Korea, and they must remain present and ready to ''Fight Tonight'' for the benefit of the alliance and regional security.

Looming over all of this is our long-term strategic competition with China. I find it telling that China was one of the first countries to announce the cancellation of our joint exercises with the Republic of Korea.

What are China's ambitions for this negotiation process? While China is certainly concerned about the nuclear arsenal its southern neighbor has amassed, denuclearization may not be China's highest national security concern during these negotiations. In the long run, China recognizes that its near-peer competition with the United States complicates its interests in these negotiations. China's highest priority is likely to ensure that it does not end up with a U.S.-allied reunified Korea on its southern border. Another goal is driving a wedge between the United States and its allies in order to promote itself as a regional hegemon.

We all recognize that Russia has similar ambitions—separate us from our allies, establish themselves as regional hegemons, and coerce and bully their smaller neighbors on issues of defense, trade, and economics. We cannot allow that to happen.

We already see attempts by China to relax sanctions enforcement. This trade spat is just one of the wedges North Korea will be able to leverage between China and the United States. We need a coordinated strategy that keeps our long-term interests in Asia focused while resolving the North Korean crisis. To date, we have not seen any indication that such a strategy exists.

Peace on the Korean Peninsula has eluded us for decades. There is an opportunity now to force Kim Jong Un's hand, through skillful negotiation and a coordinated sanctions regime, to take concrete steps toward denuclearization.

I hope this administration will use the Vietnam summit to negotiate a substantive agreement that keeps America and its allies safe, strong, and secure.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

S. 311

Mr. MORAN. Mr. President, I am here to take the opportunity to join my colleagues to speak in support of the Born-Alive Abortion Survivors Protection Act. I thank Senator SASSE for his continued leadership on this issue. I supported the bill when Senator SASSE introduced it last Congress, and I was glad to see Senator MCCONNELL, our leader, bring this bill to the floor for a vote.

I am astonished—astonished—that we are debating whether it is appropriate to leave born children to die. Today, now, in the year of 2019, how can this be? Science demonstrates that human life begins at conception, and our understanding of neonatal development is increasing every day.

I am a member of the Senate Appropriations Subcommittee on Labor, Health and Human Services. The National Institutes of Health is one of my top priorities for funding. At the NIH, the National Institute of Child Health and Human Development has advanced our knowledge of pregnancy and development in the womb. Under this Institute, the Neonatal Research Network has pioneered research that has led to techniques that saved the lives of children in their earliest stages, when these children are at their most vulnerable.

The Congressional Budget Office estimates that more than 10,000 babies are aborted each year after 20 weeks of conception, when science—science—tells us that an unborn child can feel pain inside the womb. That number will increase as a result of recent State-level efforts to end virtually any restriction on abortion when a child could viably live outside the womb. These efforts are extreme and fall far beyond the mainstream of American opinion.

This legislation does nothing to limit prenatal abortion. While we must address that issue—the root causes of abortion and the ways to curb this heartbreaking trend—that is not the issue at hand today in this legislation. The question before us is this: When a child survives an abortion and is born, does the U.S. Senate believe the child can still be eliminated, or should the baby be protected and given all possible care to survive? This act requires healthcare practitioners to ''exercise the same degree of professional skill, care, and diligence to preserve the life and health of a child as a reasonably diligent and conscientious healthcare practitioner would render to any other child born alive at the same gestational age.'' Any negligence in this regard is subject to criminal and civil punishment, which at present does not exist.

Should anyone think this is some made-up issue—despite the Virginia Governor's shocking comments revealing an openness to infanticide and New York's expansion of abortion well beyond the age of viability that makes born-alive abortion survivors more likely—we have concrete evidence that this grotesque act happens. Notorious abortion provider Kermit Gosnell is serving life in prison for these very acts.

