

TrumpCare lower costs, as he promised? No. The CBO said premiums would go up by as much as 20 percent in the first few years under TrumpCare.

His bill allowed insurance companies to charge older Americans a whopping five times the amount they could charge to younger folks, and it was estimated that senior citizens could have to pay as much as \$14,000 or \$15,000 more for healthcare, depending on their income and where they lived.

Did his bill provide for better coverage? No. In fact, the most recent version of the TrumpCare bill would allow States to decide whether to protect folks who have preexisting conditions. This was one of the most popular things in ObamaCare, even if people didn't like some other parts of it. If you are a parent and your child has cancer, the insurance companies said: We are cutting you off, and you have to watch your child suffer because you can't afford healthcare. ACA, the Affordable Care Act, ended that. They couldn't cut you off or not give you insurance because your child or you had a serious illness that would cost the insurance company a lot of money. But now, in the proposal they are making, it is up to the States. Tough luck if you live in a State without it.

Did his bill guarantee "insurance for everyone"? That is what he said. No, far from it. The Congressional Budget Office said that TrumpCare would result in 24 million fewer Americans with health coverage after 10 years.

Despite an explicit pledge from Candidate Trump on the eve of the election that he would protect Medicare—because hard-working Americans "made a deal a long time ago"—TrumpCare slashed more than \$100 billion from the Medicare trust fund.

TrumpCare was the exact opposite of everything the President promised his healthcare bill would be. Americans should breathe a sigh of relief—a huge sigh of relief—that the bill didn't pass.

There is a lack of fundamental honesty here. If you believe that there shouldn't be government involvement in healthcare and the private sector should do it all, that is a fine belief. I don't agree with it. But that means higher costs and less coverage for most Americans, and the President and, frankly, many of our Republican colleagues are trying to have it both ways. They want to say to their right-wing friends: I am making government's involvement much less. But then they say to the American people: You are going to get better coverage, more coverage, at lower rates. The two are totally inconsistent. That is why they are having such trouble with TrumpCare over in the House, and there will be even worse trouble here in the Senate, if it ever gets here, which I hope it doesn't.

Healthcare is another example of why this President has so little to show for his first 100 days. Instead of reaching out to Democrats to find areas

where we could compromise on improving our healthcare system—we Democrats have always said: Don't repeal ObamaCare; improve it. We know it needs to have some changes. But, instead, they started out on their own in a partisan way, the very same party that criticized President Obama for working just with Democrats on the issue, despite a yearlong effort to try. So it failed, and it is emblematic of the President's first 100 days. The President's "my way or the highway" approach is one of the main reasons he has so little to show on healthcare and so little to show for his first 100 days in office.

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

The PRESIDING OFFICER (Mr. COTTON). Without objection, it is so ordered.

(The remarks of Mr. FLAKE pertaining to the introduction of S. 946 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. FLAKE. I yield back the remainder of my time.

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

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

Mr. FLAKE. Mr. President, I ask unanimous consent that the time during the quorum call be equally divided.

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

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

The PRESIDING OFFICER (Mr. SULLIVAN). Without objection, it is so ordered.

REMEMBERING JAY DICKEY

Mr. COTTON. Mr. President, I come to the floor to honor the memory of former Congressman Jay Dickey, who passed on April 20. When Jay Dickey roamed the Halls of Congress, you knew there might be mischief afoot—and what merry mischief it was.

Jay was opinionated, colorful, and zany. Now that he has passed, the warm laughter of memories once again echoes in these cold, marble halls as we reflect on his life.

He died last Thursday after a battle with Parkinson's, a battle he fought

like every other—with determination and gusto. I, for one, will miss his counsel and friendship, as will the people of Arkansas whom he loved so deeply.

Jay was an Arkansas original. He was born and bred and in the end breathed his last in his hometown of Pine Bluff. He shared a lot in common with the mighty pines of South Arkansas. He stood tall and proud of his community's heritage. He was a pillar of the community. A lawyer and a businessman, he left his mark as an entrepreneur, starting franchises throughout the State, as an advocate representing the city and later taking on such famous clients as coach Eddie Sutton.

Unlike the proverbial tree in the forest, now that Jay Dickey has fallen, the whole State has taken notice.

But, of course, a man's accomplishments are only a window into his character. You had to know Jay personally to get a sense of all the fun there was inside him. It was as if his feet had sunk deep into the soil and soaked up all of the Natural State's richness: its humor, its earnestness, and its strip-the-bark-off candor.

I got to know Jay in my first political campaign. We had never met, and I was a political newcomer, but Jay spent many hours getting to know me and ultimately supported my candidacy, which helped to put me on the map.

