholders with a clear roadmap for future investment, a level playing field for all energy sources across geographies and a clear role in securing a more sustainable future.

We acknowledge the long-term challenge and appreciate that this will be transformative across the energy sector. Over many decades, our industry has been innovative and has been at the forefront of change. We are confident that we can build on our trajectory of innovation to meet the challenges of the future.

Each of us will copy this letter personally to key contacts among investors, governments, civil society and our staff.

Yours sincerely,

HELGE LUND,  
*BG Group.*

BOB DUDLEY,  
*BP.*

CLAUDIO DESCALZI,  
*Eni S.p.A.*

BEN VAN BEURDEN,  
*Royal Dutch Shell.*

ELDAR SAETRE,  
*Statoil ASA.*

PATRICK POUYANNÉ,  
*Total S.A.*

ADJOURNMENT UNTIL 9:30 A.M.  
TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 9:30 a.m. tomorrow.

Thereupon, the Senate, at 7:15 p.m., adjourned until Wednesday, May 18, 2016, at 9:30 a.m.