Closing our eyes to what is obscene does not make it any less real. That it is allegedly ''rare'' doesn't make it any less real or abhorrent. One child purposefully deprived of healthcare and allowed to die is one too many. It is infanticide, which brings us to the crux of this issue. We need to think carefully about the long-term impacts to the definition of ''healthcare'' if Congress refuses to act positively on this measure. Do the guardrails of neonatal health succumb to the belief that infants don't really count as one of us?

Our society is not one of the ancient Romans or the Aztecs. We don't sacrifice our children to please an unknown god. In the progress of human history, principles of the enlightenment—also known as the Age of Reason—declared self-evident truths that all humans are created equal and endowed with the unalienable right to life. Although undoubtedly we have our flaws, these enlightenment principles enshrined in our founding documents remain true to who we are as a nation and who we are as human beings. We recoil when we hear of children who are harmed in any manner. Yet today we are faced with a reality where the ability to terminate an unborn child's life when it is viable outside of the womb is something that is not only tolerated but is passionately defended by the left.

That is bad enough, but to see legislation ensuring that the medical care of born children gets blocked is incomprehensible. The immutable march of progress in human history has met a roadblock today in the U.S. Senate. The Age of Reason seems to have escaped us.

Tonight, the Senate had an opportunity to send a message showing who we are as leaders and as a society as a whole—one that protects the weak and the voiceless instead of one that permits their destruction. I regret and I am saddened that the Senate failed this fundamental test.

I am eager to do more to protect innocent life, including the unborn, but the Born-Alive Abortion Survivors Act provided us an opportunity to affirm the most basic need for healthcare for a vulnerable child who has already beaten the odds to survive. Let's hope we have another opportunity to give these children the chance at life they so deserve.

I thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

NOMINATION OF JOHN L. RYDER

Mr. ALEXANDER. Mr. President, this week, the Senate may see an extreme example of how the minority can abuse its rights in a way that provokes the majority into an excessive use of its power. I come to the floor to offer my Democratic colleagues a way to avoid both mistakes.

Here is the abuse of minority rights: More than a year ago, President Trump nominated John Ryder of Memphis to serve on the board of directors of the Tennessee Valley Authority based on the recommendation that Senator Bob Corker and I made. Finally, this week, the Senate is likely to vote on Mr. Ryder's nomination.

You might say: Well, there must really be something wrong with Mr. Ryder.

Well, if there is, then all the people who are supposed to find out what is wrong with Mr. Ryder have not found it out. Senator Corker and I know him very well as one of Tennessee's finest

attorneys. Senator BLACKBURN agrees. After a hearing at which Mr. Ryder answered questions, Republican and Democratic members of the Environment and Public Works Committee unanimously approved his nomination. No, there is no problem with Mr. Ryder.

You might say: This must be a position of overwhelming complexity and importance that requires a year for all of us to think about it.

TVA is the Nation's largest public utility, and it is important to the millions of us in the seven-State region for whom it provides electricity. But this is not a lifetime appointment. It is not a Cabinet position. It is not even a full-time position. This is one of nine part-time board positions whose nominees are usually approved in the Senate by a voice vote.

The problem is not with Mr. Ryder. It is not because of the unusual importance of the position. The problem is with the determination of the Democratic minority to make it nearly impossible for President Trump to fill the 1,200 Federal Government positions that require confirmation by the U.S. Senate as part of our constitutional duty to provide advice and consent.

This is where we are: Democrats have objected to the majority leader's request to vote on Mr. Ryder's nomination. As I mentioned, these are nominations normally approved by a voice vote. So in order to have a vote, the majority leader, Senator MCCONNELL, has filed a cloture petition to cut off debate on Mr. Ryder's nomination.

The cloture process takes at least 3 days. Here is how it works: The first day, you file cloture. That is what Senator MCCONNELL did. The second day is a so-called intervening day when no action can be taken, so nothing is happening. On the third day, the Senate votes to invoke cloture, and then there is up to 30 more hours for postcloture debate before the Senate can finally vote on whether to confirm Mr. Ryder.

