

both privately, as I did with Governor Branstad, and publicly, as I did during his confirmation hearing. It is critical that the United States keep human rights for all people as a core pillar of our foreign policy.

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.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Under the previous order, all postcloture time has expired.

The question is, Will the Senate advise and consent to the Rosen nomination?

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. ISAKSON) and the Senator from Kansas (Mr. MORAN).

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 56, nays 42, as follows:

[Rollcall Vote No. 129 Ex.]

YEAS—56

Alexander	Flake	Perdue
Barrasso	Gardner	Peters
Blunt	Graham	Portman
Boozman	Grassley	Risch
Burr	Hatch	Roberts
Capito	Heitkamp	Rounds
Cassidy	Heller	Rubio
Cochran	Hoever	Sasse
Collins	Inhofe	Scott
Corker	Johnson	Shelby
Cornyn	Kaine	Strange
Cotton	Kennedy	Sullivan
Crapo	Lankford	Thune
Cruz	Lee	Tillis
Daines	Manchin	Toomey
Donnelly	McCain	Warner
Enzi	McConnell	Wicker
Ernst	Murkowski	Young
Fischer	Paul	

NAYS—42

Baldwin	Franken	Murray
Bennet	Gillibrand	Nelson
Blumenthal	Harris	Reed
Booker	Hassan	Sanders
Brown	Heinrich	Schatz
Cantwell	Hirono	Schumer
Cardin	King	Shaheen
Carper	Klobuchar	Stabenow
Casey	Leahy	Tester
Coons	Markey	Udall
Cortez Masto	McCaskill	Van Hollen
Duckworth	Menendez	Warren
Durbin	Merkley	Whitehouse
Feinstein	Murphy	Wyden

NOT VOTING—2

Isakson	Moran
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The nomination was confirmed.

The PRESIDING OFFICER (Mr. RUBIO). Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of Rachel L. Brand, of Iowa, to be Associate Attorney General.

The PRESIDING OFFICER. The majority leader.

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.

CONFLICT MINERALS LAW

Mr. DURBIN. Mr. President, Congress often considers issues that have far reaching consequences for millions of people, but in 2010, a law was enacted that literally meant life-or-death for millions of people in the Democratic Republic of the Congo. The law stems the flow of financial support to warloads in the Democratic Republic of the Congo. Many may not realize that more than 5 million people have been killed during long-running conflicts in the Democratic Republic of the Congo, which have been the most deadly since World War II. Tragically, women and children have suffered the most, as is too often the case when it comes to conflict.

Millions have been displaced from their homes, and the prevalence of rape and sexual violence as a weapon of war is almost beyond belief, earning eastern Congo the grim distinction of being the "Rape Capital of the World." Sam Brownback first took me there in 2005, and I returned again in 2010. At the time, the U.N. reported that about 1,000 women were sexually assaulted every day in Congo, roughly equivalent to 12 percent of all Congolese women. I can still vividly remember walking across the lava-strewn refugee camps and visiting the victims of sexual assault in the heroic Heal Africa Hospital. I also recall the hearing I held in the Judiciary Subcommittee on Human Rights and the Law about rape as a weapon of war. Congolese doctor Denis Mukwege testified about the horrors of the region's sexual violence he helped treat at Panzi Hospital. One of the drivers and funders of this conflict was paradoxically that which fills the DRC with such potential: its natural resources. Instead of paying for the nation's peace, education, roads, and public health programs, the DRC's mineral wealth was being siphoned off to fund the armed groups that vie for local and regional control of vast areas far from Congo's capital, Kinshasa.

Tin, tantalum, tungsten, and gold are found in everyday electronics, jewelry, airplanes, and manufacturing equipment, but these minerals also have provided weapons and salaries to fighters, including conscripted child soldiers, who then commit unspeakable horrors on innocent civilians. That is why, in 2009, I joined Senators Brownback and Feingold and Congressman McDermott in drafting a simple reporting requirement for US-registered corporations that source these four minerals from the DRC or its neighbors. It passed and became law in 2010 to help stem the flow of financial support from illicit mining to the region's horrific violence.

It wasn't a ban. It was simply a transparency measure that said if you use any of these key minerals from the region, you had to note in your filings with the U.S. Securities and Exchange Commission what, if anything, you were doing to not source from those fueling the region's violence. If a company isn't taking any action to avoid fueling the region's violence, there isn't a penalty, but at least consumers would know that. This gives consumers the final decision on what electronics they want in their pockets. On a broader scale, the measure aimed to use collective industry action to clean up the supply chain of these minerals, which I am proud to say has worked.

For example, before the law, not a single smelter of tin, tungsten, tantalum—also known as the 3Ts—or gold had submitted to and passed an audit about dealing in conflict minerals. Today, 76 percent of the world's smelters of the 3Ts or gold have passed such an audit. Today more than 200 mines have also now been certified as conflict free. The effects of supply chain due diligence in this region are remarkable and are due to the leadership of many in the industry, including Intel, Apple, Kemet, and a number of companies from Illinois, including Motorola and AAR Corp. This process is far from complete or perfect, but the conflict minerals law has helped clean up the minerals trade and ease the grip Congolese warlords have had on the mining sector.

So imagine my dismay when I recently learned the Acting Chairman of the Securities and Exchange Commission, Michael Piwowar, unilaterally instructed his staff to halt enforcement of the law. In his April 7 statement, he mistakenly conflated aspects of an earlier court decision to justify his actions. It sets a dangerous precedent when an Acting Chairman decides which laws the SEC should and should not enforce.

Let me be clear, this unilateral action was without legal basis and is beyond the scope of the Acting Chairman's authority. As such, I urge the Acting Chairman to rescind his directive and allow full enforcement of the Conflict Minerals law and rule. This isn't just about enforcing the law as written by Congress, this is life-or-