

Unfortunately, Mr. Acosta's testimony on these points at his confirmation hearing was disappointing. He would not commit to support updating overtime rules to make sure that employees get fair pay for the hours they work. He would not commit to prioritize closing the gender pay gap. He would not commit to keeping workplace safety inspectors on the job.

Moreover, when Mr. Acosta led the Civil Rights Division of the Department of Justice during the George W. Bush Administration, the GAO reported that there was a "significant drop in the enforcement of several major antidiscrimination and voting rights laws." The Secretary of Labor must be a vigilant defender of the rights of workers.

In a Cabinet where too many department heads are looking out for millionaires and billionaires, we need a Secretary of Labor who will look out for the American worker. I am not convinced that Mr. Acosta will do that job.

The PRESIDING OFFICER. The Senator from Vermont.

#### COAL MINER PENSION AND RETIREE HEALTH BENEFITS

Mr. SANDERS. Mr. President, it is no great secret that the American people do not have a great deal of confidence in their government. It is no secret that the American people think the Congress is way out of touch with their needs and aspirations. In fact, just confirming that point, a recent poll appeared in the Washington Post and ABC News, and it found that 58 percent of the American people believe that President Trump is out of touch with the concerns of most people in the United States today; 62 percent of the American people believe that the Republican Party is out of touch with the concerns of most people in the United States; and 67 percent of the American people believe that the Democratic Party is out of touch with the concerns of most people in the United States today. Those are numbers that should cause a great deal of concern to Members of the Senate and the House, to Democrats and Republicans, to everybody.

I think one of the reasons is that there is a world outside of Capitol Hill where people are in pain; where people are working longer hours for lower wages; where people are scared to death about facing retirement because they have, in many cases, no money in the bank; where people today are paying 40 percent, 50 percent of limited incomes for affordable housing; where single moms can't afford childcare for their kids; where young people can't afford to go to college; where other people are leaving college deeply in debt. And all of that is taking place within the context of almost all new wealth and income going to the top 1 percent.

We have the absurd situation today where the top one-tenth of 1 percent owns almost as much wealth as the bottom 90 percent, and 52 percent of all new income is going to the top 1 per-

cent. The middle class is shrinking. There are 43 million Americans living in poverty, and the very wealthy are getting wealthier.

In the midst of all that, my Republican colleagues and President Trump are desperately trying to provide hundreds of billions of dollars in tax breaks for the top 1 percent and cut back on programs that working families desperately need, whether it is Pell grants to make it easier for kids to go to college, whether it is afterschool programs, whether it is the Meals on Wheels program, whether it is affordable housing, or whatnot—tax breaks for billionaires, cutbacks on programs that people desperately need.

The American people will not regain confidence in the U.S. Congress unless we keep promises that were made to them. Today I want to talk about promises that were made to coal miners. For decades, coal miners contributed to their pension funds with the promise that when they retired, they would receive a pension and retiree health benefits that would last for a lifetime. Those were the promises to the people who went underneath the ground, who worked incredibly difficult jobs, who died of black lung disease or a myriad of other diseases or injuries. Promises were made to those workers, and those promises were broken.

If Congress does not act by tomorrow, the retiree health benefits of more than 22,000 coal miners will be eliminated. We cannot allow that to happen. It is not only unfair to the retired coal miners and their families, it once again will tell the American people that they cannot trust their government. Promises were made, but they were not carried out.

My understanding is that an agreement to protect these retiree health benefits may be included in the continuing resolution to keep the government from shutting down. As I have walked the hallways here in the Senate, I have met with members, retirees of the United Mine Workers, who have been back here week after week after week, and I applaud them for their persistence.

Let us hope that, in fact, the continuing resolution does contain an agreement to protect those retiree health benefits. It is absolutely imperative that the agreement contain those benefits and that those promises be kept.

