

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.

Oh, by the way, when the U.S. Navy Atlantic Fleet shut down our training in Puerto Rico and the island of Vieques, where do you think a lot of that training came to? The Navy still has to train. So they will send their squadrons down to Key West Naval Air Station at Boca Chica Key. When those pilots and their F-18 Hornets lift off the runway, within 2 minutes they are out over the Gulf of Mexico in restricted airspace. So they don't spend a lot of fuel and a lot of time to get there.

That is why a lot of our colleagues across the State of Florida on the other side of the aisle—in other words, this is bipartisan—have weighed in with this administration, urging continued protection for the largest military testing and training area in the world.

Opposition to drilling in the eastern Gulf of Mexico is bipartisan, bicameral—the Senate and House—but so is our opposition to drilling off the Atlantic coast.

Now, let me just distinguish between the two. Years ago, my then-Republican colleague Senator Mel Martinez and I both offered in law an exemption until the year 2022 of any oil drilling off of the coast of Florida. It is actually everything east of what is called the Military Mission Line. It is virtually the Gulf of Mexico off of Florida. Of course we did that for the reasons that I have already stated. That is in law up until 2022. But the administration will be coming forth with another plan for the 5-year period for oil drilling offshore for the years 2023 up through 2028.

It is my hope that the words of this Senator and the words of our bipartisan colleagues from the Florida delegation will convince the administration that it is not wise to impede the military's necessary training and testing area, not even to speak of the tremendous economic deprivation that will come as a result of an oil spill.

Just think back to the BP spill. Think back to the time when the beaches, the sugary-white sands of Pensacola Beach, were completely covered with oil. That picture—a very notable picture, a contrast of the black oil on top of the white sand—went around the world.

The winds started blowing the oil from the BP spill off the coast of Louisiana. The winds continued to blow it to the east, and so some of the oil got into Pensacola Bay, some of the oil started getting into Choctawhatchee Bay, and some oil got on the beautiful beaches of Destin and Fort Walton Beach. The winds took it as far east as the Panama City beaches. There they received basically tar balls on the beach. Then the winds reversed and started taking it back to the west, so none of the other beaches all the way down the coast of Florida—Clearwater, St. Petersburg, on down to the beaches off of Bradenton, Sarasota, Fort Myers, Naples, and all the way down to Marco

Island—none of those beaches received the oil because the wind didn't keep blowing it that way. But the entire west coast of Florida lost an entire tourist season because our guests, our visitors, the tourists, didn't come because they had seen those pictures and they thought that oil was on all of our beaches.

Let me tell you how risky that was. In the Gulf of Mexico, there is something known as the Loop Current. It comes through the separation of the Yucatan Peninsula of Mexico and the western end of Cuba and goes up into the gulf, and then it loops and comes south in the gulf. It hugs the Florida Keys and becomes the Gulf Stream that hugs the east coast of Florida. And about midway down the peninsula, it starts to leave the coast, follows and parallels the east coast of the United States, and eventually goes to Northern Europe. That is the Gulf Stream.

Had that oil spill been blown south from Louisiana and had the Loop Current come enough north, that oil spill would have gotten in the Loop Current, and it would have taken it down past the very fragile coral reefs of the Florida Keys and right up the beaches of Southeast Florida, where there is a huge tourism business.

By the way, the Gulf Stream hugs the coast in some cases only a mile off of the beach.

That is the hard economic reality of what could happen to Florida's tourism industry, not only on the west coast, as it already did in that season of the BP oil spill, but what could happen on the east coast of Florida too.

Opposition to drilling in the eastern Gulf of Mexico is certainly bipartisan, but so is the opposition to drilling off the Atlantic coast. In the last Congress, Members from both parties joined together to file a House companion to the legislation this Senator had filed that would prohibit seismic testing in the Atlantic off of Florida. The type of seismic airgun testing companies wanted to use to search for oil and gas would threaten thousands of marine mammals and fish, including endangered species such as the North American right whale. The blast from seismic airguns can cause permanent hearing loss for whales and dolphins, which disrupts their feeding, calving, and breeding.