Unfortunately, Mr. Ryder is not the only victim of such obstructionism. During the last 2 years, Democrats have done what I just described 128 times. One hundred and twenty-eight times they have required the majority leader to consume up to 3 days to force a vote on a Presidential nominee. By comparison, requiring a cloture vote to advance a nomination happened 12 times during the first 2 years of President Obama's term, compared to President Trump's 128 times; 4 times during the first 2 years of George W. Bush's term, compared to President Trump's 128 times; 12 times during Bill Clinton's first 2 years, compared to President Trump's 128 times. Not once during George H. W. Bush's first 2 years in office was it necessary for the majority leader to file cloture to cut off debate to advance a Presidential nomination—not once—but it had to be done 128 times in the first 2 years of President Trump's time.

This unnecessary obstruction has to change. The result of this extraordinary delay in considering nominees creates a government filled with acting appointees who, never having gone through the Senate confirmation process, are less accountable to Congress and therefore less accountable to the American people. So at a time when many complain that the Executive has become too powerful, the Senate is deliberately making itself weaker by diminishing our constitutional duty to advise and consent to individuals nominated to fill important positions—perhaps the Senate's best known role.

This abuse of power by the minority is about to produce an excessive reaction by the majority—something that I think at least nine Democratic Senators who can see 2 years ahead would want to avoid. At least nine Democratic Senators hope to be the next President of the United States. Do they not know that some Republicans will do to the next Democratic President's nominees what Democrats have done to President Trump's nominees? Let me ask that again. Do the nine Democratic Senators who want to be the next President of the United States—that election is about 20 months away—not know that if they are elected, some Republicans will do to them what Democrats have done to President Trump's nominees?

The Senate is a body of precedent. What goes around comes around. All it takes will be one Republican Senator objecting to a unanimous consent request to make it difficult for the next Democratic President to form a government, and this will continue the diminishment of the U.S. Senate.

Can Republican Senators, by majority vote, change Senate rules to stop this obstruction? Yes, we can, and we will, if necessary. There are several ways to change the rules of the Senate. We can amend the standing rules of the Senate. We can adopt a standing order. We can pass a law. We can set a new precedent. We can change the rules by unanimous consent. All of these are rules of the Senate.

The written rules of the Senate say it requires 67 votes to amend a standing rule and 60 votes to amend a standing order. There is recent precedent to change the Senate rules by a majority vote.

In 2013, the Democratic leader, Harry Reid, used a procedural maneuver—let's call it the Harry Reid precedent—that allowed the Democratic Senate majority to overrule the Chair and say, in effect, that a written Senate rule does not mean what its words say.

Now, this is as if a referee in a football game were to say the following: The rule book says that a first down is 10 yards, but I am the referee, and I am ruling that a first down is 9 yards.

Well, that is what happened in 2013. So, in 2017, what goes around comes around. The Republican majority followed this Harry Reid precedent in order to make cloture on all nominations a majority vote, and now Republicans are on the verge again of following the Harry Reid precedent.

Should Republicans do this, change a rule by majority vote, even though our written rules say it should be done by 60 or 67 votes? The answer is, no, we shouldn't, not if we can avoid it.

As Senator Carl Levin said in 2013, when he opposed the Harry Reid precedent—Senator Levin is a Democrat, and he said: A Senate in which a majority can change its rule at any time is a Senate without any rules.

Thomas Jefferson, who wrote our first rules, said: It didn't make much difference what the rules are. It just matters that there are some rules.

So it is at least awkward for Members of the country's chief rule-writing body, the U.S. Senate, to expect Americans to follow the rules we write for them when we don't follow our own written rules.

I have heard many Democrats privately say to me, they express their regret that they ever established the Harry Reid precedent in 2013. They didn't look ahead and see that what goes around comes around and that this is a body of precedent.