Even if we do put that provision in the CR, it still does not address another problem faced by retirees in the coal industry and retirees all over the country, and that is the fact that we are doing nothing to protect the pension benefits of coal miners and tens and thousands of other workers. This is an issue that is of major crisis proportions all across this country, and it is an issue that must be addressed. That is why I am a proud cosponsor of the Miners Protection Act. That is also why I will be introducing legislation on

May 9 to protect the pensions of not only 90,000 coal miners throughout this country, but the retirement benefits of 10 million workers in multiemployer pension plans—10 million workers.

Over 40 years ago, the Federal Government made a solemn commitment to the workers of this country. If a retiree is promised a certain pension benefit after a lifetime of hard work, a company could not renege on that promise. Making that commitment 40 years ago was exactly the right thing to do. When someone works for their entire life, when they give up pay raises, when they work overtime, when they work weekends in order to make sure that he or she has a secure retirement, it is absolutely unacceptable to pull the plug from that worker's benefit.

Guarantees were made, and those guarantees must be kept. This is not the negotiating of wage increases. This is not the negotiating of overtime. This is a promise made to workers and paid for by workers, which simply cannot be nullified if people are to have any faith in our political system.

But more than 2 years ago behind closed doors, a provision was slipped into a must-pass spending bill that now makes it legal to cut the pension benefits of about 10 million workers and retirees in multiemployer pension plans. As a result, retirees all over this country are waking up to the unacceptable reality that the promises made to them could be broken and that the pension benefits they are receiving today may soon be cut by 30, 40 or even 65 percent. What this means is that retirees who are currently receiving a pension benefit of \$18,000 a year are in danger of seeing their benefits cut by \$3,843, a 21-percent cut. Retirees who are currently receiving a pension benefit of \$36,000 a year could see their pension benefits cut by up to \$21,000, a 60-percent cut.

In other words, tens of thousands of retirees all over this country who today are in the middle class, who worked hard their entire lives, who gave up on wage increases, who worked overtime in order to protect those pensions may be seeing significant reductions in what they anticipated. We are talking about retirees who will no longer be able to pay their mortgages. We are talking about retirees who will not be able to pay their utility bills. We are talking about families who may have to go on food stamps to feed their families after working their entire lives. That is unconscionable. We cannot allow that to happen.

In my view, we have to send a very loud and very clear message to the Republican leadership in Congress and to the President of the United States, and that is when a promise is made to the working people of this country with respect to their pensions and retiree health benefits, that promise must be kept.

Today, about 150 multiemployer pension plans are in trouble financially, but let's be clear. The retirees are not

the reason these pension plans are struggling financially. The reason many of these pension plans are in trouble is because of the greed, recklessness, and illegal behavior on Wall Street that drove this country into the worst recession since the Great Depression of the 1930s. Let us never forget, when the largest financial institutions were on the verge of collapse 7 years ago, it was the taxpayers of this country who bailed them out. I didn't vote for it, but a majority of the Members of Congress did.

Congress gave Wall Street some \$700 billion in financial assistance. The Federal Reserve provided \$16 trillion in virtually zero-interest loans to every major financial institution in this country and to foreign banks throughout the world because they were, as we will all recall, too big to fail. If Congress can bail out Wall Street, if Congress can bail out foreign banks, we have to protect the pension benefits of American workers.

The legislation that I will be reintroducing on May 9 would prevent the retirement benefits of about 10 million workers and retirees from being cut by repealing the anti-pension rider that was included in an appropriations bill 2 years ago. It establishes an emergency fund within the Pension Benefit Guaranty Corporation to make sure that multiemployer pension plans can continue to provide every pension benefit owed to every eligible American for decades to come.

It is fully paid for by closing two tax loopholes that allow the wealthiest Americans in this country to avoid paying their fair share of taxes. Closing these loopholes will allow us to protect the earned pension benefits of every worker and retiree in multiemployer pension plans in this country.

At a time of massive wealth and income inequality, when half of all older workers have no retirement savings at all, when 20 percent of seniors are living on less than \$13,000 a year, we have to do everything we can to protect and expand the fine pension benefit plans in America.

