Duckworth	Jones	Rounds
Durbin	Kaine	Rubio
Enzi	Kennedy	Sasse
Ernst	Lankford	Scott (FL)
Feinstein	Lee	Scott (SC)
Fischer	Manchin	Shaheen
Gardner	McConnell	Shelby
Graham	McSally	Sinema
Grassley	Moran	Sullivan
Hassan	Murkowski	Tester
Hawley	Perdue	Thune
Hoeven	Portman	Tillis
Hyde-Smith	Risch	Toomey
Inhofe	Roberts	Warner
Isakson	Romney	Wicker
Johnson	Rosen	Young

NAYS—33

Baldwin	Hirono	Reed
Bennet	King	Sanders
Blumenthal	Klobuchar	Schatz
Booker	Leahy	Schumer
Brown	Markey	Smith
Cantwell	Menendez	Stabenow
Carper	Merkley	Udall
Casey	Murphy	Van Hollen
Coons	Murray	Warren
Gillibrand	Paul	Whitehouse
Heinrich	Peters	Wyden

NOT VOTING—1

Harris

The PRESIDING OFFICER. On this vote, the yeas are 66, the nays are 33.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Roy Kalman Altman, of Florida, to be United States District Judge for the Southern District of Florida.

Mrs. FEINSTEIN. Mr. President, I understand the majority is considering another change to how judicial nominees are considered.

My understanding is the majority leader may move to break the rules of the Senate and cut the time that Senators can debate nominees after cloture is invoked from 30 hours to 2 hours.

Just yesterday, the Senate rejected this change. The Lankford resolution was voted on and did not receive 60 votes, let alone the 67 votes required to change the rules.

The resolution would also have changed postcloture debate time on circuit court and Supreme Court nominees from 30 hours total to 30 hours divided between the majority and minority leaders or their designees. This means debate on a Supreme Court nomination could be limited to only 15 total hours of debate.

Despite bipartisan opposition to the Lankford resolution, the majority is now considering limiting debate time by breaking longstanding rules of the Senate.

Changing the rules is not only unnecessary, but also is dangerous, especially when we are talking about lifetime appointments. Further, given this administration's failure to properly vet its own nominees, the Senate should not restrict critical vetting and due diligence.

There is simply no need to limit debate on President Trump's judicial nominees. In fact, President Trump's judicial nominees have been confirmed at a record pace.

Through his first 2 years in office, President Trump had more circuit court nominees confirmed than any other President had at the same point in their tenure—30 total. That is on top of two Supreme Court Justices and 53 district court judges.

Further, the current administration's circuit court nominees have been confirmed nearly twice as fast as President Obama's, 256 days for President Obama's nominees versus 139 days for President Trump's nominees.

The rules change is also unnecessary because Senate Democrats are in no way obstructing confirmations. Senate Democrats have not required cloture votes on more than half of President Trump's district court nominees.

On average, the Senate has used only 3 hours of floor time for debate on President Trump's district court nominees.

In addition, a higher percentage of President Trump's district court nominees have been confirmed by voice vote as compared to President Obama's district court nominees, 49 percent versus 35 percent. In other words, Senate Democrats have not required the majority to hold rollcall votes on nearly half of President Trump's nominees to the Federal district courts.

Finally, Democrats have worked with the Trump administration to identify qualified judicial nominees.

For example, Delaware's two Democratic Senators, Senators CARPER and COONS, worked with the White House to identify two qualified nominees to be judges on the U.S. District Court for the District of Delaware.

Senators DURBIN and DUCKWORTH of Illinois worked with this administration to identify two highly qualified nominees to be judges on the U.S. Court of Appeals for the Seventh Circuit. Both of those nominees were confirmed unanimously.

In addition, we are right now in postcloture time on the nomination of Roy Altman to the Southern District of Florida. Several Democrats voted for Mr. Altman in committee, and Democrats have not demanded a full 30 hours of debate time on Mr. Altman's nomination.

Despite all of this, Republicans are nevertheless breaking the rules and pushing the Senate closer to a body that is governed simply by the whim of the majority.

All of this leads to an unmistakable conclusion—shortening debate time is unnecessary. It is a response to a nonexistent problem, and it is simply a power grab meant to stack the courts at an even faster rate.

