

Prince of Bahrain. According to the emails, after the Clinton Foundation staffer intervened, a meeting was quickly put together. The Washington Post has noted that the Crown Prince spent upwards of \$32 million on an education program connected with—you guessed it—the Clinton Foundation.

Another is from a person whom we will identify as just a sports executive trying to get an expedited visa for a British soccer player. He donated between \$5 million and \$10 million to the Clinton Foundation.

Several other requests were for last-minute meetings and other favors, including one business executive who apparently got quick access to Secretary Clinton. He donated between \$5 million and \$10 million to the Clinton Foundation.

So what do all of these examples have in common? Obviously they are asking for help through Secretary Clinton's direct line at the State Department and they gave millions of dollars to the foundation. These obviously were big-time donors.

Let me add that I don't know a lot about the details involving these donations because the Clinton Foundation doesn't provide the date and exact amount but just ranges.

Here is the point: Secretary Clinton and her team were quick to prioritize these big donors and respond to them quickly and even, if possible, follow through with whatever request was made of them. It is clear that major Clinton Foundation donors enjoyed great access to Secretary Clinton while she was serving as our Nation's premier diplomat. The Clinton Foundation interfered with official day-to-day work at the State Department when the Secretary and her staff should have been focused on keeping Americans safe and making sound foreign policy.

One of the reasons I bring this up today is that this was an original concern of mine before Secretary Clinton was even confirmed as Secretary of State. After President Obama's election in 2009, during the Senate confirmation process, I objected to fast-tracking a vote on her nomination because I saw the real and myriad possibilities for conflicts of interest in the relationship between Secretary Clinton as Secretary of State and the Clinton family foundation. I told then-Secretary Nominee Clinton that we needed greater transparency and we needed more assurances as to the integrity of this whole arrangement. When I questioned her about it, I was assured by Secretary Clinton herself that the Clinton Foundation would take steps necessary to mitigate my concerns about conflicts of interest and perceived conflicts of interest.

I would note that this was not just my concern; it was a concern raised by the then-chairman of the Foreign Relations Committee, Senator Richard Lugar. It was also raised by President Obama and his White House itself. And what was produced out of those con-

cerns was a very lawyerly-like memorandum of understanding between the Clinton Foundation and the Obama administration. In fact, I believe this is a precondition to Secretary Clinton getting the nomination from President Obama, because he didn't want the conflicts of interest that he knew could arise as a result of the foundation's activities to impugn the integrity of the Obama administration.

This memorandum of understanding assured the President and the American people that the foundation would follow certain transparency measures to make sure that Secretary Clinton conducted American diplomacy with the utmost integrity. In doing so, the foundation agreed it would make public the names of all donors, including new ones.

What was the result? In the ensuing years, Secretary Clinton and her family foundation made a habit of regularly crossing the lines that were drawn in that memorandum of understanding and with her verbal arrangements and understanding with me. Even though the foundation agreed to disclose all foreign donations—this is from foreign countries to a family foundation run, in part, by the Secretary of State of the U.S. Government. So even though they agreed to disclose all foreign contributions, they didn't, and even though some foreign donations were supposed to be submitted for review to the State Department, they weren't.

According to reports, at least one organization within the foundation failed to annually disclose its list of donors, and today the American people still lack basic information about many of the donations, like the exact amounts that were donated to the foundation, as I already mentioned.

I don't know anybody who feels comfortable with or who can defend these obvious conflicts of interest between the Secretary of State representing the United States and her family foundation soliciting and receiving multi-million-dollar donations from heads of state of foreign countries, not to mention other people who obviously were trying to get the help of Secretary Clinton in some official capacity. Secretary Clinton was performing her job as Secretary of State, and at the same time, the Clinton Foundation was shaking down donors who at least thought they were buying access. I don't know how to describe that in any other terms other than it is deplorable and it completely undercuts the integrity of our democratic process.

This isn't funny, as former President Clinton suggested. Lying to the American people doesn't make you some kind of Robin Hood either, as he claimed to be. He said the only difference between him and Robin Hood is he didn't steal from anybody.

Well, this whole scandal further underscores the Clinton philosophy that anything goes. She clearly feels like the laws that apply to you and me

don't apply to her, and it is no wonder the American people have come to distrust her and believe that she is simply incapable in many instances of telling the truth.

I hope the American people keep asking questions of Secretary Clinton and her foundation, and I hope soon that we all get some answers. The American people deserve complete unobstructed transparency into this matter, and it is clear they won't get that from Secretary Clinton herself.

Regarding the vote to confirm Secretary Clinton, it did occur. In reliance upon her assurances of transparency and to maintain the independence of her office of Secretary of State from the activities of the foundation, I, among many others of my colleagues, voted to confirm Secretary Clinton as Secretary of State, but my belief today is that she simply did not keep up her end of the bargain. Thus, if that vote were held today, I could not and would not vote to confirm her as Secretary of State.