I look forward to the support of my colleagues for this important legislation.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CASSIDY). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

(The remarks of Mr. MERKLEY pertaining to the introduction of S. 987 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

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

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

#### REGULATORY REFORM AND THE BUDGET PROCESS

Mr. LANKFORD. Mr. President, there is a lot of conversation about all that is moving this week in the Senate and the House and the executive branch. There is a lot of conversation about 100 days. It is somewhat of a look back, and it is reasonable for Americans to be able to look back and say the beginning of a new Presidency or the beginning of a new session of Congress has begun and what has already happened. There has been quite a bit that has actually happened, but let me highlight one specific area. I want to highlight an area that has moved and to, quite frankly, highlight an area that has not.

What has moved has been a lot of conversation about regulation. When I walked into Congress just a few years ago, I had a lot of people in my State who would catch me and ask for one specific thing. They said: I don't want anything other than to make it stop. Because every time they get news, every time they open up something from an association or try to be able to track something, all they got was a new regulation. Some of them were large and some small, but it seemed like every time they opened the mail, they had a new requirement from some entity they had never heard of, 1,000 miles away, telling them how to operate their business or to submit some new form. Whether they are a school or a hospital or a small business or a large business, whether they are doing manufacturing or are service-oriented or technology, the flood of regulations coming out of Washington, DC, caused people around my State to say: Make it stop; we are trying to catch up. And literally they are hiring more people for compliance than they are to actually do what their business is designed to do. At some point, they want to hire somebody to actually do their business.

A dramatic shift happened starting January 20 of this year when the administration stepped in and for a moment said: Pause on regulations. And literally the Nation could take a deep breath. They didn't turn anything back. They didn't turn anything off. America didn't become less safe. They asked a simple question: How can people actually get involved in the process? And before a regulation comes out, we make sure that it is, No. 1, consistent with the law, and No. 2, that the people who are affected by it actually get a chance to raise their hands and say: When you do a regulation, make sure you consider this.

It doesn't seem unreasonable. If we are going to be a nation of the people, by the people, and for the people, it is a good idea to have people involved in

the process of the regulations that affect them. The government should not be their enemy. The government should be their ally. It should be the way to make sure that we have fair rules, that everyone has a consistent set of guidelines and that those guidelines don't change all the time.

Before this year, there had been only one time in the past decade that the Congressional Review Act was used. The Congressional Review Act was actually due to a fellow Oklahoman named Don Nickles who, in the Senate years ago, passed a simple piece of legislation to say that if a regulation is promulgated by an administration—any administration—that is not consistent with the desires of Congress, that Congress can pull it back out in the first few days after it was passed, and most of the time, it is legislative days—it is actually months in calendar time. In the first few months it is in existence, Congress can pull that regulation out and look at it and say: Is this consistent with what Congress passed? If it is not, Congress would have a fast-track process to be able to look at it and say: This is inconsistent with what Congress desired when it passed the law; that it had to go through the House, the Senate, and then to the White House to be signed. That has happened only one time.

In the past few months, Congress has passed now 13 Congressional Review Acts—13 different reviews of different regulations that were put down by the previous administration in their final months, some of them in their final days of—the administration—an administration that lasted 8 full years. These were the things they crammed into the very end, what are called midnight regulations. Those regulations cost billions of dollars, and some had very little review. Thirteen different times this Congress has pulled those out. It is literally billions of dollars in regulations that were laid on the economy and millions of hours of work on people filling out compliance forms and submitting things to Washington, DC, that most likely no one will ever read.

Those thirteen bills that have now been signed into law have helped free up our economy, and it has started a process that is very simple: What do we do to make sure that we have good regulations as a nation, that they stay consistent and have the maximum number of people involved?

The administration has also laid out something that many called a radical idea; that is, for every one regulation that goes in, an agency would pull two out; to go back and review old regulations and say: Are there other regulations that need to come out? For those who have called this a radical idea, I have had to smile and say: You realize the United Kingdom has done that for years. Canada has done that for years. Australia has done that for years.