

bars and provide key resources to forensic labs across the country while aiming to end the rape kit backlog.

The rape kit backlog in particular has been something that a wonderful woman named Debbie Smith has committed much of her life to, making sure we provide the resources to local forensic labs that test those rape kits because of the power of DNA and forensic testing. One can literally tell with almost certainty whether the evidence contained in a rape kit matches a DNA sample from a suspected sexual offender. Likewise, one can also exclude the suspect from being the one who provided that forensic DNA sample. In other words, you can exonerate as well as convict people as a result of testing from these rape kits.

Being involved in this issue, we initially heard there were as many as 400,000 untested rape kits in America. Some of them had been tested 20 years after the fact only to find that the sexual offender didn't just commit one act of violence or sexual assault but was a serial offender.

There are stories of individual courage on the part of victims of sexual assault who have come forward to tell their story about the impact of this important elimination of the rape kit backlog. There are cities like Houston—Houston, under the leadership of Mayor Parker, basically said they are going to eliminate the rape kit backlog in Houston on their own, with perhaps some Federal assistance. They were able to identify a number of perpetrators in unsolved crimes because they were able to tell that the DNA in these rape kits matched certain hits on the FBI's CODIS list, where they maintain the data bank of DNA samples that are matched against those collected from suspects, collected in forensic examination.

Suffice it to say that this legislation will contribute to ending that rape kit backlog, and I believe that is a good enough reason to support it. It will make sure that brave people like Debbie Smith, who years ago suffered a sexual assault and who has made this one of her causes in life—it will make sure that no woman would have to endure what she had to endure, and that is where law enforcement fails to use all the resources available to it to find her assailant and to bring them to justice.

Most importantly, this legislation will also help strengthen victims' rights and help them pursue their justice in court.

We already passed it once unanimously in the Senate back in June, and I am thankful to the leadership in the House for bringing this bill up in the waning days of the 114th Congress. I look forward to the House bringing up and passing this legislation today and to us taking it up here with any amendments that the House may offer and taking it up here I hope by unanimous consent and passing it before we leave for the holidays.

With that, Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Ms. AYOTTE). Without objection, it is so ordered.

Mr. WHITEHOUSE. Madam President, I ask unanimous consent to speak for up to 25 minutes in morning business.

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

#### CLIMATE CHANGE

Mr. WHITEHOUSE. Madam President, I started my weekly series of speeches about the dangers of climate change in the spring of 2012. My trusty "Time to Wake Up" sign is getting a little battered, showing some wear and tear, but I am still determined to get us to act on climate before it is too late. The Senator from New Hampshire clearly knows what is going on in her State.

It is long past time to wake up to the industry-controlled campaign of calculated misinformation on the dangers of carbon pollution. Opponents of climate action relish operating in the dark. Their slimiest work to undermine science and deny the harmful effects of carbon pollution on human health, natural systems, and the economy is done by hidden hands through front groups. If anything is to change, we first need to acknowledge peer-reviewed science, the expert assessments of our military and national security leaders, and the business case for climate action that iconic American companies are making. But if anything is really going to change, we need to shine a light on the sophisticated scheme of science denial being foisted on the American people.

President Theodore Roosevelt once said: "Far and away the best prize that life offers is the chance to work hard at work worth doing."

We in Congress have the chance to do this worthy work, but big special interests don't want that to happen. So Congress keeps drifting toward climate catastrophe, and I keep delivering my weekly remarks—today for the 150th time.

Thankfully, I am not a lone voice. Many colleagues have been speaking out, particularly our ranking member on the Environment and Public Works Committee, Senator BOXER, and one of our Democratic Party's Presidential contenders, Senator SANDERS. Senator MARKEY has been speaking on climate longer than I have even been in the Senate. Senators SCHUMER, NELSON, BLUMENTHAL, SCHATZ, KING, BALDWIN, BROWN, and COONS have each joined me to speak of the effects of carbon pollu-

tion on their home States and economies. Our Democratic leader, Senator REID, has pressed the Senate to face up to this challenge, and 18 fellow Democratic colleagues, including climate champs MERKLEY, WARREN, MARKEY, and SCHUMER joined me in calling out the industry-controlled many-tentacled apparatus deliberately polluting our American discourse with climate science denial.

The climate science that deniers tried to undermine dates back to the 1800s, predating Henry Ford's first production Model T, predating Thomas Edison's first light bulb demonstration, and predating the first commercial oil well in the United States. It was 1824, around the time that President Monroe added the South Portico to the White House, that French scientist Joseph Fourier explained that the Earth's temperature would be much lower if the planet lacked an atmosphere, providing one of the first descriptions of the greenhouse effect. In 1861, the year President Lincoln took office, Irish physicist John Tyndall described the trace components of the atmosphere that were responsible for the greenhouse effect, including carbon dioxide, methane, and water vapor. In 1896, the year Utah joined the Union, Swedish scientist Svante Arrhenius published the first calculation of global warming due to the addition of carbon dioxide from the burning of fossil fuels.