Of course, Jay shared a lot of candid advice too. After attending one of my early townhalls, Jay and I went to lunch down the road at Cracker Barrel. I asked him how I did. Jay replied:

Ya did good. Ya did good. But you gotta cut it down some. Ya see that baked potato there? That's a fully loaded baked potato—it's got cheese, sour cream, bacon, onions. Your answers are like that fully loaded baked potato! Make em like a plain potato.

That is just one of the countless stories that added to his legend.

This was the man who offered a ninth grader a college-level internship because he thought the kid had potential; the man who answered any phone in his office that rang twice, just to keep his staff on their toes; the man whose dog once drove his truck into a radio station in Hampton because he left the truck running during an interview to keep the dog cool, and somehow that dog put it in gear; the man who kept a picture of Jesus on his wall, and who, when meeting a new client, would point to the picture and say: "Have you met my friend?"

Yes, the first great joy of his life was his faith, but the second great joy was politics. Jay was the first Republican elected to Congress from South Arkansas since Reconstruction. He won in 1992, the very same year Arkansas elected our Democratic Governor as President.

Despite being who the Democrats must have viewed as the most Republican incumbent in the country, he held onto that seat for almost a decade. Arkansans knew good stock when

they saw it. He lost only by the narrowest of margins in 2000, with President Bill Clinton campaigning for his opponent, then-State Senator Mike Ross. True to form for Jay, he and Mike would become friends after that race, speaking regularly about issues and their faith.

Jay's time in office will not be remembered as a historical oddity, an anomaly, or a one-off because unconventional though it was, it was also a forerunner of things to come. It was an early sign of a coming political realignment, as the small towns that dotted rural America—towns where few people had ever even seen a Republican, never mind voted for one—were starting to cast their votes up and down the ballot for the Grand Old Party.

In other words, Jay Dickey was a trailblazer—or perhaps a bulldozer. He smashed through history and precedent and grooved a path in rough terrain for the rest of us to follow. For that, he has my thanks and the thanks of the people of Arkansas, and for his humorous, quirky, unparalleled example, he has the thanks of the U.S. Congress, which today is a little sadder for his passing but also a little brighter for his memory.

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

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

Mr. BLUMENTHAL. Mr. President, on Monday morning I stood with workers and fellow public officials in Bridgeport, CT, to commemorate the 30th anniversary of the L'Ambiance Plaza disaster. Thirty years ago last Sunday, L'Ambiance Plaza collapsed, 28 families lost loved ones, and 22 others were seriously injured in the collapse. Their worlds collapsed as the lift-slab construction used as the device for building L'Ambiance Plaza, in effect, imploded.

The workers were constructing a 16-story apartment building when that disaster happened. The lift-slab construction method used at that site subsequently was banned. It was banned because it was unsafe.

That disaster was preventable, as so many workplace injuries and deaths are preventable. That was a tragedy in the modern American workplace 30 years ago—L'Ambiance Plaza. It is an urgent and great need for this Nation to confront. L'Ambiance Plaza collapsed, literally, within seconds, and when it was over, the 28 workers who woke up that day and left their homes never came back. Their families, who said good-bye, never saw them again alive. They were victims of workplace dangers that day, but so many others have followed them since.

Those families are still affected, still grieving. One of them spoke at that ceremony on Monday morning, and it provides for many of us the memories of that day when literally hundreds of workers from throughout Connecticut went to that site, digging, often by hand, through the wreckage, trying to find the living survivors. On that day, and every day since, I have sought to increase the safety of our workplaces and avoid those kinds of tragedies. That is why I am here today, because that pledge would be, in my view, inconsistent with voting for the nomination of Alexander Acosta to be Secretary of Labor.

I will state at the outset that I commend Mr. Acosta for his record of public service during the Presidency of George W. Bush, serving as a National Labor Relations Board member and holding two positions at the Department of Justice, as Assistant Attorney General for the Civil Rights Division and, later, as U.S. attorney for the Southern District of Florida. I want to thank him for his willingness to serve again. I say that in all seriousness, as a former U.S. attorney myself.

I believe that, as Secretary of Labor, he will have important responsibilities if he is confirmed in the area of enforcement, and I am constrained to oppose his nomination because I believe, No. 1, that this administration needs a champion, not simply a bystander, and Mr. Acosta has given me no reason at his hearings and in his record to assure me that he will overcome what I see as a bias against enforcement in this administration.