So what would be the right thing for us to do—something that avoided both the minority's abuse of its rights and the majority's excessive response. We should do what the Senate did in 2011, in 2012, and in 2013, when Republicans and Democrats worked together to make it easier for President Obama and his successors to gain confirmation of Presidential nominees.

As a Republican Senator, I spent dozens of hours on this bipartisan project to make it easier for a Democratic President with a Democratic Senate majority to form a government. I thought that was the right thing to do, and we changed the rules in the right way.

The Senate passed standing orders with bipartisan support and a new law, the Presidential Appointment Efficiency and Streamlining Act, which eliminated confirmation for several positions. That bipartisan working group of Senators accomplished a lot in 2011, 2012, and 2013.

We eliminated secret holds. After over 25 years of bipartisan effort, led by Senator GRASSLEY and Senator WYDEN, we eliminated delays caused by the reading of amendments. We eliminated Senate confirmation of 163 major positions.

Now, remember what we were doing was working in a bipartisan way to try to make it easier for President Obama and a Democratic majority in the Senate to confirm the 1,200 Presidential nominees that every President has to send over here for advice and consent. We did it for President Obama. We intended to do it for his successors as well.

We eliminated 3,163 minor career positions. We made 272 positions so-called privileged nominations, which means these nominations can move faster through the Senate. We sped up motions to proceed to legislation. We made it easier to go to conference. We

limited postcloture debate on sub-Cabinet positions to 8 hours and on Federal district judges to 2 hours for the 113th Congress. All of these changes took effect immediately over these 60 days.

Let me underscore what I am about to say. Republicans did not insist, in 2011, 2012, and 2013, when Barack Obama was President, that these new rules should be delayed until after the next Presidential election when there might be a Republican President. Republicans supported these changes for the benefit of this institution, even though they would immediately benefit a Democratic President and a Democratic Senate majority.

I propose that we do that again. I invite my Democratic colleagues to join me in demonstrating the same sort of bipartisan respect for the Senate as an institution that Senators Reid and MCCONNELL—the two Senate leaders at that time—Senators SCHUMER, BARRASSO, LEVIN, McCain, Kyl, CARDIN, COLLINS, Lieberman, and I did in 2011, 2012, and 2013, when we worked to change the Senate rules the right way.

Now, 2 weeks ago, the Rules Committee gave us an opportunity to do things again in the right way by reporting to the Senate a resolution by Senator LANKFORD and Senator BLUNT, the chairman of the Rules Committee. This resolution, which is similar to the standing order that 78 Senators voted for on January 14, 2013, would reduce postcloture debate time for nominations. Remember, that is after day one, the majority leader files cloture; day two, nothing happens; day three, we have a vote on cloture that is by 51 votes, and we would reduce the time for debate on day three. District judges would be debated for 2 hours, the same as the 2013 standing order that 78 Senators voted for. Other sub-Cabinet positions would be subject to 2 hours of postcloture debate as well.

The proposal offered by Senator LANKFORD and Senator BLUNT would not reduce the postcloture debate time for Supreme Court Justices, for Cabinet members, for circuit court or certain Board nominations, like the National Labor Relations Board, but would divide the 30 hours of postcloture debate equally between Republicans and Democrats.

The Lankford-Blunt proposal would put the Senate back where it has historically been on nominations. With rare exceptions, Senate nominations have always been decided by majority vote. Let me say that again. With rare exceptions, Senate nominations have always been decided by majority vote.

President Johnson's nomination of Abe Fortas as Chief Justice of the Supreme Court was the only example of a Supreme Court nominee who was blocked by requiring more than 51 votes.

There has never been, in the history of the Senate, a Cabinet nominee who was blocked by requiring more than 51 votes. There has never been, in the history of the Senate, a Federal district judge whose nomination was blocked by requiring more than 51 votes.

Since 1949, Senate rules have allowed one Senator to insist on a cloture vote; that is, 60 votes, which requires more than a majority to end debate. Even though it was allowed, it just wasn't done. Even the vote on the acrimonious nomination of Clarence Thomas to the Supreme Court was decided by a majority vote of 52 to 48. Not one Senator tried to block the nomination by requiring 60 votes on a cloture motion, even though one Senator could have done that.