It is also important to stress why it is so dangerous to allow the Trump administration to stack the courts in this way, without adequate debate time.

We have seen this administration fill lifetime positions with young, inexperienced nominees who are often outside the legal mainstream. We have seen them try to do this without properly vetting those same nominees, as in the case of Brett Talley, who failed to disclose to the Judiciary Committee nearly 15,000 online comments, including one in which he defended the founder of the KKK.

The Senate needs sufficient time to scrutinize the records of these nominees—nominees like Matthew Kacsmaryk and Patrick Wyrick, who have led efforts to undermine the Affordable Care Act; nominees like Brian Buescher, who has argued that States should go after women's reproductive rights ''bit by bit''; and nominees like Wendy Vitter, who refused to acknowledge that Brown v. Board of Education was correctly decided and who falsely claimed there is a connection between the use of contraceptive pills and the incidence of cancer.

Two hours is simply not enough time to scrutinize these nominees' records, especially when so many of this administration's judicial nominees fail to disclose materials to the Judiciary Committee.

In conclusion, all Senators, and not just those on the Judiciary Committee, need adequate time to review the records of these judicial nominees, who, if confirmed, will serve for life.

All Senators need adequate time to make an informed decision about whether these nominees are qualified to decide the fate of thousands of people's lives. After all, the American people deserve to know that, if they find themselves in a Federal court, they will have an impartial, qualified, mainstream jurist who has earned the right to sit on the bench.

This decision to break the rules and reduce debate time on judicial nominees not only harms the institution of the Senate, but also harms the Federal judiciary.

The PRESIDING OFFICER. The majority leader.

POINT OF ORDER

Mr. MCCONNELL. Mr. President, I raise a point of order that the postcloture time under rule XXII for all judicial nominations, other than circuit courts or Supreme Court of the United States, is 2 hours.

The PRESIDING OFFICER. Under rule XXII of the Standing Rules of the Senate, the point of order is not sustained.

APPEALING RULING OF THE CHAIR

Mr. MCCONNELL. I appeal the ruling of the Chair and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is, Shall the decision of the Chair stand as the judgment of the Senate?

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS) is necessarily absent.

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

The result was announced—yeas 48, nays 51, as follows:

[Rollcall Vote No. 61 Ex.]

YEAS—48

Baldwin	Hassan	Reed
Bennet	Heinrich	Rosen
Blumenthal	Hirono	Sanders
Booker	Jones	Schatz
Brown	Kaine	Schumer
Cantwell	King	Shaheen
Cardin	Klobuchar	Sinema
Carper	Leahy	Smith
Casey	Lee	Stabenow
Collins	Manchin	Tester
Coons	Markey	Udall
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murphy	Warren
Feinstein	Murray	Whitehouse
Gillibrand	Peters	Wyden

NAYS—51

Alexander	Fischer	Perdue
Barrasso	Gardner	Portman
Blackburn	Graham	Risch
Blunt	Grassley	Roberts
Boozman	Hawley	Romney
Braun	Hoeven	Rounds
Burr	Hyde-Smith	Rubio
Capito	Inhofe	Sasse
Cassidy	Isakson	Scott (FL)
Cornyn	Johnson	Scott (SC)
Cotton	Kennedy	Shelby
Cramer	Lankford	Sullivan
Crapo	McConnell	Thune
Cruz	McSally	Tillis
Daines	Moran	Toomey
Enzi	Murkowski	Wicker
Ernst	Paul	Young

NOT VOTING—1

Harris

The PRESIDING OFFICER. The Senate overrides the decision of the Chair.

The PRESIDING OFFICER. The Senator from Iowa.

S. 972

Mr. GRASSLEY. Mr. President, earlier this week I introduced the bipartisan Retirement Enhancement and Savings Act of 2019, and the acronym for that is RESA, or R-E-S-A.

I am pleased to be joined by my colleague, Ranking Member WYDEN of the Finance Committee, in introducing this very important piece of legislation. The workplace retirement system provides an effective way for employees to save for retirement. Not all workers have access to retirement plans, and some workers who have access to a plan don't always participate.

