

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	

## NAYS—39

Baldwin	Feinstein	Murray
Bennet	Franken	Peters
Blumenthal	Gillibrand	Reed
Booker	Harris	Sanders
Brown	Hassan	Schatz
Cantwell	Heinrich	Schumer
Cardin	Hirono	Shaheen
Carper	Kaine	Stabenow
Casey	Klobuchar	Udall
Coons	Leahy	Van Hollen
Donnelly	Markey	Warren
Duckworth	Merkley	Whitehouse
Durbin	Murphy	Wyden

The PRESIDING OFFICER (Mrs. ERNST). On this vote, the yeas are 61, the nays are 39.

The motion is agreed to.

The Senator from Washington.

Mrs. MURRAY. Madam President, when workers and families fought back against President Trump's first disastrous pick for Secretary of Labor, Andrew Puzder, they made it clear that they want a Secretary of Labor who will fight for their interests, especially as President Trump continues to break promise after promise he made to workers on the campaign trail. I couldn't agree with them more. As bad as Puzder would have been, our standard cannot be "not Puzder."

Never has it been so critical to have a Secretary of Labor who is committed to putting workers' protections and rights first, even if that means standing up to President Trump. It is with this in mind that I cannot support Alexander Acosta to run the Department of Labor.

Given Mr. Acosta's professional history, I have serious concerns about whether undue political pressure would impact decision making at the Department. My concerns were only heightened at his nomination hearing, when Mr. Acosta said he would defer to President Trump on the priorities of the Department of Labor. The Trump administration has already cemented a reputation for flouting ethics rules and attempting to exert political pressure over Federal employees. We need a Secretary of Labor who will prioritize workers and the mission of the Department of Labor over special interests and political pressure.

Unfortunately, Mr. Acosta's time leading the civil rights division at the Department of Justice suggests he will not be the mission-focused Secretary of Labor workers across the country have demanded. A formal investigation by the inspector general showed that, under Acosta's tenure, the civil rights division illegally considered applicants' political opinions in making hiring decisions, ignoring their professional qualifications. As Assistant Attorney General, Acosta chose to recuse himself from consideration of a Texas redistricting plan, instead, allowing political appointees to overrule career attorneys who believe the plan discriminated against Black and Latino voters.

Mr. Acosta's past raises questions about whether—instead of making workers' rights and protections the priorities of that Department—he will allow political pressure to influence his decision making.

Mr. Acosta's refusal to take a strong stand on many of the most pressing issues workers face today was equally concerning. We need a Secretary of Labor who is committed to expanding overtime pay to more workers, fighting for equal pay, and maintaining protections for our workers. But in responding to questions about those priorities, Mr. Acosta made it clear that he simply plans to defer to President Trump, who has already made it abundantly clear that he will not stand up for workers.

Mr. Acosta continued to evade addressing my concerns about how he would prioritize workers' interests at the Department of Labor in our followup questions. We need a Secretary of Labor who will remain committed to the core principles of the Department of Labor—someone who will prioritize the best interests of our workforce, who will enforce laws that protect workers' rights and safety and livelihoods, and who will seek to expand economic opportunities for workers and families across our country.

Unfortunately, Alexander Acosta has failed to show he will stand up to President Trump and prioritize those principles and help our workers get ahead. Therefore, I urge my colleagues to listen to the millions of workers who have made their voices heard about the need for a Secretary of Labor who is committed to building an economy that works for everyone, not just those at the top, and vote against this nomination.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Democratic whip.

(The remarks of Mr. DURBIN pertaining to the introduction of S. 948 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

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

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

## GULF OF MEXICO OIL DRILLING MORATORIUM

Mr. NELSON. Mr. President, I want to address the Senate on the occasion of the solemn memorial of 7 years since the Deepwater Horizon explosion and the resulting oilspill, where 11 workmen were tragically killed.

The oilspill fouled the sensitive gulf ecosystem in ways that we still do not fully realize. Yet we are hearing today that the President is expected to issue an Executive order this week that ignores the implications of that tragedy, which was also the largest environmental disaster in U.S. history, by blindly encouraging more drilling in very sensitive areas.

I can tell you that drilling off the coast of Florida's neighboring States poses a real threat to our State's environment and our multibillion-dollar tourism industry, and that is because a spill off the coast of Louisiana can end up on the beaches of northwest Florida, just like a spill off the coast of Virginia or South Carolina can affect the entire Atlantic coast.

BP, as a result of Deepwater Horizon, agreed to pay more than \$20 billion in penalties to clean up the 2010 oilspill and repay gulf residents for lost revenue. But, apparently, that wasn't enough, if BP's recent spill in Alaska is any indication.

So we shouldn't be surprised, since oil companies and their friends have fought against any new safety standards or requirements, that the President still wants to open up additional waters to drilling, despite the fact that we haven't applied the lessons learned from Deepwater Horizon. This is at a time when the United States has been able to find all new reserves of oil and gas onshore. So we are not in a time of a shortage of discovery or a shortage of oil reserves. Our domestic energy market is being affected by the low price of natural gas, since so much of the reserves are just tremendous here in the continental United States.

The most visible change since the Deepwater Horizon spill is the division of the Minerals Management Service into the Bureau of Ocean Energy Management and the Bureau of Safety and Environmental Enforcement. All of those changes were made as a result of trying to improve things after the BP spill, but it doesn't seem to have made any major improvements in oversight, according to a report issued by the GAO last month.

So I have come to the floor to try to alert other Senators about the importance of preserving the moratorium on drilling in the Gulf of Mexico. It makes no sense to put Florida's multibillion-dollar, tourism-driven economy at risk.

And there is something else at risk.

The Department of Defense has stated numerous times—I have two letters from two Republican Secretaries of Defense that say it—that drilling and oil-related activities are incompatible with our military training and weapons testing. That is the area known as the gulf training range. It is in the Gulf of Mexico off of Florida. It is the largest testing and training range for the United States military in the world.

Now, in that gulf training range is where the pilots of the F-22 are trained. That is at Tyndall Air Force Base. It is where the new F-35 pilots are trained, by the way, not only for the United States but also for the many foreign nations that have bought F-35s. Of course, that is essential to our national security.

That is just pilot training. That doesn't speak of the testing done on some of our most sophisticated weapons over hundreds and hundreds of miles of restricted airspace.