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#### MORNING BUSINESS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak for up to 15 minutes.

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

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#### CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, as the Senate reconvenes after several weeks of work in our home States, I am back for the 145th time asking my colleagues to wake up to the pressing reality of climate change. We are sleepwalking through this moment, willfully ignoring the warning signs of an already altered Earth, largely because of a decades-long corporate campaign of misinformation on the dangers of carbon pollution.

Just last week, while we were back home, scientists at the International Geological Congress presented the beginning of a new geological epoch, the Anthropocene. Transitions between geological epochs are marked by a signal—a signal in the global geologic record, like the traces of the meteorite that wiped out the dinosaurs at the end of the Cretaceous epoch.

What are the signals of the beginning of the Anthropocene?

Humans—anthropods—have increased carbon dioxide in the Earth's atmosphere from 280 parts per million before the Industrial Revolution to 400 parts per million and rising today—a pace of increase not seen for 66 million years and a level never seen before in human history on this planet.

We have also dumped so much plastic into our waterways and oceans that microplastic particles can be found virtually everywhere and are now even infiltrating our food chain. We have poured so much pollution into our atmosphere—that thin blue shell under which we currently thrive—that permanent layers of particulates, such as black carbon from burning fossil fuels, are left in sediments and glacial ice. The signals we are leaving are many, and they are clear.

Dr. Paul Crutzen, the Nobel Prize-winning chemist who coined the term “Anthropocene” remarked back in 2011: “This name change stresses the enormity of humanity’s responsibility as stewards of the Earth.” His words echo those of Pope Francis, who tells us this in his encyclical “Laudato Si’”: “Humanity is called to recognize the need for changes of lifestyle, production, and consumption, in order to combat this warming or at least the human causes which produce or aggravate it.”

Yet attempts to address climate change are stifled in this Chamber by an industry-controlled, many-tentacled apparatus deliberately polluting our discourse with phony climate denial as it pollutes our atmosphere and oceans with carbon. Polls show more than 80 percent of Americans favor action to reduce carbon pollution. So our inaction signals the filthy grip these bad actors have on this Chamber.

Before the recess, 19 colleagues came to the floor to shine a little light on this web of climate denial spun by those actors. All told, we delivered over 5½ hours of remarks describing the activities, the backers, and the linkages of dozens of denier groups.

A growing body of scholarship examines this climate denial apparatus, including work by Harvard’s Naomi Oreskes, Michigan State’s Aaron McCright, Oklahoma State University’s Riley Dunlap, Yale’s Justin Farrell, and Drexel’s Robert Brulle. Their work reveals an intricate, interconnected propaganda web that encompasses over 100 organizations, trade associations, conservative think tanks, foundations, public relations firms, and plain old phony-baloney polluter front groups. In the words of Professor Farrell, the apparatus is “overtly producing and promoting skepticism and doubt about scientific consensus on climate change.”

Well, our little floor effort got the attention of the climate deniers. Shortly after our “web of denial” floor action, Senator SCHATZ and I received a letter from ExxonMobil telling us that it believes the risks of climate change are real, that it no longer funds groups that deny the science of climate change, and that it supports a carbon fee, like our American Opportunity Carbon Fee Act.

Mr. President, I ask unanimous consent to have printed in the RECORD a copy of this letter.

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

EXXON MOBIL CORPORATION,  
Washington, DC, July 21, 2016.

Hon. SHELDON WHITEHOUSE,  
U.S. Senate,  
Washington, DC.

DEAR SENATOR WHITEHOUSE: I am writing in response to comments you recently made on the Senate floor about ExxonMobil and our position on climate change and felt it important to better inform you of our position. ExxonMobil shares the same concerns as people everywhere—how to provide the world with the energy it needs to support economic growth and improve living standards, while reducing greenhouse gas (GHG) emissions. It is a dual challenge. Technological advancements in the ways in which we produce, deliver, and use energy are critical to our ability to meet this challenge.

ExxonMobil believes the risks of climate change are real and warrant thoughtful action.

As a global issue, addressing the risks of climate change requires broad-based, practical solutions around the world. ExxonMobil believes that effective policies to address climate change should:

Ensure a uniform and predictable cost of carbon across the economy;

Be global in application;

Allow market prices to drive the selection of solutions;

Minimize complexity and administrative costs;

Maximize transparency; and

Provide flexibility for future adjustments to react to developments in climate science and the economic impacts of climate policies.

As policymakers develop mechanisms to address climate change risk, they should focus on reducing the greatest amount of emissions at the lowest cost to society. Of the policy options being considered by governments, we believe a revenue-neutral carbon tax is the best—a position we first took more than seven years ago.

