on the effectiveness of different enforcement strategies and has worked intensively with Labor Department officials for many years to improve the efficiency and effectiveness of the policies he will be entrusted to administer. The letter also notes his ''long history of public service,'' including his work with current and former agency leadership on both the Democratic and Republican sides. I ask unanimous consent to have the text of this letter printed in the RECORD.

As this letter confirms, while Dr. Weil has never worked directly for the division, he is intimately familiar with its mission and operations. He knows the Department, he knows the laws, and he can hit the ground running to move this important agency forward.

It is clear that Dr. Weil is an exemplary candidate to administer the Wage and Hour Division. It is unfortunate that the Wage and Hour Division has been without a Senate-confirmed leader for many years now, and I am glad that we will soon be able to change that. I thank Dr. Weil for his willingness to go through this process, and for his commitment to public service. I urge my colleagues on both sides of the aisle to support this nomination and allow it to move forward quickly so that Dr. Weil can get to work doing the important business of the Wage and Hour Division.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

OCTOBER 29, 2013.

Hon. TOM HARKIN,
Chairman.
Hon. LAMAR ALEXANDER,
Ranking Minority Member, Committee on Health, Education, Labor and Pensions, Washington, DC.

DEAR CHAIRMAN HARKIN AND RANKING MEMBER ALEXANDER: We are all academics who study different aspects of employment relations and public policy. Each of us has worked in and/or advised the Department of Labor and other federal and state government agencies in both Democratic and Republican administrations. While we do not all share the same views on employment policy issues, we share a tremendous respect for David Weil and believe he would be an excellent Administrator of the Wage and Hour Division of the Department of Labor.

David is one of if not the nation's leading expert on enforcement of safety and health, wage and hour, and other workplace regulations. He has done extensive research on the effectiveness of different enforcement strategies and has worked intensively with Labor Department officials for many years to improve the efficiency and effectiveness of the policies he will be entrusted to administer.

He brings a long history of public service to this position. Among other things he worked closely with the late John Dunlop, Secretary of Labor in the Ford Administration, on a major study of work practices and productivity in the apparel and textile industries. He currently serves as Co-Director of the Transparency Policy Project at Harvard University's Kennedy School of Government. He is recognized by his colleagues at Boston University as an extremely competent, fair, and thorough administrator.

For the past eight years he has served as the neutral Chair of the Dunlop Agricultural Labor Commission, a position that requires gaining and maintaining respect and trust from diverse groups of employers, contractors, employees, immigrants, and unions.

For all these reasons, we are pleased to endorse the President's nomination of David Weil to be the Administrator of the Department of Labor's Wage and Hour Division. Please feel free to contact any of us if we can be of further help to your Committee.

Sincerely,

Richard Freeman, Professor, Department of Economics, Harvard University;

Harry Katz, Dean, School of Industrial and Labor Relations, Cornell University;

Lawrence Katz, Professor, Department of Economics, Harvard University;

Thomas Kochan, Professor, MIT Sloan School of Management;

David Levine, Professor, Haas School of Business, University of California-Berkeley;

Lisa Lynch, Dean, Heller School for Social Policy and Management, Brandeis University;

Robert McKersie, Professor Emeritus, MIT Sloan School of Management;

Paul Osterman, Professor MIT Sloan School of Management;

James Rebitzer, Chair, Dept. of Economics, Law & Policy, School of Management, Boston University.

NOMINATION OF DAVID WEIL TO BE ADMINISTRATOR OF THE WAGE AND HOUR DIVISION, DEPARTMENT OF LABOR—Resumed

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of David Weil, of Massachusetts, to be Administrator of the Wage and Hour Division, Department of Labor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. This should be the last vote this evening. The next vote will be by voice.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of David Weil, of Massachusetts, to be Administrator of the Wage and Hour Division, Department of Labor?

Mr. WICKER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

Mr. DURBIN. I announce that the Senator from Alaska (Mr. BEGICH), the Senator from Delaware (Mr. COONS), the Senator from Louisiana (Ms. LANDRIEU), and the Senator from Arkansas (Mr. PRYOR) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arkansas (Mr. BOOZMAN), the Senator from Kansas (Mr. MORAN), and the Senator from Florida (Mr. RUBIO).

Further, if present and voting, the Senator from Florida (Mr. RUBIO) would have voted ''nay.''

The result was announced—yeas 51, nays 42, as follows:

[Rollcall Vote No. 110 Ex.]

