

should be most focused on this critical issue, was not even able to have a hearing with Mr. Hartogensis in order to dive into this crisis more deeply. So, given my doubts about his credentials for this position and my frustration with this nomination process, I will be voting against this nomination.

Unfortunately, Mr. Hartogensis is just one example of a broader effort by the Republicans to play political games with the nomination process in ways that, ultimately, harm workers and families nationwide.

NOMINATIONS

Madam President, I remain deeply disturbed by the Republicans' continued partisanship, particularly their obstruction of highly qualified Democratic nominees for the Equal Employment Opportunity Commission and the National Labor Relations Board.

It has been a longstanding practice to respect the minority party's selection of nominees and to move majority and minority nominees together to independent Agencies. Yet my colleagues across the aisle have jammed through Republican nominees to the NLRB and have hampered the EEOC's work by allowing one Republican Senator to essentially veto the Democratic nominee to the Agency, effectively tilting the playing field even more in favor of corporations and against workers' rights.

In this moment, as so many brave women and men have come forward to share their stories of workplace harassment and brought this issue to the forefront and as the Trump administration continues to undermine workers' rights to organize and collectively bargain for higher wages and better working conditions, the EEOC and the NLRB have very critical roles to play in protecting workers' rights. They have to be able to function fully and with balanced voices. I am going to keep fighting for workers across the country and keep pushing to get Democratic nominees confirmed to this Commission and this Board.

NOMINATION OF J. CAMPBELL BARKER

Madam President, the Republicans' nomination antics, of course, go far beyond those important Agencies. The Republicans are also continuing to work with President Trump to veer our courts far right by stacking them with ideological judges, especially when it comes to women's health and reproductive rights, which brings me to another nominee before us whom I strongly oppose—Mr. John Campbell Barker. As we have seen with Justice Kavanaugh and with so many other nominees, President Trump is seizing every opportunity he gets to appoint judges who will be willing to chip away at the right to safe, legal abortion. Unfortunately, Mr. Barker fits that pattern to a tee.

As deputy solicitor general of Texas, in the Whole Woman's Health case, he defended a law that imposed medically unnecessary requirements on physi-

cians and clinics that were meant to make it harder for women to access safe, legal care. He has also made it clear that he believes employers should be able to decide whether the women who work for them can get birth control through their insurance coverage. These alarming positions are just a few of the reasons I oppose Mr. Barker's nomination. I urge my colleagues to do the same.

The Republicans may be determined to continue their crusade of tipping the judiciary against women's health and reproductive rights, but they should know that the Democrats and women and men across the country are just as determined to stand up, call them out, and fight back.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. CASSIDY). Without objection, it is so ordered.

The PRESIDING OFFICER. Under the previous order, all postcloture time has expired.

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

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

The PRESIDING OFFICER. Is there a sufficient second?

Mr. GRASSLEY. Yes, there is.

The PRESIDING OFFICER. There appears to be a sufficient second.

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 (Ms. MCSALLY). Are there any other Senators in the Chamber desiring to vote or change their vote?

The result was announced—yeas 72, nays 27, as follows:

[Rollcall Vote No. 83 Ex.]

YEAS—72

Alexander	Enzi	Murphy
Barrasso	Ernst	Paul
Bennet	Feinstein	Perdue
Blackburn	Fischer	Portman
Blumenthal	Gardner	Risch
Blunt	Graham	Roberts
Boozman	Grassley	Romney
Braun	Hassan	Rosen
Brown	Hawley	Rounds
Burr	Hoeven	Rubio
Cantwell	Hyde-Smith	Sasse
Capito	Inhofe	Scott (FL)
Carper	Isakson	Scott (SC)
Casey	Johnson	Shaheen
Cassidy	Jones	Shelby
Collins	Kennedy	Sinema
Cornyn	King	Sullivan
Cortez Masto	Lankford	Thune
Cotton	Lee	Tillis
Cramer	Manchin	Toomey
Crapo	McConnell	Warner
Cruz	McSally	Wicker
Daines	Moran	Wyden
Durbin	Murkowski	Young

NAYS—27

Baldwin	Klobuchar	Schatz
Booker	Leahy	Schumer
Cardin	Markey	Smith
Coons	Menendez	Stabenow
Duckworth	Merkley	Tester
Gillibrand	Murray	Udall
Heinrich	Peters	Van Hollen
Hirono	Reed	Warren
Kaine	Sanders	Whitehouse

NOT VOTING—1

Harris

The nomination was confirmed.

The PRESIDING OFFICER. 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.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of J. Campbell Barker, of Texas, to be United States District Judge for the Eastern District of Texas.

Mitch McConnell, Johnny Isakson, Roger F. Wicker, John Boozman, John Cornyn, Mike Crapo, Shelley Moore Capito, Pat Roberts, Roy Blunt, Deb Fischer, David Perdue, Todd Young, John Thune, Mike Rounds, Steve Daines, John Hoeven, Thom Tillis.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of J. Campbell Barker, of Texas, to be United States District Judge for the Eastern District of Texas, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant bill clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from West Virginia (Mrs. CAPITO).

Further, if present and voting, the Senator from West Virginia (Mrs. CAPITO) would have voted "yea."

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 yeas and nays resulted—yeas 52, nays 46, as follows:

[Rollcall Vote No. 84 Ex.]

YEAS—52

Alexander	Cornyn	Gardner
Barrasso	Cotton	Graham
Blackburn	Cramer	Grassley
Blunt	Crapo	Hawley
Boozman	Cruz	Hoeven
Braun	Daines	Hyde-Smith
Burr	Enzi	Inhofe
Cassidy	Ernst	Isakson
Collins	Fischer	Johnson