We are actively working to reduce greenhouse gas emissions in our own operations and to help our customers reduce their emissions as well. That means developing technologies that reduce emissions, including working to improve energy efficiency and advance cogeneration. In fact, our cogeneration facilities alone enable the avoidance of approximately 6 million metric tons of greenhouse gas emissions each year, and allow us to feed power back to the grid in certain instances.

Since 2000, ExxonMobil has spent approximately \$7 billion to develop lower-emission energy solutions. That figure does not include the fact that as the nation’s leading producer of natural gas, ExxonMobil has contributed substantially to the overall drop in U.S. energy-related CO<sub>2</sub> emissions over the past decade.

We are also advancing conventional carbon-capture-and-storage technology while at the same time pursuing innovative carbon-capture solutions involving carbonate fuel cells. This far-sighted research aims to reduce the cost of carbon capture to keep CO<sub>2</sub> out of the atmosphere. Advancing economic and scalable technologies to capture carbon dioxide from large emitters, such as power plants, is an important part of ExxonMobil’s suite of research into lower-emissions solutions to mitigate the risk of climate change.

And we are pioneering development of next-generation biofuels from algae that could reduce emissions without competing with food and water resources.

We reject long-discredited efforts to portray legitimate scientific inquiry and dia-

logue and differences on policy approaches as “climate denial.” We rejected them when they were made a decade ago and we reject them today.

To advance the quality of analysis and discussion of leading public policy challenges, we provide funding to a broad range of non-profit organizations that engage in the development and consideration of options to address them responsibly and effectively. Often these organizations support free market solutions and expanded economic growth. We consider our support for such organizations from year to year to assess their continuing contribution to the public discussion of social, environmental, and economic issues. As you know, several years ago, we discontinued funding several non-profit organizations when we determined that our support for them was unfortunately becoming a distraction from the important public discussion over practical efforts to mitigate the risks of climate change.

If you, or your staff, would like to discuss this or any other matter, please let me know and, as always, we would be pleased to meet.

Sincerely,

THERESA FARIELLO,  
Vice President,  
Washington Office.

Mr. WHITEHOUSE. It is a nice letter, but its claims simply do not conform to our experience.

In 2015, for instance, ExxonMobil repeatedly funneled millions to groups peddling climate denial. According to its own publicly available “2015 Worldwide Giving Report,” ExxonMobil contributed over \$1.6 million to organizations that were profiled in our floor statements, including the American Legislative Exchange Council and the U.S. Chamber of Commerce.

ExxonMobil’s letter claims that the company’s support for a revenue-neutral carbon tax dates back 7 years. If that were so, you would think at some point during those 7 years Exxon executives would have expressed that support to the authors of a carbon fee bill. My and Senator SCHATZ’s American Opportunity Carbon Fee Act meets all the relevant criteria mentioned in the letter, yet ExxonMobil has not endorsed the bill or lobbied our colleagues on its behalf or even expressed interest in meeting with either of us to discuss the White House-Schatz proposal and how to make it become law.

Behind ExxonMobil’s professed support for a carbon fee, here is what we really see: zero support from the corporation and implacable opposition from all ExxonMobil’s main lobbying groups—the American Petroleum Institute, for instance, the U.S. Chamber of Commerce and its array of various front groups. The actual lobbying position of ExxonMobil is vehemently against the revenue-neutral carbon tax ExxonMobil claims to support.

The letter from ExxonMobil was not the only letter in response to our July floor speeches. Twenty-two organizations in the Koch-funded network with lengthy records of climate change denial also sent a letter objecting to being characterized as Koch-linked climate deniers. This group of organizations, which purportedly is not a

group, sent their letter out on a common letterhead. Since the web of climate change denial is designed to be so big and sophisticated, with so many parts that the public is made to believe it is not a single, special-interest-funded front, that may not have been their smartest move. Interestingly, some of the groups that participated in this letter were not even mentioned in our floor remarks. Such is the web of denial.

In our reply to them, Senators REID, SCHUMER, BOXER, DURBIN, SANDERS, FRANK, WARREN, MARKEY and I noted that they are all well supported in the web of climate denial, to the tune of at least \$92 million, in a network bound together by common funders, shared staff, and matched messages. It is one beast, though it may have many heads.

We offered these organizations a simple test. If you are for real, disclose all of your donors. There is a lot of dark money going into these groups. So we asked: Show us that you represent many, many millions of Americans—as they claimed in the letter—not just many, many millions of dollars from the Koch brothers' fossil fuel network.

I contend that these organizations are well-funded agents of hidden backers with a massive conflict of interest, and that it is their job to subject our country to an organized campaign to deceive and mislead us regarding the scientific consensus surrounding climate change and to do so with the purpose to sabotage American response to the climate crisis.