YEAS—51

Baldwin	Blumenthal	Boxer
Bennet	Booker	Brown
Cantwell	Kaine	Reid
Cardin	King	Rockefeller
Carper	Klobuchar	Sanders
Casey	Leahy	Schatz
Donnelly	Levin	Schumer
Durbin	Manchin	Shaheen
Feinstein	Markey	Stabenow
Franken	McCaskill	Tester
Gillibrand	Menendez	Udall (CO)
Hagan	Merkley	Udall (NM)
Harkin	Mikulski	Walsh
Heinrich	Murphy	Warner
Heitkamp	Murray	Warren
Hirono	Nelson	Whitehouse
Johnson (SD)	Reed	Wyden

NAYS—42

Alexander	Enzi	McCain
Ayotte	Fischer	McConnell
Barrasso	Flake	Murkowski
Blunt	Graham	Paul
Burr	Grassley	Portman
Chambliss	Hatch	Risch
Coats	Heller	Roberts
Coburn	Hoeven	Scott
Cochran	Inhofe	Sessions
Collins	Isakson	Shelby
Corker	Johanns	Thune
Cornyn	Johnson (WI)	Toomey
Crapo	Kirk	Vitter
Cruz	Lee	Wicker

NOT VOTING—7

Begich	Landrieu	Rubio
Boozman	Moran	
Coons	Pryor	

The nomination was confirmed.

NOMINATION OF KATHERINE M. O'REGAN TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT

The PRESIDING OFFICER. Under the previous order, the clerk will report the O'Regan nomination.

The legislative clerk read the nomination of Katherine M. O'Regan, of New York, to be an Assistant Secretary of Housing and Urban Development.

Mr. CARPER. Mr. President, I ask unanimous consent that all time be yielded back.

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

The question is, Will the Senate advise and consent to the nomination of Katherine M. O'Regan, of New York, to be an Assistant Secretary of Housing and Urban Development?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table and the President shall be immediately notified of the Senate's action.

Mr. REID. Mr. President, I ask unanimous consent that on Tuesday, April 29, 2014, at 11 a.m., the Senate proceed to executive session, and that notwithstanding rule XXII, the Senate proceed to vote on cloture on Executive Calendar Nos. 585, 586, 587, 588, 589, and 590; further, that if cloture is invoked on any of those nominations, all postcloture time be considered expired; that following the series of votes, the Senate resume legislative session; further, that on Wednesday, at a time to be determined by me, after consultation with the Republican leader, the Senate proceed to vote on confirmation of the nominations in the order upon which cloture was invoked; that there

be 2 minutes for debate prior to each vote and all rollcall votes after the first vote be 10 minutes in length; further, with respect to the nominations in this agreement, that upon disposition on Wednesday, the motions to reconsider be considered made and laid on the table and the President be immediately notified of the Senate's action and the Senate resume legislative session.

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

LEGISLATIVE SESSION

MINIMUM WAGE FAIRNESS ACT—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

The Senator from Ohio.

Mr. BROWN. Mr. President, I ask unanimous consent to speak as in morning business for up to 15 minutes.

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

Mr. BROWN. Mr. President, I rise to discuss partly the state of our economy but more precisely the state of our workers. Working Americans are in some sense being attacked from both ends. We have seen an orchestrated attempt to cut safety net programs where a low-income worker making $9, $10, or $11 an hour might be eligible in some cases for SNAP or is surely eligible for the earned income tax credit.

Opponents strongly say that programs such as SNAP foster a culture of dependency and do not reward work. Those same elected officials—some of whom, I might add, have voted to raise their own pay—oppose efforts to ensure that hard work is reworded with fair pay. Last fall one House Republican said: If anyone is not willing to work, let him not eat.

I am all for quoting Scripture. I do not think it should be used to vilify hard-working people. Detractors of SNAP, opponents of the minimum wage, cannot have it both ways. By raising the minimum wage, it means, frankly, fewer people will be eligible for SNAP, because if their wages are higher, they cannot and should not be eligible for certain benefits. So we create opportunities for Americans to earn a living wage and no longer need those benefits.

One hundred years ago in January, Henry Ford, in 1914, announced that he was going to pay his workers $5 a day. Nobody thought, when they looked at Henry Ford and his life, nobody thought he was doing it out of the kindness of his heart. But that did not matter; he decided to pay everybody in his plant $5 a day because he understood that paying them more would mean a more prosperous workforce who could then, presto, have the money in their pocket to begin to buy a car, to buy a Model T or to buy one of Henry Ford's cars.