The concentration of carbon dioxide in the Earth's atmosphere at that time was 295 parts per million. Today it is 400 parts per million and rising—indeed, rising at a pace not seen for 66 million years. Scientific research continues to demonstrate planetary warming and the many changes that come with it.

I am from the Ocean State, and we can particularly look at the oceans to see the devastating effects of climate change. Of course, the great, corrupt denial machine the fossil fuel industry supports rarely talks about oceans. But, remember, that machine doesn't care about evidence. It just wants to create phony doubt. But there is not much room for doubt in measurements of warming, rising, and acidifying seas, which are measured with everyday thermometers—with yardsticks, essentially—and pH tests. So faced with all that measurement, they just don't go there.

But the changes happening in the oceans are real. Our unfettered burning of fossil fuels has made our oceans warmer. The oceans have absorbed the vast majority of the heat trapped in our atmosphere by our carbon pollution—the heat equivalent to several Hiroshima-style atomic bombs being set off in the sea every second for the last 20 years. One result of all this heat is the calamity now taking place in the world's coral reefs, the incubators of the sea.

Australia's Great Barrier Reef is the largest coral ecosystem on Earth. Severe bleaching has hit between 60 and

100 percent of corals on the Great Barrier Reef, according to Dr. Terry Hughes of James Cook University in Queensland. Research led by Dr. Andrew King at the University of Melbourne determined that the ocean warming that led to widespread and devastating coral destruction was made 175 times more likely by human-caused climate change.

As one researcher put it, climate change “is the smoking gun.” We are not just warming the oceans. The oceans actually absorb carbon dioxide itself, as well as heat. Because carbon dioxide forms carbonic acid when it dissolves in sea water, the seas are acidifying at the fastest rate in 50 million years. On America’s northwest coast, oyster hatcheries have already experienced significant losses when their new hatches were unable to grow their shells in the acidified sea water. Off the coasts of Washington, Oregon, and Northern California, 50 percent of tiny sea snails called pteropods—these creatures right here—were measured to have “severe shell damage,” mostly from acidified seas. A NOAA study released just last week detailed for the first time the extent to which that damage was caused by human carbon pollution. If this species collapses, the bottom falls out of the oceanic food chain.

In Rhode Island, Narragansett Bay’s mean winter water temperature is up nearly 4 degrees Fahrenheit. Our Rhode Island lobster fishery is crashing, and our winter flounder fishery is practically gone. I know that the New Hampshire fishery is equally stressed. With real alarm, Rhode Island’s clambers, lobstermen, fish farmers, and shellfish growers are all watching the damage acidified seas are doing. This is the cost of climate change in the oceans.

We are approaching a point of no return. The U.N. Environment Programme’s Emissions Gap Report, released earlier this month, warned that unless reductions in carbon pollution from the energy sector are taken swiftly, it will be nearly impossible to keep warming below 2 degrees Celsius and avoid widespread catastrophes. The report says that the next 3 years are “likely the last chance” to limit global warming to safe limits in this century—likely the last chance to make a difference. But Republicans in this Senate want to do nothing about it.

Once upon a time, Republicans joined Democrats in pushing for action on climate. Senator MCCAIN ran for President on a strong climate change platform and was the lead cosponsor of the Climate Stewardship Act, which would have created a market-based emissions cap-and-trade program to reduce carbon dioxide and other heat-trapping pollutants from the biggest U.S. sources. At the time Senator MCCAIN said:

While we cannot say with 100 percent confidence what will happen in the future, we do know the emission of greenhouse gases is not

healthy for the environment. As many of the top scientists through the world have stated, the sooner we start to reduce these emissions, the better off we will be in the future.

Other Republicans got behind cap-and-trade proposals. Senator CARPER’s Clean Air Planning Act at one time or another counted Senators ALEXANDER, GRAHAM, and COLLINS among its supporters. Senator COLLINS later coauthored her own important cap-and-trade bill with Senator CANTWELL.

Senator KIRK voted for the Waxman-Markey cap-and-trade bill in the House. Senator FLAKE, then representing Arizona in the House, was an original cosponsor of the Raise Wages, Cut Carbon Act to reduce payroll taxes for employers and employees in exchange for equal revenue from a carbon tax.

So what happened? Why did this steady heartbeat of Republican climate action suddenly flatline in 2010? Something happened in 2010.

What happened was the Supreme Court’s disgraceful 2010 decision in *Citizens United v. Federal Election Commission*, where, in a nutshell, the Court ruled that corporations are people and money is speech, and so there can be no limit to corporate money influencing American elections.