Last month President Trump proposed a budget that guts the Department of Labor. The budget admittedly is short on specifics and boasts little more than one page about the agency that is tasked with ensuring the safety of tens of millions of American workers. Let me make clear: It would slash resources at the Department of Labor by 21 percent. That is \$2.5 billion. That means 21 percent fewer inspectors, 21 percent fewer investigators, 21 percent less enforcement. That is one-fifth less enforcement, when, in fact, five times more enforcement is appropriate. The budget, although short on details, singled out programs that helped to train workers and employers in ways to ensure avoidance of hazards on the job.

President Trump has proposed the elimination—the zeroing out—of that program. At his confirmation hearing last week, Mr. Acosta demonstrated neither a willingness nor an interest in challenging the budget or the President's priorities, stressing that his soon-to-be boss, President Trump, guides the ship. I find that view and perspective alarming. There is an old saying that budgets are “moral documents.” It is a saying frequently repeated, but it has a real meaning when it comes to enforcement of worker safety. It has a real meaning to real people in their lives or loss of lives. It is a matter of life or death. Where you

put scarce dollars and resources reveals moral values and moral priorities.

President Trump has put his values on clear display in this budget. He believes in building a wall, a needless show project that he mentioned repeatedly in his budget, but he has given short shrift or no shrift to efforts that protect people who go every day to workplaces where they are in serious jeopardy, and where—as in L'Ambiance Plaza—they can lose their lives. Voting for Mr. Acosta would mean failing to keep that pledge that I believe I made to the families of L'Ambiance, to the workers who lost their lives there, and to countless other workers in danger every day in workplaces that must be made safer—and can be—through vigorous enforcement of rules and laws that exist now and improvement of those laws.

One of the greatest challenges facing our Nation today is fairness in the workplace, particularly fairness in pay for women, fairness concerning pay disparity between men and women, with women making a fraction of what men make for the same work. On this critical issue also, this nominee is silent. On other issues critical to the modern workplace—overtime pay, minimum wage, protecting workers' retirement, fighting discrimination, matters that affect women and minorities more than others—he has said little or nothing, certainly little to indicate that he will be an enforcer of laws that protect minorities and women and others who may be the victims of discrimination.

There is no question that this nominee is far better than the President's first proposed person to fill this job, Andy Puzder, who rightly and fortunately withdrew, but the standard we should use is not whether he is better than his predecessor, who was found wanting even before the vote was taken, but rather whether they can be trusted to protect workers, to enforce rules vigorously and fairly, and to fight for a budget and a set of priorities that are critical to the future of American workers. On that score, unfortunately, I answer this question with a clear “no,” and I will vote against this nominee.

Mrs. FEINSTEIN. Mr. President, I wish to oppose the nomination of Alexander Acosta to be Secretary of Labor.

I did not come to this decision lightly, but, after closely examining Mr. Acosta's record, I cannot in good conscience vote for his confirmation to be Labor Secretary on behalf of the American people.

The most troubling part of Mr. Acosta's record is how he handled a 2007 sex trafficking case that he oversaw while serving as the U.S. attorney for the Southern District of Florida. In that case, which left many vulnerable victims devastated when it concluded, Mr. Acosta failed to protect underage crime victims who looked to his office to vindicate their rights against billionaire Jeffrey Epstein.

The case, led by Mr. Acosta's office and the FBI, involved an investigation

of Mr. Epstein for his sexual abuse and exploitation of more than 30 underage girls.

It ended with an agreement, negotiated by Mr. Acosta's office, in which Mr. Acosta agreed not to bring Federal charges, including sex trafficking charges, against Mr. Epstein in exchange for his guilty plea to State charges and registration as a sex offender. Thanks to this agreement, Mr. Epstein served a mere 13 months of jail time and avoided serious Federal charges that would have exposed him to lengthy prison sentences.

What troubles me about this case is not just the leniency with which Mr. Epstein was treated, but how the victims themselves were treated.

In 2004, I authored the Crime Victims' Rights Act with then-Senator Kyl because we both saw that victims and their families were too frequently "ignored, cast aside, and treated as nonparticipants in a critical event in their lives." I strongly believe victims have a right to be heard throughout criminal case proceedings.

My concern with how Mr. Acosta handled this case stems from his office's obligations under the Crime Victims' Rights Act. The victims have asserted that Mr. Acosta's office did not provide them with notice of the agreement before it was finalized, nor were they provided with timely notice of Mr. Epstein's guilty plea and sentencing hearings. Worse, throughout the process, the victims were denied the reasonable right to confer with the prosecutors; this flies in the face of the Crime Victims' Rights Act we authored.

I am very concerned that Mr. Acosta's office did not treat the victims "with fairness and with respect for the victim's dignity and privacy" as required by law. Rather, according to the victims, Mr. Acosta's office "deliberately kept [them] 'in the dark' so that it could enter the deal" without hearing objections. These allegations raise serious concerns.