We should be taking a page from Ford's playbook. Productivity has increased 85 percent in this country since 1979. It used to be as productivity went up, wages went up. Since World War II, between 1945 and 1973, productivity went like this: Wages pretty much paralleled the increase. In other words, workers who were producing more for their boss would get part of the wealth, would share in the wealth they were helping to create for their company, for their boss.

So while productivity has increased 85 percent in the last 35 years, inflation-adjusted wages increased 6 percent, and the value of the minimum wage fell 21 percent. Think about that. Productivity went up 85 percent. Profits went up significantly. Wages went up only 6 percent. The value of the minimum wage fell 21 percent. The value of the minimum wage, since 1968, is actually one-third less today—the minimum wage today is worth one-third less in buying power of the minimum wage in 1968.

Simply put, workers, while they are earning more for their bosses, they are making their companies more profitable, workers are not seeing the wealth they helped to create. Fundamentally, the contract—not literally a legal contract but the contract we once had in this country was, if you work hard, if you take responsibility, if you are productive, if you do things according to sort of society's mores, you would benefit. You would benefit in higher wages. You would benefit in a higher standard of living.

In the aftermath of the recession, the job growth, the increase in jobs, has been in the low-wage job sectors. Men and women who lost good-paying middle-class jobs, generally through no fault of their own, are returning to work at low-wage jobs, jobs that make it difficult to support a family.

Enrollment for programs such as SNAP has grown. I hear some of my sort of tea party colleagues complain that more and more people are getting SNAP. They are, because wages are not going up, because the minimum wage has less buying power than it used to. So many workers that were union, middle-class workers now are making lower wages 45 million people. So, yes, the number of people who are receiving SNAP benefits, food stamps has gone up.

In 2011, 45 million people relied on those benefits. SNAP spending increased, but that is a reason to pass the minimum wage. Increase their wages and fewer people will need that. Too many people who work harder than ever are barely getting by despite their best efforts. That is why millions of fast-food workers in cities across the country took to the streets in December for a National Day of Action, asking for and demanding an increase in the minimum wage.

More than half of frontline fast-food workers, more than half of those who work more than 40 hours per week, earn so little that they are forced to enroll their family in public assistance. Think of all the companies, all the companies where workers are making such low wages and they are getting food stamps.

So I come to the floor to talk about the minimum wage and to specifically discuss support for the Fair Minimum Wage Act. Majority Leader REID has been supportive of this measure, as have most of my colleagues in this Chamber. We have not yet been able to corral 60 votes, which is what we need to break a filibuster, from those who I think are far out of step with the country, with their constituents, who oppose the minimum wage.

The Fair Minimum Wage Act would raise the minimum wage to $10.10 an hour in three 95-cent increments. In other words, it is $7.25 now. Upon the President's signature, it would be $8.20. One year later it would be $9.15. Then one year later it would be $10.10 an hour. The bill also—this is important to note because it is rarely talked about. The bill also raises the Federal minimum wage for tipped workers from the current $2.13 an hour to 70 percent of the regular minimum wage. If you work in a restaurant, if you are a server, if you push a wheelchair at an airport, if you are a valet, if you are working in a hotel where you get tips, in most cases those employers are only required to pay the subminimum wage, assuming that you are going to get up to the minimum wage with tips.

It does not always happen that way. It is a Federal law that it should, but it does not always happen that way. As Senator DURBIN and I were talking earlier, it is not so easy to enforce that. So if you are in a diner and you are talking to your server, the chances are that your server is making significantly less than the minimum wage, maybe higher than $2.13—that is the law—but maybe no more than $3 or $4 an hour.

If you are in an airport and you see someone pushing an older person in a wheelchair, usually down the concourse, or someone who is disabled for whatever reason, they are only making $3, $4 or $5 an hour.

The tipped minimum wage, $2.13, has not been raised since 1991. So every time we have raised the minimum wage—we did it bipartisanly; President Bush signed it in 2007. We did one a few years before that—I was in the House then—bipartisanly. The Presiding Officer from Indiana supported these minimum wage increases. But every time we have raised the minimum wage since 1991, the $2.13 subminimum wage, the tipped wage, has been stuck. It has never been raised. This will raise the tipped wage.

Let me share a couple of letters. I got a letter from Tom in Cuyahoga County, the county I live in, in Northeast Ohio:

Senator Brown, I'm a 50 year old food service worker with a college degree, and I make $7.40 an hour. I just closed my retirement account that had $2,500 in it to pay my bills—