

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.

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## LEGISLATIVE SESSION

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### 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.

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### 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

school, he excelled both in the classroom and on the field, earning 14 varsity letters and a place in the Kentucky High School Athletic Association's Hall of Fame, but these achievements, of course, were just the beginning. Ernest Matt received a full scholarship to play football at Eastern Kentucky University. There, he was ECU's starting quarterback for 3 years and lettered all 4. His notable time in the Colonel's uniform merited inclusion into the school's athletic hall of fame, and he still ranks among the best quarterbacks in its history.

After his graduation, Ernest Matt returned to Laurel County and began working at his family's grocery store. Named for both of his grandfathers, he had big shoes to fill in the family business, but it didn't take long for Ernest Matt to learn the competitive business and set his sights on the future. Although a lot has changed in the grocery business and in the community, Ernest Matt holds onto the tradition of personal service that keeps bringing loyal customers back to the store. Over the next years, his continued entrepreneurial success earned him distinction both in the local community and across the Nation.

Leadership Tri-County was established more than three decades ago to foster and develop emerging local leaders. Its programs in Kentucky invest in the men and women who have spent their lives making their communities a better place to live. This award is given each year to an individual who has contributed to the area's growth and development, and Ernest Matt clearly fits the bill. Through his business success and service on local, regional, and State board and commissions, Ernest Matt has quite a legacy of achievement.

A man of deep faith, Ernest Matt credits his good works both to Christ and to his loving family, especially his wife Kim. I am sure she, along with his children and grandchildren, are quite proud of him. Kentucky has been made better because of Ernest Matt's many contributions, and I would like to congratulate him for being named the 2019 Leader of the Year. I encourage my Senate colleagues to join me in recognizing his work.

#### SENATE COMMITTEE ON APPROPRIATIONS RULES OF PROCEDURE

Mr. SHELBY. Mr. President, consistent with Standing Rule XXVI, I ask unanimous consent that the rules of procedure of the Committee on Appropriations be printed in the RECORD.

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

##### SENATE COMMITTEE ON APPROPRIATIONS COMMITTEE RULES—116TH CONGRESS I. MEETINGS

The Committee will meet at the call of the Chairman.

#### II. QUORUMS

1. Reporting a bill. A majority of the members must be present for the reporting of a bill.

2. Other business. For the purpose of transacting business other than reporting a bill or taking testimony, one-third of the members of the Committee shall constitute a quorum.

3. Taking testimony. For the purpose of taking testimony, other than sworn testimony, by the Committee or any subcommittee, one member of the Committee or subcommittee shall constitute a quorum. For the purpose of taking sworn testimony by the Committee, three members shall constitute a quorum, and for the taking of sworn testimony by any subcommittee, one member shall constitute a quorum.

#### III. PROXIES

Except for the reporting of a bill, votes may be cast by proxy when any member so requests.

#### IV. ATTENDANCE OF STAFF MEMBERS AT CLOSED SESSIONS

Attendance of staff members at closed sessions of the Committee shall be limited to those members of the Committee staff who have a responsibility associated with the matter being considered at such meeting. This rule may be waived by unanimous consent.

#### V. BROADCASTING AND PHOTOGRAPHING OF COMMITTEE HEARINGS

The Committee or any of its subcommittees may permit the photographing and broadcast of open hearings by television and/or radio. However, if any member of a subcommittee objects to the photographing or broadcasting of an open hearing, the question shall be referred to the full Committee for its decision.

#### VI. AVAILABILITY OF SUBCOMMITTEE REPORTS

To the extent possible, when the bill and report of any subcommittee are available, they shall be furnished to each member of the Committee thirty-six hours prior to the Committee's consideration of said bill and report.

#### VII. AMENDMENTS AND REPORT LANGUAGE

To the extent possible, amendments and report language intended to be proposed by Senators at full Committee markups shall be provided in writing to the Chairman and Ranking Minority Member and the appropriate Subcommittee Chairman and Ranking Minority Member twenty-four hours prior to such markups.

#### VIII. POINTS OF ORDER

Any member of the Committee who is floor manager of an appropriations bill is hereby authorized to make points of order against any amendment offered in violation of the Senate Rules on the floor of the Senate to such appropriations bill.

#### IX. EX OFFICIO MEMBERSHIP

The Chairman and Ranking Minority Member of the full Committee are ex officio members of all subcommittees of which they are not regular members but shall have no vote in the subcommittee and shall not be counted for purposes of determining a quorum.

#### SENATE COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS RULES OF PROCEDURE

Mr. CRAPO. Mr. President, the Committee on Banking, Housing, and Urban Affairs has adopted rules governing its procedures for the 116th Congress. Pursuant to rules XXVI, para-

graph 2, of the Standing Rules of the Senate, on behalf of myself and Senator BROWN, I ask unanimous consent that a copy of the committee rules be printed in the RECORD.

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

##### RULES OF PROCEDURE FOR THE COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

[Amended February 24, 2009]

##### RULE 1. REGULAR MEETING DATE FOR COMMITTEE

The regular meeting day for the Committee to transact its business shall be the last Tuesday in each month that the Senate is in Session; except that if the Committee has met at any time during the month prior to the last Tuesday of the month, the regular meeting of the Committee may be canceled at the discretion of the Chairman.

##### RULE 2. COMMITTEE

[a] Investigations. No investigation shall be initiated by the Committee unless the Senate, or the full Committee, or the Chairman and Ranking Member have specifically authorized such investigation.

[b] Hearings. No hearing of the Committee shall be scheduled outside the District of Columbia except by agreement between the Chairman of the Committee and the Ranking Member of the Committee or by a majority vote of the Committee.

[c] Confidential testimony. No confidential testimony taken or confidential material presented at an executive session of the Committee or any report of the proceedings of such executive session shall be made public either in whole or in part or by way of summary, unless specifically authorized by the Chairman of the Committee and the Ranking Member of the Committee or by a majority vote of the Committee.

[d] Interrogation of witnesses. Committee interrogation of a witness shall be conducted only by members of the Committee or such professional staff as is authorized by the Chairman or the Ranking Member of the Committee.

[e] Prior notice of markup sessions. No session of the Committee or a Subcommittee for marking up any measure shall be held unless [1] each member of the Committee or the Subcommittee, as the case may be, has been notified in writing via electronic mail or paper mail of the date, time, and place of such session and has been furnished a copy of the measure to be considered, in a searchable electronic format, at least 3 business days prior to the commencement of such session, or [2] the Chairman of the Committee or Subcommittee determines that exigent circumstances exist requiring that the session be held sooner.

[f] Prior notice of first degree amendments. It shall not be in order for the Committee or a Subcommittee to consider any amendment in the first degree proposed to any measure under consideration by the Committee or Subcommittee unless fifty written copies of such amendment have been delivered to the office of the Committee at least 2 business days prior to the meeting. It shall be in order, without prior notice, for a Senator to offer a motion to strike a single section of any measure under consideration. Such a motion to strike a section of the measure under consideration by the Committee or Subcommittee shall not be amendable. This section may be waived by a majority of the members of the Committee or Subcommittee voting, or by agreement of the Chairman and Ranking Member. This subsection shall apply only when the conditions of subsection [e][1] have been met.