

NOT VOTING—7

Booker	Murkowski	Warren
Harris	Rounds	
Isakson	Sanders	

The nomination was agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the next nomination.

The senior assistant legislative clerk read the nomination of Sarah E. Pitlyk, of Missouri, to be United States District Judge for the Eastern District of Missouri.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. DURBIN. Mr. President, I oppose the nomination of Sarah Pitlyk to be a Federal district court judge in the Eastern District of Missouri.

I believe that people who are nominated to serve as Federal trial judges ought to know their way around a courtroom. There are basic levels of experience and qualifications that a person needs in order to be an effective trial judge. I have no doubt that there are plenty of experienced, qualified Republican attorneys and State court judges in the Eastern District of Missouri, but Ms. Pitlyk is not one of them.

She has never tried a case. She has never taken a deposition. She has never argued a motion in court. She has never picked a jury. She has never participated at any stage in a criminal matter. The American Bar Association's peer review process rated her "unanimously not qualified." The ABA said that "Ms. Pitlyk's experience to date has a very substantial gap, namely the absence of any trial or even real litigation experience."

The Senate is not doing our justice system any favors by confirming trial judges who lack courtroom experience. My Republican colleagues should stop rubber-stamping judicial nominees who lack basic qualifications and experience.

Ms. Pitlyk also has made many statements in her career that indicate that she has prejudged certain issues. For example, she wrote an article describing the Supreme Court's decision to uphold the Affordable Care Act as "an unprincipled decision." She also gave a speech earlier this year in which she described the Supreme Court's jurisprudence on abortion as "thoroughly activist," and "politically biased," and as containing "gross defects."

She has spent much of her legal career advocating against reproductive rights, including a 2017 article in which she wrote that "surrogacy is harmful to mothers and children, so it's a practice society should not be enforcing." She also said in a 2017 press release that "surrogacy diminishes respect for motherhood and the unique mother-child bond, encourages exploitation of women, and it commodifies pregnancy and children. Surrogacy also weakens society's natural abhorrence of eugenic abortion."

My colleague Senator TAMMY DUCKWORTH wrote a powerful letter in response to Ms. Pitlyk's attacks on surrogacy. Senator DUCKWORTH's letter talked about her two beautiful daughters and her use of assisted reproductive technology to start a family. She wrote: "No American should be denigrated and insulted for starting a family with the help of assisted reproductive technology or opting to use surrogacy, which is often a last resort." She went on to write: "As a mother who struggled with infertility for years and required IVF to start my family, I would be one of the many Americans who could never enter Ms. Pitlyk's courtroom with any reasonable expectation that my case would be adjudicated in a fair and impartial manner. . . . Not after Ms. Pitlyk accused families who opt for surrogacy of contributing to 'grave effects on society' including disrespecting motherhood."

I want to commend Senator DUCKWORTH for this powerful and personal letter. I hope my colleagues pay attention to it.

I appreciate that at least one Republican Senator, Ms. COLLINS of Maine, has said she will vote no on the Pitlyk nomination because of Ms. Pitlyk's lack of qualifications and extreme views. I hope more Republicans will join her.

I will vote no on the Pitlyk nomination, and I urge my colleagues to do the same.

Mrs. FISCHER. Mr. President, I ask unanimous consent that the remaining votes in this series be 10 minutes in length.

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

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Pitlyk nomination?

Mr. LEE. Mr. President, 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 senior assistant bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Georgia (Mr. ISAKSON), the Senator from Alaska (Ms. MURKOWSKI), and the Senator from South Dakota (Mr. ROUNDS).

Further, if present and voting, the Senator from Alaska (Ms. MURKOWSKI) would have voted "no."

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from California (Ms. HARRIS), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

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

The result was announced—yeas 49, nays 44, as follows:

[Rollcall Vote No. 379 Ex.]

YEAS—49

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

NAYS—44

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

NOT VOTING—7

Booker	Murkowski	Warren
Harris	Rounds	
Isakson	Sanders	

The nomination was confirmed.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the next nomination.

The senior assistant legislative clerk read the nomination of Douglas Russell Cole, of Ohio, to be United States District Judge for the Southern District of Ohio.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Cole nomination?

Mr. THUNE. Mr. President, 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 senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wisconsin (Mr. JOHNSON), the Senator from Alaska (Ms. MURKOWSKI), and the Senator from South Dakota (Mr. ROUNDS).

Further, if present and voting, the Senator from Wisconsin (Mr. JOHNSON) would have voted "yea."

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from California (Ms. HARRIS), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

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

The result was announced—yeas 64, nays 29, as follows: