

they stand with young people like Jessica and Jonathan, trying to get their lives back together and trying to get Congress to implement the one law it passed that could help them? It is a choice that seems pretty easy for most American people when they hear this scenario described to them.

A recent opinion piece in the Anchorage Daily News criticized Secretary DeVos for siding with “for-profit colleges that have defrauded students” and “illegally [denying] student loan debt relief to thousands of students.” Even in Alaska, hundreds of borrowers are waiting for borrower defense discharges.

Nationally, Americans agree that these defrauded borrowers deserve relief. In a 2016 New America poll, 78 percent of Americans said that students should have their Federal student loan debt discharged if their school deceived them. That is pretty basic, isn’t it? If you were cheated, you ought to be taken care of.

When you break the numbers down by party, 87 percent of Democrats and 71 percent of Republicans—vast majorities—supported relief for these students. So when it comes time to vote on my resolution to overturn the DeVos borrower defense rule denying relief to defrauded borrowers, I hope my colleagues will stand with students and the American people.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

ABORTION

Mrs. BLACKBURN. Mr. President, my hope is that each of us in this Chamber and their families enjoyed a wonderful Thanksgiving time, being grateful for all of the blessings that we in this country have.

I know I certainly had a wonderful week. I had the opportunity to spend some time across the great State of Tennessee and to talk with Tennesseans about what was on their minds.

I will tell you this. In my opinion and experience, as diverse as Tennesseans are, there is one thing in common that I heard repeatedly, and that is that they are through with trying to guess where politicians in Washington, DC, stand on issues. This is something I think all of us need to hear and probably don’t want to hear, but our fellow Americans, and certainly Tennesseans, have no idea what their elected representatives believe. Instead, all they see up here is this endless cycle of political in-fighting and failed legislation. They consistently say: We want you to focus on things that are important to us. We want you to focus on things that are important to the country. I will tell you that it is no wonder that our country’s discourse is plagued by what is a marked cynicism for even our most earnest efforts.

As I thought about this during the week and the visits that I had across the State, I thought: You need look no further for an example of where they

see this fighting as being unnecessary than an issue that has become a magnet for derision, and that is the issue of protecting life—more specifically, the use of taxpayer dollars to fund the abortion procedures.

In poll after poll, after poll, a majority of Americans have indicated that they oppose public funding of abortion. The numbers on this are not even close.

As early as this summer, self-identified Democrats’ support for taxpayer-funded abortion struggled to even break out of single digits. The data is clear, and it is convincing. The American taxpayer does not want their tax dollar being used to fund abortion procedures.

So how is it, then, that my friends in the minority insist upon loopholes and work-arounds that make taxpayers complicit in the slaughter of the unborn?

Their cause has been frustrated, of course, by President Trump’s aggressively pro-life agenda. Last year, he proposed the “protect life rule,” which cut taxpayer funding under the title X program for any facility that performs abortions or that refers their clients to those facilities that perform abortions.

This rule closely mirrored my Title X Abortion Provider Prohibition Act. That was the first bill I filed when I came to the Senate. It is something that is very important to me.

But this year, this body’s liberal faction once again seized an opportunity to undercut the pro-life agenda via a legislative trick known around this Chamber and Capitol Hill as a poison pill. You see, they found a way to hold hostage millions of dollars attached to the fiscal year 2020 State and Foreign Operations appropriations bill. That was done via an amendment that funnels family planning dollars to domestic organizations that support abortions overseas.

Do you see what they are doing?

It is an amendment that funnels family planning dollars to domestic—U.S.—organizations, but those organizations are supporting abortions overseas. It also uses Obama-era gender policies to define sex—a clear red herring to get people arguing about gender identity so they will ignore the Democratic Party’s leftward swing on the issue of abortion.

You could chalk all this up to politics, were it not for the existence of the bipartisan budget agreement that both parties agreed to ahead of our work on appropriations. That agreement included a ban on poison pill riders like the Shaheen amendment, as well as assurances that any poison pills would be swiftly removed. We thought we had taken care of that issue with the bipartisan budget agreement, but oh, no, here we go.

Yet in order to “empower women overseas” Democrats have indicated that they are willing to throw away \$847 million for maternal and child health, \$100 million for global health

security programs, \$150 million for nutrition assistance, and \$6.2 billion for global HIV and AIDS assistance. They are doing this, throwing all that money away, so they can make a political point.