From his position of immense power and responsibility, Mr. Acosta failed, and the consequences were devastating.

Another deeply troubling aspect of Mr. Acosta's record comes from his tenure when he led the Justice Department's Civil Rights Division from August 2003 to June 2005. According to the Justice Department's inspector general, that office repeatedly used political or ideological tests to hire career civil servants in violation of federal law.

During his confirmation hearing before the HELP Committee, Mr. Acosta himself admitted that discriminatory actions were taken under his supervision and that they should not have happened.

At a time when the public's faith in government institutions is eroding on a daily basis, Mr. Acosta's handling of these high-profile incidents lead me to question his ability to carry out the duties of Labor Secretary with fairness and impartiality.

This doubt is further compounded by statements that Mr. Acosta made during his hearing regarding whether he will exercise independence in upholding and enforcing certain rules and regulations, such as the fiduciary rule and overtime rule to protect workers.

In response to such questions, Mr. Acosta avoided making a commitment to uphold these rules as Secretary of Labor, and I am greatly concerned that he may not look out for the best interests of workers.

All of the issues I have outlined here simply do not allow me, in good faith, to vote in favor of Mr. Acosta's nomination.

Thank you.

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

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

Mr. RUBIO. Mr. President, I ask unanimous consent that I be allowed to complete my remarks prior to the vote.

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

Mr. RUBIO. Mr. President, I am honored to speak here today in support of Alex Acosta, and I wholeheartedly encourage my colleagues to support his nomination to be our next Secretary of Labor. I know this nominee well. As a fellow Floridian and as a native of Miami, I have been familiar with his work for many years. As I said when the President nominated him, I think he is an outstanding choice to lead the Department of Labor.

Alex has an impressive academic record. He has two degrees from Harvard—the first from Harvard College and then from Harvard Law School.

He also has a sterling record of public service in the State of Florida and in the United States of America. He was a member of the National Labor Relations Board. He was appointed by President George W. Bush and served from 2002 to 2003. From there, he was selected by President Bush to serve as Assistant Attorney General for the Civil Rights Division of the U.S. Department of Justice, where he also served as Principal Deputy Assistant Attorney General in that office. He also served our Nation as the U.S. Attorney in one of the most challenging districts in our country—Florida's Southern District.

Most recently, Alex has served the State of Florida as the dean of Florida International University College of Law, where he has been instrumental in raising the still young school's profile and in its graduating young men and women who are now well prepared to excel in their legal careers.

With every challenge he has confronted throughout his distinguished career, he has demonstrated his ability

to effectively tackle with ease the problems at hand. He is a brilliant legal mind, someone with a deep knowledge of labor issues, and he is a proven leader and a proven manager. It is for these reasons and many more that I am confident that Alex Acosta will serve this Nation admirably.

He was—listen to this—previously confirmed unanimously by the Senate for three different positions in the U.S. Government. This man is not even 50 years old, and he has already been confirmed unanimously by the Senate for three separate positions. I believe that in a few moments, he will be one step closer to being confirmed to his fourth. He is well qualified for this role, and I look forward to working with him to ensure that Americans are equipped with the skills they need to be successful in the 21st-century economy.

I yield the floor.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of R. Alexander Acosta, of Florida, to be Secretary of Labor.

John Barrasso, Susan M. Collins, Ron Johnson, Deb Fischer, Luther Strange, Bill Cassidy, Lindsey Graham, John Boozman, Mike Rounds, David Perdue, Lamar Alexander, Tom Cotton, Orrin G. Hatch, Todd Young, Mitch McConnell, Joni Ernst, Dan Sullivan.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of R. Alexander Acosta, of Florida, to be Secretary of Labor shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant bill clerk called the roll.

The yeas and nays resulted—yeas 61, nays 39, as follows:

[Rollcall Vote No. 115 Ex.]

YEAS—61

Alexander	Graham	Paul
Barrasso	Grassley	Perdue
Blunt	Hatch	Portman
Boozman	Heitkamp	Risch
Burr	Heller	Roberts
Capito	Hoeven	Rounds
Cassidy	Inhofe	Rubio
Cochran	Isakson	Sasse
Collins	Johnson	Scott
Corker	Kennedy	Shelby
Cornyn	King	Strange
Cortez Masto	Lankford	Sullivan
Cotton	Lee	Tester
Crapo	Manchin	Thune
Cruz	McCain	Tillis
Daines	McCaskill	Toomey
Enzi	McConnell	Warner
Ernst	Menendez	Wicker
Fischer	Moran	Young
Flake	Murkowski	
Gardner	Nelson	