



Mark Pittman

President Trump nominated Mark Pittman to serve on the U.S. District Court for the Northern District of Texas on January 16, 2019. Pittman is anti-choice.

Career¹

- Bachelor of Science, Texas A&M University, 1996
- Juris Doctorate, University of Texas School of Law, 1999
- Litigation Associate, Kelly, Hart & Hallman LLP, 1999-2000
- Clerk, Hon. Eldon B. Mahon, U.S. District Court for the Northern District of Texas, 2000-2001
- Litigation Associate, Kelly, Hart & Hallman LLP, 2001-2004
- Trial Attorney, U.S. Department of Justice, Civil Division, Commercial Litigation Branch, 2004-2007
- Assistant United States Attorney, Northern District of Texas, 2007-2009
- Senior Attorney, Federal Deposit Insurance Corporation, 2009-2011
- Enforcement Attorney, United States Securities and Exchange Commission, 2011-2015
- Special Assistant United States Attorney, U.S. Attorney's Office, Northern District of Texas, 2014-2015
- District Judge, 352nd Judicial District Court, Fort Worth, TX, 2015-2017
- Associate Justice, Second Court of Appeals, Fort Worth, TX, 2017-present
- Adjunct Professor, Texas A&M University School of Law, 2019-present

Record on Choice-Related Issues

Notable Information

- Pittman gave several nearly-identical speeches in which he discussed his “thoughts on the proper role of the courts and judges under the Constitution,” opined on abortion rights, and discussed politics:²
 - “In Fort Worth, one of our current federal judges, Reed O’Connor, enjoined the enforcement of an administrative rule by Obama’s Department of Health and Human Services (Sec. 1557 of the ACA) that would have required doctors to provide abortion and gender-reassignment surgeries under Obamacare even if it conflicted with their religious beliefs. Judge O’Connor also entered a nationwide injunction against an administrative rule adopted by Obama’s

Department of Education that students could use any bathroom in every public school, college, and university in the United States as long as they claim it aligns with their gender identity.” He continued, “We are very fortunate that though Texas has had judges appointed by Republican and Democrat presidents, with a few notable exceptions, Texas has had very few truly activist judges. Most of our Texas federal judges have always followed the proper role of a judge as envisioned by the founding fathers.”

- After celebrating nationwide injunctions against President Obama’s executive actions intended to protect the rights of women and the LGBTQ community, Pittman criticized a Hawaii judge for issuing a nationwide injunction against President Trump’s discriminatory Muslim ban in notes for the same speech. He said, “One unlected [sic] judge in Hawaii, through [sic] out an order signed by the President for the entire country.”
- “I will tell you that what federal attorneys spend their time at work doing can depend greatly on who occupies the White House... Under President Obama, however, there was more of a push for government attorneys to spend their work days attending training sessions about various social issues. In practice, the Justice Department’s congressionally-mandated job of prosecuting criminals often took a back seat to curing perceived social ills, such as the prosecution of local police departments for not having enough female or minority officers. Under Obama, conservative or traditional viewpoints were stifled, while progressive propaganda was often on full display in the offices and break-rooms.”
- “Liberal activist Supreme Court Justice William Brennan once said that, ‘with five votes you can do anything around here. Boy, was he right. Over the last few decades the federal courts have given themselves the power to regulate every aspect of our lives from schools and prisons. The courts have created new rights that are no where to found [sic] in our Constitution. Among other things, the Supreme Court has upheld slavery, segregation, upheld the internment of Japanese-Americans, and found the words ‘separation of church and state’ somewhere in the Constitution.”
- Pittman excoriated Democratic senators for their skepticism of then-Supreme-Court-nominee Neil Gorsuch. He said, “Senator Chuck Schumer said the burden is on Judge Gorsuch to ‘prove himself to be within the legal mainstream’ and he should be subject to ‘a new standard’ of proving his judicial independence. His comments were echoed by Senator Jeff Merkley who declared Gorsuch to be of the ‘far extreme right’ and Sen. Sherrod Brown who said that Gorsuch was ‘far outside the judicial mainstream.’ Strange, but I

don't recall these three senators being so upset when President Obama said 'empathy' was the most important criterion in picking a Supreme Court candidate."

- "Frankly, as for me, I hope that President Trump appoints judges that abide by the role of judges as outlined in the Constitution over what is mainstream. Obviously, the mainstream doesn't always flow in the right direction and who decides what is mainstream and what is not?...We don't need judges who just go with the flow of the stream, but restrain themselves to the Constitution and the law and [sic] it was written and originally understood. From his recent decisions on the Court, I believe Judge Gorsuch understands this role... If you agree with me, I would encourage you to call the offices of Senators Cornyn and Cruz and tell them you want judges that do not believe the Constitution is a living document that changes at the slightest whim of a non-elected judge."
- "I have been a Republican since 1980 when I remember my father yelling at anything Jimmy Carter had to say during the Reagan/Carter presidential debates. I started volunteering for political campaigns in 1996, when Phil Gramm ran for President, and I later volunteered on the campaigns of then-Attorney-General Abbott and Governor Bush."
- Pittman is a member of the conservative, anti-choice Federalist Society.³ The Federalist Society is led by Leonard Leo, the anti-choice activist who is heavily involved in selecting Trump's Supreme Court and lower court nominees. Leo has been outspoken in his anti-choice views, calling abortion "an act of force" and "a threat to human life,"⁴ and serves as co-chairman of Students for Life,⁵ a group whose mission is to "abolish abortion."⁶

Record on Other Key Issues

- Pittman is active in the Republican Party. He is a member of the Tarrant County Republican Party and volunteered in his personal capacity for the re-election campaign of anti-choice then-Gov. George W. Bush and for the presidential campaign of anti-choice candidate Phil Gramm.⁷

¹ *Questionnaire for Judicial Nominees: Mark Timothy Pittman*, UNITED STATES SENATE COMMITTEE ON THE JUDICIARY, <https://www.judiciary.senate.gov/imo/media/doc/Mark%20Pittman%20SJQ%20-%20PUBLIC.pdf>

² Mark Pittman, Speech to the Denton County Pachyderm Club (Sept. 6, 2017); Mark Pittman, Speech to the Fort Worth Breakfast Club (June 23, 2017); Mark Pittman, Speech to the Fort Worth Republican Women's Club (Feb. 22, 2017)

³ *Questionnaire for Judicial Nominees: Mark Timothy Pittman*, UNITED STATES SENATE COMMITTEE ON THE JUDICIARY, <https://www.judiciary.senate.gov/imo/media/doc/Mark%20Pittman%20SJQ%20-%20PUBLIC.pdf>

⁴ Jeffrey Toobin, *The Conservative Pipeline to the Supreme Court*, THE NEW YORKER (April 17, 2017), <https://www.newyorker.com/magazine/2017/04/17/the-conservative-pipeline-to-the-supreme-court>

⁵ *Board of Directors*, STUDENTS FOR LIFE, <http://studentsforlife.org/supporters/board-of-directors-1> (last visited July 5, 2018)

⁶ *Mission Statement*, STUDENTS FOR LIFE, <http://studentsforlife.org/about/mission-statement/> (last visited July 5, 2018)

⁷ *Questionnaire for Judicial Nominees: Mark Timothy Pittman*, UNITED STATES SENATE COMMITTEE ON THE JUDICIARY, <https://www.judiciary.senate.gov/imo/media/doc/Mark%20Pittman%20SJQ%20-%20PUBLIC.pdf>