

## LEGISLATIVE SESSION

## MORNING BUSINESS

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 President, I ask unanimous consent that the order for the quorum call be rescinded.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

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.

## 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 taxpayers, 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

minorities. Scaling back on the use of consent decrees means civil rights violations may not be remedied. As Deputy Attorney General, Mr. Rosenstein will play a critical role in reversing course on the use of consent decrees.

Finally, the pending investigation into Russian interference in the 2016 Presidential election has caused deep concern and anxiety for many Americans. We owe it to the public to conduct an investigation that is beyond reproach and ensure that every person, regardless of their political affiliation, has confidence in the results no matter what they are. While Mr. Rosenstein is undoubtedly a man of integrity, such an investigation can only be conducted by an independent, special prosecutor. It concerns me that, in his confirmation hearing, Mr. Rosenstein would not commit to appointing such a person.

Mr. Rosenstein has served his country with honor and distinction. He is well respected on both sides of the aisle. In most circumstances, I believe I would have supported his nomination. However, the disturbing agenda on civil and human rights of the Trump administration and the actions Attorney General Sessions continues to advance at the Justice Department and Mr. Rosenstein's responses to questions regarding this agenda at his confirmation hearing leave me deeply troubled about the role he will play as the second highest ranking individual at the Department. For those reasons, I voted no on his nomination to be Deputy Attorney General.

Mr. VAN HOLLEN. Mr. President, I supported Rod Rosenstein's nomination to become Deputy Attorney General. Throughout his 27-year career, Mr. Rosenstein has earned a reputation as a fair and focused administrator of justice. He has served in Maryland in both Republican and Democratic administrations and has earned the distinction of being the longest serving U.S. attorney in the country.

I had the honor to introduce Mr. Rosenstein to the Senate Judiciary Committee at his confirmation hearing. He has aggressively prosecuted not only dangerous gangs and criminals in Maryland but also elected officials who violated the people's trust. He has shown impartiality in these investigations, and his successful prosecutions have led to ethics reforms that increased transparency and public confidence in Maryland.

When Mr. Rosenstein and I met recently, I asked him if he supported the consent decree negotiated between the Obama administration and the city of Baltimore. He assured me that, if the court formally entered the consent decree, he would support its implementation. Attorney General Sessions, however, has frequently expressed skepticism about consent decrees. Baltimore is the only city to invite the Justice Department to conduct a thorough, methodical analysis of its police department in order to foster transparency and increase trust between po-

lice officers and Baltimore city residents. As the former U.S. attorney in Maryland, Mr. Rosenstein is well acquainted with the challenges that the city faces. He has prosecuted corruption charges against Baltimore city police officers and should recognize the importance of reform and effective community policing. I trust Mr. Rosenstein will keep his promise to support the consent decree.

In addition to being a top-notch lawyer, Mr. Rosenstein is known for the professional manner in which he runs his current office. In his letter of support, Maryland's Attorney General Brian Frosh notes that Mr. Rosenstein "inherited an office in turmoil" when he became Maryland's U.S. attorney, but with a "steady hand and superb management," created a department that is now universally respected. Those skills will be put to the test immediately. Mr. Rosenstein will assume the office of Deputy Attorney General at a tumultuous time for the Justice Department. His job will be to serve justice, not political leaders.

As Mr. Rosenstein and I discussed, the question for him is the same that then-Senator Sessions posed to Sally Yates during her hearing to become Deputy Attorney General. Senator Sessions said: "You have to watch out because people will be asking you to do things you just need to say no about." Senator Sessions then asked: "Do you think the Attorney General has the responsibility to say no to the President if he asks for something that's improper?" Like Sally Yates, Mr. Rosenstein said that he would be willing to put his job on the line to uphold the integrity of the Department of Justice.

I believe that any investigation into the ties between the Trump administration and Russian interference in our elections will require the appointment of an independent special counsel, and I have also joined my fellow Senators in calling for a nonpartisan commission.

I also made clear to Mr. Rosenstein that, if the FBI Director did, in fact, request that the Justice Department deny President Trump's unsubstantiated claims that the Obama administration wiretapped Trump Tower, then the Justice Department has a duty to immediately let the public know the truth.

It is vitally important that the American public have faith that our laws apply equally to all Americans, regardless of rank or position. Rod Rosenstein has applied that principle faithfully during his time as U.S. attorney in Maryland. It is essential that he apply the same principle at the Department of Justice.

#### WORLD INTELLECTUAL PROPERTY DAY

Mr. GRASSLEY. Mr. President, on April 26 of each year, we celebrate World Intellectual Property Day and recognize the important role of intel-

lectual property rights in the fabric of our society. This year, we take time to recognize the innovators and creators who are making our lives healthier, safer, and more productive through their ingenuity and the robust system of intellectual property protections enshrined in our laws.

The Founding Fathers recognized the value of intellectual property, empowering Congress "to promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries."

Placing this authority within Congress's enumerated powers underscores the weight that our Founding Fathers placed on intellectual property's value to the budding Nation as a means of fostering economic development and growth. Our success as a nation in agriculture, manufacturing, technology, and medicine shares a common thread of intellectual property rights.

True to their predictions, our system of intellectual property has fostered innovation and ensured America's role as an economic engine of inventions that have made us healthier, safer, and more secure.

Our system of intellectual property rights has evolved since the ratification of the Constitution and the passage of the Copyright Act of 1790, but its core mission of promoting innovation has remained constant.

Our innovators and creators rely on IP protections such as patents, trademarks, copyrights, and trade secrets to help drive and recoup their investments of ingenuity.

Of course, the innovation that intellectual property helps encourage benefits society more broadly as well. It drives enormous economic activity and development, helping assure America's place as an economic and intellectual beacon to the world. As the U.S. Chamber's Global Intellectual Property Center recently pointed out, IP-intensive industries employ over 40 million Americans, accounting for 34.8 percent of total U.S. gross domestic product.

Iowans have long held intellectual property as an integral part of our economy. Our commitment to growth and innovation has led to \$11.2 billion in annual IP-related exports from the State, more than 667,000 IP-related jobs, and 19.9 percent higher wages for direct IP workers than non-IP workers.

As a society, we depend on innovators to make our lives better and to solve the challenges we face. These innovators, in turn, depend on different forms of intellectual property.

The Judiciary Committee will continue to play an important role in protecting intellectual property and we will continue to work to advance innovation. This week, Senator LEAHY and I reintroduced the Patents for Humanity Program Improvement Act to encourage and reward companies that innovate and use patented technology to