

media, as if they were true, as if they were facts.

The website Vox posted a story about this study titled, “The numbers are in, and House Republican tax bill raises taxes on nearly a third of Americans.” Surely, they posted an update saying that the study has been retracted. They say that they will update the story once new numbers are released. In the meantime, this headline and this story are still in existence as if they were still true. Why wouldn’t they take down the story? Why wouldn’t they change the headline until new numbers are available?

I wish this were a single, discredited study we are talking about and that this were the only time something like this has happened since we started to have this debate about changing the Tax Code and making America competitive again. Unfortunately, it is not.

Multiple Members of the minority party said that the tax framework supported by President Trump would raise taxes on families earning less than \$86,000 per year. One of my colleagues said: “On average, middle class families earning less than \$86,000 will see a tax increase under the Republican ‘tax reform’ plan.”

Another colleague said: “The average tax increase on families nationwide earning up to \$86,100 would be \$794.00 per year.”

Here is another one: “The average tax increase on families nationwide earning up to \$86,100 would be \$794.”

You begin to think that there is a common thread among many Members in this body about this same story. This talking point is so wrong that even the Washington Post later that day came out and said so. It gave this claim four Pinocchios, which we all know is their highest number against a falsity. That is the worst rating you can get on their fact checking.

The Washington Post’s full ruling said:

Democrats have spread far and wide the false claim that families making less than \$86,100 on average will face a hefty tax hike. Actually, it’s the opposite. Most families in that income range would get a tax cut. Any Democrat who spread this claim should delete their tweets and make clear they were in error.

That is from the Washington Post. At least one statement making this claim is still up, and I haven’t seen a single statement admitting error. These are but a couple of examples. There are many more.

As one last example, House Minority Leader PELOSI has called changing the Tax Code “a Ponzi scheme.” Virtually every Democrat has called it a “betrayal of the middle class.” Clearly, the facts do not back up these claims.

The minority party is doing all it can to stop us from getting this done this year because it makes good politics somehow. That is the only explanation I can think of.

Answer this for me; it doesn’t make any sense: Why would someone oppose

giving the middle class a tax break? Why would someone oppose making America competitive again? Why would someone oppose bringing billions of dollars of U.S. profits back to the United States so that they can be reinvested in the economy and create jobs? I don’t understand it.

It is time for people in Washington, and even in this body, to stop doing what is best for their own political self-interest on both sides, frankly, and start doing what is right for the national interest. That right now—in the next few days—is clearly one thing, and that is fixing this archaic Tax Code.

Every person in this body is responsible to some degree for the archaic nature of this Tax Code. Both parties are responsible. If they were acting in our national interest, we would be hearing about the study showing that, on average, Americans are projected to get a pay increase of somewhere between \$4,000 and \$9,000 under this plan. We would be hearing about how families making less than \$86,000 a year are actually getting a tax cut. Again, that is a point even the Washington Post has acknowledged.

We would be hearing about how lowering the corporate tax rate, ending the tax on repatriated earnings will make us more competitive with the rest of the world. We would be hearing about the economic growth that could result from these potential changes.

We have a historic opportunity before us to deliver results and make a difference in the lives of all Americans. There are Members of the minority party, however, who have supported these changes in the Tax Code right up until the point when President Trump took office. But that is no excuse for this nonsense that is going on right now.

I think it is our role, on both sides, to call out these untruths. It is also our responsibility to stop this nonsense. What the American people want are facts. They don’t want fake news. They want to know that we are here doing their work for them, to make sure that we make America competitive again.

I say to the Presiding Officer, like you, I live in the real world. I have dealt with the nonsense that came out of these bodies that affected our Tax Code in a way that kept us from being competitive. It is time we change that. We have to get it done this year so that we can ignite economic growth next year and give relief to the middle class, who have suffered so much over the last 8 years.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

NOMINATION OF WILLIAM WEHRUM

Mr. MERKLEY. Mr. President, we have a very important role in this Senate—to provide advice and consent on

nominees. Our forefathers, who wrote the Constitution, envisioned that this power would be used rarely because a President, knowing this power existed, would nominate highly suitable people for the post that they were intended to occupy. But we haven’t seen highly suitable people coming through this Chamber this year. In fact, we have seen one person after another fabulously unsuited for the office or position to which they were nominated.

We saw Scott Pruitt, who took on and attacked regulations designed to create clean air across this country time after time, in a very close association with the fossil fuel industry that wanted to allow more particulates, more particulates that cause a tremendous amount of health damage in this country.