This is an interesting development coming from the party that once deployed their support for abortion in only the most extraordinary circumstances. The party of “safe, legal, and rare”—their terminology—has become the party that hedges their bets with infanticide and prioritizes convenience over human life.

Just across the river in Virginia, Ralph Northam and his cohorts were allowed to set a new reprehensible standard for what left-leaning America is willing to condone in the name of soulless politicking.

Tennesseans told me they want to see their representatives speaking up. They want to see women speaking up on behalf of life, families, and the unborn. They see clearly that if protecting life is the hallmark of the conservative movement, then, destroying life is the hallmark of a more liberal approach. They want us to draw a line in the sand and declare once and for all that loopholes and legislative tricks will no longer be tolerated because, for them, abortion is not up for casual discussion. They see how clearly and how easily the left trifles with the lives of children, and they are repulsed by it. What they want us to do is to focus on getting things done that are important to them. And, yes, to Tennesseans, being able to say the right to life, liberty, and pursuit of happiness is something that has a deep meaning.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

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

Mrs. BLACKBURN. 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 bill clerk called the roll.

(Mr. CRUZ assumed the Chair.)

(Mr. CRAMER assumed the Chair.)

Mr. THUNE. The following Senators are necessarily absent: the Senator from South Dakota (Mr. ROUNDS) and the Senator from South Carolina (Mr. SCOTT).

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET), the Senator from New Jersey (Mr. BOOKER), the Senator from New York (Mrs. GILLIBRAND), the Senator from California (Ms. HARRIS), the Senator

from Minnesota (Ms. KLOBUCHAR), the Senator from Vermont (Mr. SANDERS), the Senator from Massachusetts (Ms. WARREN), and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

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

The result was announced—yeas 86, nays 4, as follows:

[Rollcall Vote No. 369 Ex.]

YEAS—86

| | | |
|--------------|------------|------------|
| Alexander | Fischer | Peters |
| Baldwin | Gardner | Portman |
| Barrasso | Graham | Reed |
| Blackburn | Grassley | Risch |
| Blumenthal | Hassan | Roberts |
| Blunt | Hawley | Romney |
| Boozman | Hirono | Rosen |
| Braun | Hoeven | Rubio |
| Brown | Hyde-Smith | Sasse |
| Burr | Inhofe | Schatz |
| Capito | Isakson | Schumer |
| Cardin | Johnson | Scott (FL) |
| Carper | Jones | Shaheen |
| Casey | Kaine | Shelby |
| Cassidy | Kennedy | Sinema |
| Collins | King | Smith |
| Coons | Lankford | Stabenow |
| Cornyn | Leahy | Sullivan |
| Cortez Masto | Lee | Tester |
| Cotton | Manchin | Thune |
| Cramer | McConnell | Tillis |
| Crapo | McSally | Toomey |
| Cruz | Menendez | Udall |
| Daines | Merkley | Van Hollen |
| Duckworth | Moran | Warner |
| Durbin | Murkowski | Wicker |
| Enzi | Murphy | Wyden |
| Ernst | Paul | Young |
| Feinstein | Perdue | |

NAYS—4

Cantwell

Markey

Heinrich

Murray

NOT VOTING—10

| | | |
|------------|------------|------------|
| Bennet | Klobuchar | Warren |
| Booker | Rounds | Whitehouse |
| Gillibrand | Sanders | |
| Harris | Scott (SC) | |

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 senior assistant 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 John L. Sinatra, Jr., of New York, to be United States District Judge for the Western District of New York.

Mitch McConnell, John Boozman, John Cornyn, Mike Crapo, Pat Roberts, Mike Rounds, Thom Tillis, Roger F. Wicker, Cindy Hyde-Smith, Kevin Cramer, John Hoeven, Rob Portman, Dan Sullivan, Chuck Grassley, Richard Burr, John Thune, Roy Blunt.

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 John L. Sinatra, Jr., of New York, to be United States District Judge for the Western District of New York, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from South Dakota (Mr. ROUNDS).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from New York (Mrs. GILLIBRAND), the Senator from California (Ms. HARRIS), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Vermont (Mr. SANDERS), the Senator from Massachusetts (Ms. WARREN), and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

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

The yeas and nays resulted—yeas 76, nays 16, as follows:

[Rollcall Vote No. 370 Ex.]