When *Citizens United* uncorked all that big, dark money and allowed it to cast its bullying shadow over Congress, Republicans walked back from any major climate legislation. Rather than freeing up open debate, *Citizens United* effectively ended any honest debate in Congress on the climate crisis.

Unlimited corporate spending in politics can, indeed, corrupt—and not just through floods of anonymous attack advertisements. It can corrupt secretly and, more dangerously, through the mere threat of that spending, through private threats and promises. Sometimes, the fossil fuel industry threat to politicians who don’t toe their line is not so subtle. The Koch brothers-backed political juggernaut Americans for Prosperity has openly promised to punish candidates who support curbs on carbon pollution and has openly taken credit for the “political peril”—to use their words—that organization created for Republicans on climate change.

Since 2010, the fossil fuel industry strategy has been to crush Republican opposition to prohibit Republicans from working with Democrats on climate change so that the industry can disguise what is basically old-fashioned special-interest pleading as a partisan issue in America’s culture wars.

I don’t know if you remember the alien in the movie “Men in Black” who climbed into the skin and clothing of the unfortunate farmer. That is what the fossil fuel industry has done to the Republican Party since *Citizens United*.

The industry has a lot at stake. The International Monetary Fund has reported the American subsidy for the U.S. fossil fuel industry at nearly \$700

billion a year—that is billion with a “b”—and every year. I ask you, how much trouble would an industry go to to protect a \$700 billion-per-year subsidy?

A growing body of scholarship is examining the science denial apparatus protecting the fossil fuel industry—how it is funded, how it communicates, and how it propagates the denial message. That research includes work by Harvard’s Naomi Oreskes, Michigan State’s Aaron McCright, Oklahoma State’s Riley Dunlap, Yale’s Justin Farrell, Drexel’s Robert Brulle, and others.

Industrial powers fighting to obscure the harms their products cause isn’t new. They operate from a well-worn playbook that was used for industrial contaminants and health hazards such as DDT, CFCs, and, of course, particularly tobacco. It is the ultimate special interest lobbying.

President-Elect Trump campaigned on a pledge of draining the swamp of big special interests controlling Washington. Yet leading the transition at the Environmental Protection Agency for the Trump administration is Myron Ebell, the poster child of industry-backed climate denial. Mr. Ebell is the director of energy and environment at the Competitive Enterprise Institute, a corporate front group that has specialized in undermining tobacco, climate, and other science. CEI received millions of dollars from ExxonMobil, the Koch family, coal companies Murray and Massey, and the identity-laundering groups Donors Trust and Donors Capital. CEI and Myron Ebell are the quintessential DC swamp creatures.

Politico reports that Ebell was a veteran of the tobacco regulation wars. Jeremy Symons of the Environmental Defense Fund credits Ebell with “taking the tobacco playbook and applying it to climate change.” And on climate, Jerry Taylor of the libertarian Niskanen Center says Ebell was “involved in marshaling allies, building a skeptic movement and enforcing that political orthodoxy as best he could in the Republican Party.”

Ebell criticizes scientists for working outside their degreed fields, but it turns out he isn’t even a scientist himself. After college, he studied political theory at the London School of Economics and history at Cambridge.

He has even criticized Pope Francis’s encyclical on climate change, calling it “scientifically ill-informed, economically illiterate, intellectually incoherent and morally obtuse.” That is rich right there—an outspoken climate contrarian whose organization receives fossil fuel money calling Pope Francis morally obtuse.

Well, the President-elect mocked Republican politicians when they went groveling before the Koch brothers at their “beg-a-thon,” as the President-elect called it, but now he is busy filling his staff with Koch operatives. Donald Trump may have won the Presidency, but with operatives like Myron

Ebell, the Koch brothers are moving in to run the Presidency.

The new President, however, will hear from our military, he will hear from our National Labs, and he will hear from NASA, which, with a rover driving around on Mars right now, may actually know a little science, that this is deadly serious.

I encourage President-Elect Trump to listen to the voices of reason and expertise, not to the swamp things. Don't, Mr. President-Elect, be taken in by industry lobbyists and front groups scratching and clawing to protect a \$700 billion conflict of interest. Consider, Mr. President-elect, listening to your children, who joined you just 7 years ago in saying climate science was "irrefutable" and portends "catastrophic and irreversible" consequences. That is what you and they said just 7 years ago.

Madam President, let's assume something. Let's assume that all our National Labs, NASA and NOAA, our military leaders, our home State universities across our 50 States, hundreds of major American companies, and the more than 190 different nations that signed the Paris climate agreement are all actually not deluded about climate change, that they are not part of a hoax. If that is so, if these trained expert scientists who don't labor under a \$700 billion-per-year conflict of interest are telling the truth, then the fossil fuel industry's science denial operation is a fraud. As a fraud, it is a particularly evil one because in order to achieve its goal, the industry has to drag down the Government of the United States or at least the Congress of the United States to its level. The fossil fuel industry maintains a science denial operation and a political influence operation designed and intended to willfully sabotage the proper operation of a branch of the Government of the United States. We ought to all have a problem when a powerful special interest is willing to damage our American experiment in democracy just to achieve its selfish ends.