We saw Betsy DeVos come through this Chamber, an individual who was nominated to be Secretary of Public Education but had never stepped inside a public school, didn’t respect public schools, hadn’t had children in public schools, hadn’t volunteered in public schools, and wanted to decimate public schools. The best thing we could have done for public schools would have been to turn down that nomination, but this Chamber said: Boy, you know, we are going to do everything we can to damage public education.

Many of us stood up against that and said: No, let’s fight for someone who can make public education better, not tear it down. But that is not what we got.

Now we have another individual to be considered on the floor of the Senate, Bill Wehrum. Bill Wehrum was nominated to head EPA’s Office of Air and Radiation. Bill Wehrum has made a career out of working for powerful special interests and attacking any effort to make the air cleaner. Is that a person suitable for this role of protecting the air we breathe and making it better, someone who has sought to make it worse?

During the nomination hearing, I put up a very simple chart. I wanted to understand his thoughts about what was driving climate disruption. I put up a chart showing what NASA data showed for the solar impact, solar flares, and so forth, about which sometimes people say: Well, maybe it is solar flares that are causing the warming of the planet. NASA had data that showed a flat line on that and then a rising temperature.

I said: Is there any sign of correlation between these two lines?

His response was: Well, what do you mean? It is correlation.

He didn’t have any understanding of the basics of how to compare one thing to another.

I put up another chart. The other chart showed all of the activities that are considered to be ones that might contribute to global warming, that are not manmade activities, things like the solar flares and volcanic activity. Again, the NASA data showed a flat line and the rising temperature.

I said: Does there appear to be any correlation between this flat line and this rise in temperature?

He again said: I just don't understand the data. I can't really comment on that.

Yet anyone with any basic ability to digest information would recognize that there was no correlation. You didn't have two things moving in the same direction.

Then I put up this chart right here. This chart shows that same temperature, observe the black line, and then it shows the line for rising carbon dioxide. I said: Well, are these things correlated?

Do you see any relationship between one line rising and the other line rising?

Again, he refused to answer.

How is it that we can put someone into a position who cannot even look at and comment on basic data, who has been a hired hand for the fossil fuel industry, who has fought to make our air filthier and more damaging to our health?

That is the nominee we have, a nominee who has sued on behalf of very powerful interests—the EPA, 31 times—to try to degrade the controls for things like mercury, which is a potent neurotoxin that damages the brains of, particularly, our children. Why should we have somebody who wants more mercury in our air in this position to consider air quality? It, certainly, does not make any sense to me.

He did have a chance to serve in this position, in an acting capacity, back in

2006. So he has been there before. He adopted guidelines on mercury emissions that had entire passages lifted word for word from information that had been provided by the industry. The industry did not want to regulate the mercury, and he just took its language and said that that is what we will do, that we will do what industry says. He was not working for the American people. He was working for the powerful and the privileged.

Then he told an EPA staffer “not to undertake the normal scientific and economic studies” when crafting important rules. He instructed his staff not to look at the scientific information when constructing rules. What did he want them to look at? He wanted them to just take the language from industry. That is certainly not protecting the public interest. As the New York Times wrote, he has sought to “elevate corporate interests above those of the public.”

This is not a position in a company. This is not a position in a corporation. This is a position of public trust. He has failed that test. In fact, he has failed it so badly that, although he was nominated in 2006 when there was a Republican majority in this Chamber, his nomination was subsequently rejected by the Senate. Back then, we had folks who really, actually cared on both sides of the aisle far more about air quality. Now it seems like the enormous amount of funding from the Koch brothers for campaigns across the country has squelched any consideration from my colleagues about the

quality of the air or the quality of our water. This nomination is, certainly, a test of that.

If my colleagues do care about the quality of our air, they will act like their predecessors did back in 2006, and they will reject this nomination. An individual who has betrayed the public trust should not be confirmed to a position of public trust.

Thank you.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

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

Thereupon, the Senate, at 7:03 p.m., adjourned until Thursday, November 9, 2017, at 9:30 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate November 8, 2017:

NATIONAL LABOR RELATIONS BOARD

PETER B. ROBB, OF VERMONT, TO BE GENERAL COUNSEL OF THE NATIONAL LABOR RELATIONS BOARD FOR A TERM OF FOUR YEARS.

DEPARTMENT OF VETERANS AFFAIRS

MELISSA SUE GLYNN, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF VETERANS AFFAIRS (ENTERPRISE INTEGRATION).

CHERYL L. MASON, OF VIRGINIA, TO BE CHAIRMAN OF THE BOARD OF VETERANS' APPEALS FOR A TERM OF SIX YEARS.

RANDY REEVES, OF MISSISSIPPI, TO BE UNDER SECRETARY OF VETERANS AFFAIRS FOR MEMORIAL AFFAIRS.