I contend that the conflict of interest of their hidden backers runs into the hundreds of billions of dollars. If you use the Office of Management and Budget's social cost of carbon, one can calculate the annual polluter cost to the rest of us from their carbon pollution at over \$200 billion per year. Think what mischief people would be willing to get up to for \$200 billion per year. The International Monetary Fund estimates that the effective subsidy for American fossil fuels is actually even higher—\$700 billion per year. For that kind of money, you can fund a lot of front groups.

The front group's letter points out that our Founders intended for public policies to be well informed and well debated. Well, I could not agree more.

On July 31, leading national scientific organizations, including the American Association for the Advancement of Science, the American Meteorological Society, and the American Geophysical Union, sent Members of Congress a no-nonsense message that human-caused climate change is real, that it poses serious risks to modern society, and that we need to substantially reduce greenhouse gas emissions.

Observations throughout the world make it clear that climate change is occurring, and rigorous scientific research concludes that the greenhouse gases emitted by human activities are the primary driver. This conclusion is based on multiple independent lines of evidence and the vast body of peer-reviewed science.

That is the voice of fact, analysis, and reason. We are well informed by the real scientists. The scientists have the expertise, the knowledge, and the facts. What they don't have is that massive conflict of interest that requires setting up an armada of front groups and that gives them the \$100 billion motivation to run this scheme. It is time to let the scientists and the facts take their place.

This issue has been thoroughly debated and vetted in the legitimate world. It is time now for us here in Congress to wake up to our duties and at last to act.

I yield the floor.

The PRESIDING OFFICER (Mr. TILLIS). The Senator from Ohio.

(The remarks of Mr. PORTMAN pertaining to the introduction of S. 3292 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. PORTMAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. PERDUE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### FILLING THE SUPREME COURT VACANCY

Mr. PERDUE. Mr. President, I rise tonight after having listened to several floor speeches today. I don't understand it. Here we are again with problems such as the debt, the Zika virus, funding our military, and yet we spent the majority of the day in this body talking about something I think we have already decided is not going to change this year, and that is the potential nomination to the vacancy on the Supreme Court.

I just think I need to do this one more time. I have spoken before about my position, and I want to rise in support of Senator GRASSLEY, the chairman of the Senate Judiciary Committee. I think it is important that I again discuss why I believe the Senate should not hold hearings or schedule a vote on any Supreme Court nominee until the American people have chosen whom they want to be their next President.

I would first like to address this issue of the Senate's responsibility under the Constitution with respect to judicial matters and judicial nominees in particular. According to article II, section 2, the President has the power to nominate Supreme Court Justices—nothing new there. We in this body have the power to either consent or withhold our consent from this nominee.

The minority leader himself said at that time when referring to the Senate's constitutional responsibility to confirm President George W. Bush's judicial nominee:

Nowhere in that document does it say the Senate has a duty to give presidential nominees a vote.

He then went on to say:

The Senate is not a rubber stamp for the executive branch.

There is also no provision in the Constitution requiring the Senate Judiciary Committee to hold hearings for all judicial nominees. In fact, the Constitution and its provisions laying out the process for confirming judicial nominees were ratified 28 years before the Senate Judiciary Committee even came into existence. Therefore, it is clear to me that the Senate's action in withholding consent from this nominee is entirely consistent with our rights and responsibilities as a coequal branch of government under the Constitution.

By choosing to withhold our consent in this case, we are doing our job, just as we have said all along and just as our jobs are laid out in the Constitution.

I would also like to address the argument that the lack of hearings for a Supreme Court nominee this year is somehow unprecedented. That is just nonsense. In modern times, the opposite is actually true. The last time a Supreme Court vacancy arose and a nominee was confirmed in a Presidential election year was actually in 1932. But the last time this situation occurred where we had a divided government and we had a Supreme Court Justice nominated and confirmed in that year was 1888. Mr. President, a lot of water has gone under the bridge since then, and both sides have taken this position.

Furthermore, my colleagues across the aisle have consistently argued over the years that the Senate should not act on a Supreme Court nomination during a Presidential election year. The hypocrisy of this situation is just amazing to me. As an outsider to this process, this is what drives my friends and people back home absolutely mad.

It was then-Senator BIDEN—our current Vice President—who was chairman of the Judiciary Committee at the time, who said that President George H.W. Bush should avoid a Supreme Court nomination until after the 1992 Presidential election. Then-Senator BIDEN went further than what we are doing today: He then said the President shouldn't even nominate someone. He made the same point my colleagues and I are making today when he said:

It is my view that if a Supreme Court justice resigns tomorrow or within the next several weeks, or resigns at the end of the year, President Bush should consider following the practice of a majority of his predecessors and not—and not—name a nominee until after the November election is completed.

I don't know what else to say, Mr. President. Both sides have made this same argument we are making today in the past.

Finally, I believe the decision to not hold hearings for a Supreme Court nominee this year is a wise course of