Only when Democrats began, in 2003, to block President George W. Bush's nominees by insisting on a 60-vote cloture vote did that tradition change. Then, in 2017, using the Harry Reid precedent, Republicans restored the tradition of requiring a majority vote to approve all Presidential nominees, which, as I have said, has been the tradition throughout the history of the Senate.

Also, until recently, with rare exceptions, nominations have been considered promptly. After all, there are 1,200 of them, and the Senate has other things to do besides just being in the personnel business.

For example, last month, I was in Memphis for the investiture of Mark Norris, whose nomination languished for 10 months on the Senate calendar. The evening before, I had dinner with 94-year-old Harry W. Wellford. In November of 1970, Senator Howard Baker of Tennessee had recommended Harry Wellford to serve as a district court judge on the same court where Mark Norris now serves.

By December 11, 1970, 1 month later, President Nixon had nominated Harry Wellford, and the Senate had confirmed him. All this happened in 1 month. Not all nominations have moved that fast. In 1991, a Democratic Senator, using a secret hold, blocked President George H. W. Bush's nomination of me as U.S. Education Secretary. I waited on the calendar for 6 weeks. Those 6 weeks seemed like an awfully long time to me, and that was for a Cabinet position. It was not 10 months for a part-time position for the Tennessee Valley Authority.

Two weeks ago, I voted to report Senator LANKFORD and Senator BLUNT's resolution to the full Senate, even though no Democrat voted for it. I will vote for it again on the floor, even if no Democrat will join us. I will also join my fellow Republicans, if we are forced to change the rules by majority vote. I do not like the Harry Reid precedent, but I like even less the debasement of the Senate's constitutional power to provide advice and consent to 1,200 Presidential nominees.

My preference is to adopt the Lankford-Blunt resolution, which is very similar to the 2013 resolution that 78 Senators voted for, and to do it in a bipartisan way, according to the written Senate rules as we did in 2013.

I believe most Democrats privately agree that the resolution offered by Senators LANKFORD and BLUNT is reasonable, and they will be grateful that it is in place when there is a Democratic majority and one Republican Senator can block a Democratic President's nominees.

The only objection Democrats seem to have to the Lankford-Blunt resolution is that it would apply to President Trump. Their other major objection, which is truly puzzling, is that the proposed change is permanent, and the change we made in 2013 was temporary. Well, I wonder if Democrats would like it better if we made this change in the Senate temporary, only applying to the remainder of President Trump's term.

This is my invitation to my Democratic colleagues. Join me and Senators LANKFORD and BLUNT in supporting their resolution, or modifying it if you believe there is a way to improve it, and working in a bipartisan way, exactly as we did in 2011, 2012, and 2013.

A year or so ago, one of the Supreme Court Justices was asked: How do you Justices get along so well when you have such different opinions? This Justice's reply was this: We try to remember that the institution is more important than any of our opinions.

We Senators would do well to emulate the Supreme Court Justices in respecting and strengthening this institution in which we are privileged to serve. One way to do that is to join together to restore the prompt consideration of any President's 1,200 nominees and do it in a bipartisan way that shows the American people our written rules mean what they say.

The PRESIDING OFFICER. The Senator from Tennessee.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for 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.

TRIBUTE TO ERNEST MATT HOUSE

Mr. MCCONNELL. Mr. President, later this week, Leadership Tri-County from Knox, Whitley, and Laurel Counties in my home State will present one of its highest honors: the Leader of the Year award. I was delighted to learn this year's title will be given to Ernest Matt House, a lifelong resident of London, KY, and a remarkable example of entrepreneurship. I would like to take a few moments today to pay tribute to Ernest Matt and his many accomplishments in Kentucky.

From an early age, Ernest Matt's talents were on full display. In high