In addition to the environmental damage those surveys would cause, businesses up and down the Atlantic coast would also suffer from drilling activity. Over 35,000 businesses and over 500,000 commercial fishing families have registered their opposition to offshore drilling in the Atlantic. From fishermen, to hotel owners, to restaurateurs, coastal residents and business owners understand it is too dangerous to risk the environment and the economy on which they depend.

There is one unique industry that opposes drilling off the Florida east coast. We made the case way back in the 1980s when Secretary of the Inter-

rior James Watt decided he was going to drill from Cape Hatteras, NC, all the way south to Fort Pierce, FL. This Senator was a young Congressman then and took this case on and finally convinced the Appropriations Committee not to include any funds for the execution and offering of those leases. It was a simple fact that that was where we were launching our space shuttle then, as well as our military rockets from Cape Canaveral, and you simply can't have oil rigs out there and be dropping the first stages and the solid rocket boosters from the space shuttle.

As we know, the Cape has come alive with activity—a lot of commercial rocketry, as well as the mainstays for our military space program. In a year and a half, NASA will launch the largest rocket ever, one-third more powerful than the Saturn V, which was the rocket that took us to the Moon, and that is the beginning of the Mars program, as we are going to Mars with humans. Because of that space industry—whether it is commercial or whether it is civilian NASA or whether it is military—you simply can't have oil rigs out there in the Atlantic where we are dropping the first stages of those rockets. That is common sense.

When President Obama took the Atlantic coast off the table from 2017 to 2022—that 5-year period planning in the offshore drilling plan—Floridians finally breathed a deep sigh of relief. They sighed happily too. If President Trump intends to open up those areas to drilling, his administration will receive and can expect to receive a flood of opposition from the folks who know what is going to happen.

It is this week—and here we are mid-week—that we are expecting the Trump administration to move forward with an Executive order that would ignore the wishes of coastal communities. I want to say that the areas off of Florida in the east coast of the Atlantic are very sensitive, as I have just outlined, but there is nothing to say that if you have a spill off of Georgia or South Carolina, that it can't move south, and that starts the problem all over.

This announcement by the President will be like a big present for the oil companies, which, by the way, in areas in the Gulf of Mexico that are rich with oil—and there are, in fact, active leases that are not producing the oil. Why would they want to grant more leases in areas that are important to preserve the Nation's economy as well as our military preparedness?

I hope the President thinks twice before putting Florida's economy at such a risk. I hope he refrains from issuing this Executive order, but if he doesn't, this Senator and a bipartisan delegation from Florida will fight this order.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. McCONNELL. 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.

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

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

Ms. WARREN. Mr. President, I come to the floor today to urge my colleagues in the Senate to oppose the nomination of Alexander Acosta for Labor Secretary.

The test of whether a nominee is qualified to be Labor Secretary is a pretty simple one: Will that person stand up for 150 million American workers and their families? Mr. Acosta has had multiple opportunities in more than 2 months since he was nominated for this position to demonstrate that he would stand up for workers, and time after time, he has refused.

Americans deserve to know where a nominee like Mr. Acosta stands on key policy matters that will have a powerful impact on the lives of working people.

At Mr. Acosta's confirmation hearing, I asked him where he stood on three policy issues that are important to working Americans and their families.

First, will you promise not to delay a rule that will protect 2.3 million Americans from being poisoned by lethal cancer-causing silica on the job?

Second, will you appeal a Texas court's injunction that has halted implementation of a new overtime rule that would give 4.2 million Americans a \$1.5 billion raise in a single year?

And third, will you promise not to delay a rule that will stop investment advisers from cheating retirees out of an estimated \$17 billion a year?

Now, these are not tough questions. For most people, these would have been total softballs: Will you keep workers from being poisoned, will you make sure that employers pay for overtime, and will you make sure that investment advisers aren't cheating retirees? Come on. This is the very least that a Labor Secretary can do—the very least.

Mr. Acosta refused to answer a single one of these questions. Instead, he bobbed and weaved, stalled and repeated my questions; he even insisted that these topics were so complex that he needed more time to study them. And it wasn't just my questions that Mr. Acosta refused to answer. He spent more than 2 hours ducking, hand-waving, and dodging basic questions from committee members—both Democrats and Republicans—questions about whether he would commit to stand up for workers on issues that profoundly affect their health, their safety, and their economic security.