As a Senator, John F. Kennedy once said this:

Let us not despair but act. Let us not seek the Republican answer or the Democratic answer, but the right answer. Let us not seek to fix the blame for the past. Let us accept our own responsibility for the future.

Solutions to climate change need be neither Republican nor Democratic. They do need to be based on sound science and healthy and open debate. And we will be a stronger and more respected country if they are American solutions, if we are leading the world, not tailing along behind other countries.

For a country like ours that claims to stand as an example—as a city on a hill, we call it—a country that benefits from the power of our example around the world, this horrible example of out-of-control special interest influence will have lasting consequences. We have a role to play in this world, we

Americans, and it is time we got about it.

I yield the floor.

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. WHITEHOUSE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. WHITEHOUSE. Madam President, let me also take a moment to add to my climate remarks my appreciation to Dr. Gifford Wong, who is here with me on the floor today. He has been helpful in my office as a trained expert scientist and has helped with many of these speeches. He is leaving us this week after working as a fellow on my staff for over a year. I am proud to have had him serve in my office, and I wish him well. This is his last climate speech with me.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. Will the Senator withhold?

Mr. WHITEHOUSE. Yes, the Senator withholds.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. SCHATZ. Madam President, I want to commend Senator WHITEHOUSE for his 150th climate speech. It takes a lot of passion, a lot of research, and a lot of focus to be willing to stay on one topic in the Senate for that many consecutive speeches. There are a lot of things that are important in the Senate and it is easy to get distracted, but Senator WHITEHOUSE remains steadfast, focused, and passionate, and history will show that SHELDON WHITEHOUSE was right and is right. I am proud to be his colleague.

Mr. WHITEHOUSE. Thank you, sir.

#### CONTINUING RESOLUTION

Mr. SCHATZ. Madam President, I am here to speak on another topic, actually, and that is what we are about to do with respect to appropriations.

This Congress was told by the majority leader that the Senate would return to the regular order, and I have no doubt he intended to make good on that promise. I know he is an appropriator. I know he is an institutionalist, and he really wanted to get back to the regular order. We were given assurances that keeping the government funded would be an orderly and bipartisan process, and it was true at the committee level, but that was then, and today we are far from that promise.

Today the Republican leadership, led by House leadership, has refused to complete funding bills for the current fiscal year. And what is so confounding for the folks who pay attention and who believe in the appropriations process, who believe in our constitutional prerogative, our constitutional obliga-

tion to hold the purse strings and to use that authority to be a proper check on the executive branch, is that simply kicking the can down the road and passing another short-term CR doesn't result in anything conservative at all.

Many in this Chamber talk passionately about the need to eliminate government waste, fraud, and abuse, and yet a CR does exactly none of that. It does the opposite. It means programs that should be eliminated altogether will keep getting funded and programs that are working well and are critical but are in need of additional funding will remain underfunded. A CR puts the government on autopilot, stopping us from shifting investments to the most critical areas and decreasing funding for programs that are not working or are no longer needed. For example, the CR does not support accelerated counter-ISIL operations in Iraq and Syria; it defers work on the Iron Dome, delaying protection for Israel from long-range Iranian missiles; it underfunds the DOD's basic operations and maintenance account by \$12 billion; and it delays cyber security efforts led by the Department of Homeland Security. The CR also delays critical funding needed to address the opioid crisis—something I know the Presiding Officer cares passionately about. Both House and Senate bills provide large increases to fund drug abuse prevention, but the funding will remain flat under the CR.

We are on autopilot. We are not doing our job. We are abdicating our oversight role in the appropriations process.

There are actually two problems here. One is that things that need to be funded are not funded and things that should be eliminated or funded less are still funded. I don't see what is conservative about that. But the other result in a lot of ways is more insidious from the perspective of the Constitution and from the perspective of this institution, and that is, to the extent and degree that members of the administration, regardless of party, listen to members of the legislative branch, it is because we hold the purse strings. It is because we hold the purse strings. And every time we fail to do an authorization, every time we fail to do an appropriation, we are just shifting authority and clout to the executive. There is nothing conservative about that.

There is a mistaken assumption that running up against our funding deadline will somehow pressure the Congress into doing its job. What is crazy to me is that we have now 5 or 6 or 7 years of proof that doesn't work—this idea that what we should do is take difficult decisions and have them coincide with other difficult decisions and coincide with an even bigger difficult decision and then wrap it all up in a bow and do it at once. There may have been a time in the 1970s, 1980s, or 1990s where we could create these omnibus solutions, where we could get to these grand bargains, but what we need to do