YEAS—76

| | | |
|--------------|------------|------------|
| Alexander | Fischer | Peters |
| Baldwin | Gardner | Portman |
| Barrasso | Graham | Reed |
| Blackburn | Grassley | Risch |
| Blumenthal | Hassan | Roberts |
| Blunt | Hawley | Romney |
| Boozman | Hirono | Rosen |
| Braun | Hyde-Smith | Rubio |
| Brown | Inhofe | Sasse |
| Burr | Isakson | Schumer |
| Capito | Johnson | Scott (FL) |
| Cardin | Jones | Scott (SC) |
| Carper | Kaine | Shelby |
| Casey | Kennedy | Sinema |
| Cassidy | King | Smith |
| Collins | Lankford | Stabenow |
| Coons | Leahy | Sullivan |
| Cornyn | Lee | Tester |
| Cortez Masto | Manchin | Thune |
| Cotton | McConnell | Tillis |
| Cramer | McSally | Toomey |
| Crapo | Moran | Warner |
| Daines | Murkowski | Wicker |
| Duckworth | Murphy | Wyden |
| Durbin | Paul | Young |
| Enzi | Perdue | |

NAYS—16

| | | |
|------------|----------|------------|
| Blumenthal | Hirono | Smith |
| Brown | Markey | Udall |
| Cantwell | Menendez | Van Hollen |
| Duckworth | Merkley | Wyden |
| Durbin | Murray | |
| Heinrich | Schatz | |

NOT VOTING—8

| | | |
|------------|-----------|------------|
| Booker | Klobuchar | Warren |
| Gillibrand | Rounds | Whitehouse |
| Harris | Sanders | |

The PRESIDING OFFICER. On this vote, the yeas are 76, the nays are 16.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The Clerk will report the nomination.

The senior assistant legislative clerk read the nomination of John L. Sinatra, Jr., of New York, to be United States District Judge for the Western District of New York.

ORDER OF PROCEDURE

Mr. WICKER. Mr. President, I ask unanimous consent that following the

closure vote on Executive Calendar No. 353, the time following the recess until 4:30 p.m. be reserved for tributes to retiring Senator ISAKSON; further that the time from 4:30 p.m. to 5 p.m. be equally divided between the leaders or their designees on the nomination, and that at 5 p.m., the Senate vote on closure on the following nominations in the order listed: Executive Calendar Nos. 478, 381, 459, and 460; that if closure is invoked, the confirmation votes on Executive Calendar Nos. 353, 478, 381, 459, and 460 occur at 2 p.m. on Wednesday, December 4.

I further ask unanimous consent that the mandatory quorum call with respect to the Duncan nomination be waived and that the cloture votes on Executive Calendar Nos. 479, 489, and 386 occur at 11:30 a.m. on Wednesday, December 4, and that if closure is invoked, the confirmation votes occur at a time to be determined by the majority leader in consultation with the Democratic leader on Thursday, December 5.

I further ask unanimous consent that, with respect to all the votes ordered in this agreement, if the nomination is confirmed, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

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

Mr. WICKER. Mr. President, I ask unanimous consent that Senator FEINSTEIN be allowed to speak for up to 10 minutes prior to the scheduled recess.

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

The Senator from California.

NOMINATION OF SARAH E. PITLYK

Mrs. FEINSTEIN. Mr. President, I rise today in opposition to the nomination of Sarah Pitlyk to the United States District Court for the Eastern District of Missouri. Ms. Pitlyk's record is extremely troubling and raises a number of questions about her ability to be a fair and impartial judge.

Ms. Pitlyk was deemed by the American Bar Association to be Not Qualified, one of only 3 percent of people reviewed by the Bar over the past 3 years. This is the first that I have had occasion to review in total. A district court judge, as you well know, must hit the ground running. Ms. Pitlyk's lack of practical knowledge and experience would significantly disadvantage the litigants appearing before her.

I also want to acknowledge the highly unusual nature of a "Not Qualified" rating by the Bar; 97 percent of President Trump's nominees have been rated at least "Qualified" by the American Bar Association. This means that Ms. Pitlyk falls in the small minority—just 3 percent—of candidates deemed not qualified by the American Bar Association. This shows how rare that rating is. The ABA has been reviewing the qualifications, as you already know, of judicial nominees since 1989. They know what they are doing, and those of us on the committee take their evaluations very seriously.