Mr. Acosta has been so evasive about his views that we still have virtually no idea what he will do to help or harm workers if he is confirmed for this job.

The fact that Mr. Acosta isn't willing to step up on easy questions and tell us that he will be on the side of workers tells us a lot about him—and none of it is good.

That is particularly troubling, since Mr. Acosta is President Trump's nominee, and we can see how President Trump treats workers. In less than 100 days on the job, President Trump has managed to kill, weaken, or undermine an unprecedented number of protections for working people.

He signed a bill to make it easier for government contractors to steal wages from their employees.

He signed a bill to make it easier for employers to hide injuries and deaths that their workers suffer on the job.

He signed a bill to keep cities from offering retirement accounts to more than 2 million employees who don't have access to a retirement plan on the job.

He delayed a rule protecting workers from lethal, cancer-causing beryllium.

He delayed a rule protecting construction workers from deadly silica.

And he delayed a rule preventing investment advisers from cheating retirees—a rule that will save hard-working Americans about \$17 billion a year.

That is a pretty long list, and it doesn't even include the devastating impact to workers of the President's proposed 20-percent cut to the Labor Department funding, which means fewer cops on the beat when employers steal wages or force people into unsafe working conditions.

During his campaign, President Trump talked a big game about standing up for workers and creating good, high-paying jobs. But if his first 100 days are any indication, his real plan is to keep corporate profits soaring by gutting the rules that American workers depend on to keep money in their pockets, food on their tables, and to keep them safe in the workplace.

Unlike President Trump's first failed nominee for this job, Mr. Acosta is not openly contemptuous of people who work hard for a living, and I suppose we should be thankful for that. But that is not the test for Labor Secretary. The test for Labor Secretary is whether this person will stand up for American workers.

Mr. Acosta won't make that commitment, and he has made it perfectly clear that he sure won't stand up to President Trump. That is just not good enough. Because of this ongoing evasiveness, I have no confidence that Mr. Acosta is the right choice for this position, and I urge my colleagues to join me in opposing his confirmation.

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 role.

Mr. McCONNELL. 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.

NOMINATION OF ROD ROSENSTEIN

Mr. BOOKER. Mr. President, today I wish to speak about my vote yesterday on the nomination of Rod Rosenstein to be Deputy Attorney General at the U.S. Department of Justice. I voted no on his nomination not because I think he is unqualified or because I think he is unfit for the job. He is neither of those things. Rather, I opposed his nomination because of the troubling actions the Justice Department is taking on criminal justice, civil rights, and immigration issues and because I firmly believe a special prosecutor is needed to investigate Russian interference in the 2016 Presidential election.

Since taking over as our Nation's top law enforcement official, Attorney General Sessions has indicated he wishes to roll back certain actions taken during the Obama administration. For instance, Attorney General Sessions is considering changes to existing Justice Department drug charging policies. I am concerned he will direct Federal prosecutors to increase the use of mandatory minimum penalties in low-level, nonviolent drug cases. Since 1980, our Federal prison population has increased by nearly 800 percent in large part because of the failed war on drugs and the use of mandatory minimums. Increasing the utilization of mandatory minimums will not make us safer or fix our broken criminal justice system. To the contrary, it will come at great cost—not only to American tax-payers, but to public safety, to families, and to confidence in our justice system. As Deputy Attorney General, Mr. Rosenstein will play a critical role in enacting those changes to existing charging policies.

Attorney General Sessions also recently indicated that the Justice Department may reverse its policy on the use of consent decrees to combat civil rights abuses by law enforcement when they occur. He has consistently criticized the use of consent decrees, and in his first major speech as Attorney General, he vowed to "pull back" on Federal suits against State and local police departments for civil rights abuses. There is no doubt that America's law enforcement community deserves our utmost respect and protection. These brave women and men have answered the call to serve and the vast majority of them serve with integrity. However, the Justice Department plays a critical role in assisting police departments struggling to combat systemic practices that unfairly target