The committee felt that we needed to do more to encourage and facilitate retirement savings. That is why we are providing new incentives for employers to adopt retirement plans. The bill also helps to reduce costs of operating these plans and creates new provisions to encourage workers to plan and to save for retirement.

This bill has been a long time in the making. Work on it actually began shortly after the passage of the Pension Protection Act of 2006. So when I say a long time, if it actually started back there at that time, that is 13 years ago.

Over several Congresses, the Finance Committee has held hearings on the retirement system and reviewed a number of proposals to improve the system. Many ideas were put forward. We examined each of them carefully, including through the work of the Finance Committee's Tax Reform Working Group on Savings and Investment, which did most of its work during the year 2015.

The resulting proposals were brought together to form this bill that we call RESA. It was unanimously approved by the Finance Committee in 2016. In the last Congress, many of us worked closely with former Senator Hatch, and chairman at that time, to advance this package. We came very close to an agreement last December, but, as a lot of times happens at the end of the year, it fell short due to politics and the process at that time. Passage of this important bill remains a top priority for me. I have continued working closely with Senator WYDEN, the ranking Democrat, other committee members, and even colleagues in the House to maintain the momentum from the end of last year so that improvements in this bill can be signed into law without further delay.

The RESA bill would reform our retirement savings laws in several important areas. For example, it would improve on an existing type of plan called a multiple employer plan, or as we say in finance, MEP. The bill would expand these plans so that employers can join together to sponsor a single retirement plan for their workers. These open MEPs would make it far more feasible for businesses of all sizes, and especially small businesses, to offer retirement plans by harnessing economies of scale and reducing unnecessary administrative burdens on employers.

More importantly, these open MEPs would open the door for millions of Americans to save for retirement. Speaking of small businesses, the bill includes provisions designed to make it easier and more cost-effective for smaller employers to sponsor a retirement plan. Small businesses, farms, and ranches, are, of course, vital to our economy. We need to encourage a level playing field so that workers and small businesses throughout our country have equal access to retirement plans as workers at Fortune 500 companies have.

RESA also would create a new fiduciary safe harbor for employers that allow employees to invest in lifetime-income arrangements like annuities. In addition, the bill would expand the portability of retirement plan assets, including those annuities. That would allow workers, then, to keep their retirement savings when they change jobs throughout their career.

This bill encourages employers to provide the kinds of tools and flexibility that employees need to plan for a financially secure retirement. RESA also would help employees to add to their retirement savings each year through automatic increases in contributions to 401(k) plans. Also, to help workers plan better for retirement, the legislation would require employers to provide an estimate of how much the employee's account would provide during retirement if the employee invested the balance in an annuity.

All of this is intended to help individuals get on the path of saving for a secure retirement during their working years, but it is also with an eye toward making sure that their savings will last once they retire. I should also note that this bill is paid for.

This is the pay-for. The main offsetting provision involves an option under current law for a person to pass along his or her IRA or 401(k) account to a family member or other beneficiary. Under current law, the recipient of that account can keep the inherited funds in the tax-deferred account and save for their own retirement if they take out a required minimum amount each year. That is often referred to as a ''stretch IRA.''

The bill maintains this savings option for people who inherit an IRA or retirement account, but it places a limit on how large an account can be inherited on a tax-protected basis. This is a commonsense approach to encourage the next generation to save for retirement while ensuring that the changes in this bill are fiscally responsible.

Retirement security is a very important topic that is already getting a great deal of attention this year. The House Ways and Means Committee considered a retirement savings bill yesterday that is built on the provisions included in RESA, and I look forward to working with Chairman NEAL of the House Ways and Means Committee to reconcile our bills and to get a final package to the President's desk.

So, in closing, I want to sum by stressing that increasing long-term savings in America is critically important. We know that there are ways that we can improve our private retirement system to make it easier for Americans to save. The reforms in this bill represent a very important step forward in improving Americans' retirement security.

I know that there are other Members with additional ideas for improving retirement security. I want those Members to know that regardless of this bill's passing, we are ready to consider those proposals and advancing those that will build on RESA and will help to attain the goal of ensuring that all Americans achieve a security retirement.

I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

ORDER OF BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding rule XXII, the confirmation vote on the Altman nomination occur at 11:45 a.m. on Thursday, April 4.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The senior Senator from North Dakota.