United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 115th CONGRESS, SECOND SESSION

Vol. 164 WASHINGTON, TUESDAY, NOVEMBER 27, 2018 No. 186

Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, awe and wonder grip us as we think about Your love, wisdom, and power. Thank You for choosing us to serve You and country. Guide us in our work and strengthen us for every challenge.

Lord, bless our lawmakers. Give them the wisdom to make a commitment to integrity. May they refuse to deviate from right paths, seeking always to accomplish Your purposes on Earth. Use them to help those whose hopes are crushed, who live on life's margins with no expectations of better times to come.

Remind our Senators each day of their accountability to You. May they press on with the duties of this day with hope in their hearts.

We pray in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. TOOMEY). Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session and resume consideration of the following nomination, which the clerk will report.

The bill clerk read the nomination of Stephen Alexander Vaden, of Tennessee, to be General Counsel of the Department of Agriculture.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that following the cloture vote on the Kelley nomination, the Senate recess until 2:15; further, if cloture is invoked, all time during the recess counts postcloture on the nomination.

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

BUSINESS OF THE SENATE

Mr. MCCONNELL. Mr. President, the Senate returned from our Thanksgiving recess and got back to work.

Since the election earlier this month, there has been plenty of prognostication about what the new Congress will bring, but I would rather focus on the one we are still involved in, and this Congress has more business to complete before the end of the year. Even after two historic years of accomplishments for the American people, there are still important items left to check off our list.

Yesterday evening, we voted to advance the nomination of Stephen Vaden, the President's choice, to serve as general counsel for the Department of Agriculture.

Mr. Vaden has strong legal credentials, both public and private sector experience, degrees from Vanderbilt and Yale, and he comes with an upbringing in agriculture. He grew up on his family's farm in Union City, TN—and according to the Tennessee Farm Bureau, it shows. As my friend Senator ALEXANDER referenced yesterday, that organization wrote that Vaden has ''a passion for agriculture that can't be taught, but that is necessary for the job'' of general counsel.

It is hardly surprising, then, that this nominee received bipartisan support at the committee level, including the support of the ranking member.

What is surprising? The fact that since clearing the committee, Mr. Vaden's nomination has languished for 351 days, waiting for Senate Democrats to end their obstruction—long, even by the standards of this Congress. So I hope that each of my colleagues will join me in turning the page and voting to confirm Mr. Vaden later today.

Following the Vaden nomination, we will turn to consideration of Karen Kelley to serve as Deputy Secretary of Commerce. She is a graduate of Villanova. She has built a 35-year record of expertise in investment, management, and financial strategy.

She currently serves as Undersecretary—a position to which she was unanimously confirmed by the Senate—and oversees the Department's statistical programs through the U.S. Census Bureau and the Bureau of Economic Analysis. Ms. Kelley is already acting in the role to which she has been nominated.

Through this service, Ms. Kelley has earned the respect and esteem of her colleagues at the Department. Secretary Ross has said he is thankful to have such a qualified individual fill the position.

I hope my colleagues will join me in voting to advance her nomination today with a strong bipartisan vote.

As we look over the record of this 115th Congress, a number of accomplishments were made possible with significant bipartisan support—from landmark opioid legislation to major improvements in veterans' medical care and services, to our tremendous progress on appropriations and a lot more.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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Our remaining work will require more of that bipartisan spirit when it comes to closing out appropriations, confirming more nominees, and other subjects as well. So let's continue the momentum and keep moving forward.

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

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

RECOGNIZING A NEW CERES STATUE FOR THE VERMONT STATE HOUSE DOME

Mr. LEAHY. Mr. President, this Friday, November 30, at noon, Vermonters will be gathering to see a large crane carefully hoist a 14½-foot carved statue of Ceres, the goddess of agriculture, atop the newly gilded dome of the statehouse in Montpelier. I was born in Montpelier, and I am proud of this because it is going to be a great moment for our State and for everyone involved in the project, which has captured the attention of not only Vermonters but of those who have been following the project from great distances with the help of social media.

The new version of Ceres replaces a 1938 replica of the original statue that was removed last April after too many severe Vermont winters took a toll on the wood figure. Since that time, Vermont artists Jerry Williams and Chris Miller have been hard at work creating the new Ceres, first sculpting a model and then, out of a big piece of mahogany, they chiseled the final mahogany figure.

Marcelle and I and my sister Mary, along with David Schutz, had the pleasure of visiting the Vermont Granite Museum in Barre, VT, a few months back to witness Mr. Miller at work.

I am the grandson of two stone carvers. One of my grandfathers immigrated to Vermont from Italy. The other, my Irish grandfather, carved stone in Barre. So it was a thrill to see how Mr. Miller used the original tools of the trade.

He took raw wood and turned it into the fine details we now see, from Ceres' flowing robes to the distinctive veins in her hands. It was really remarkable to see this hunk of wood turn into a real person.

Both artists learned their techniques by studying in the studios of Barre's stone carvers. It is a specialized art that requires intense dedication, patience, skill, and practice. We are so fortunate that artists such as these have carried on a tradition that makes Vermonters proud.

It reminds me of the times as a child when I would go in and watch stone carvers at work in Barre, where my father was born, and watch them turn stone into pieces of pure art.

In this case they are using wood. Incidentally, the reason the statue is made out of wood instead of stone is that wood weighs less, and there is only so much weight the dome can hold.

I grew up in a home across the street from the Vermont State House. Ceres was always in our sights. Walking to school, coming back from school, doing my paper route, and being out with my brother and sister and my parents, we would always see Ceres. She is a strong figure, one that befits a State where farming and soil and hard work are so closely linked to our lives.

Frankly, over the past few months, when I have been home in Vermont, going by the statehouse and seeing it without Ceres has been odd because it has always been part of my life. So this Vermonter and Vermonters like my wife Marcelle and others are going to be glad to have her back.

Mr. President, I ask unanimous consent that this November 10 article from the Barre, VT, Times Argus, profiling these two sculptors be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Times Argus, Nov. 10, 2018]

FOR THE LOVE OF CARVING: JERRY WILLIAMS AND CHRIS MILLER EARN GOVERNOR'S HONORS

(By B. Amore)

Jerry Williams and Chris Miller are united in their love of the ancient craft of carving. It is this common love that has brought them together as a team in creating the 14.5–foot statue of Ceres for the Vermont State House dome. This project, and their separate accomplishments, have won them the 2018 prestigious Governor's Award for Excellence in the Arts, which will be presented by Gov. Phil Scott at the State House Nov. 14.

Carving, a reductive process that was once part of every classical sculptor's training, has now become the purview of a discrete selection of artists in the United States. Barre, of course, is a mecca of stone carving, primarily in granite. Its community of skilled carvers who work in the monument trade, as well as executing large public art sculptures and making their own personal work, is a unique resource.

The native stone of the surrounding region, and the culture of carved sculpture, drew both Williams and Miller, albeit by different paths. Williams talks of attending the art program at Johnson State College and being the only one interested in learning clay sculpture. It was at a time when conceptual work and mixed media held sway in the art world, but he was interested in learning the basics of sculpture. In order to learn ''real'' sculpture at the source, he set up an internship with Frank Gaylord, who trained a generation of Barre sculptors. That internship turned into a job and a life in granite.

Eventually, Williams founded his own shop, the Barre Sculpture Studio. He talks of belonging to a ''lineage'' in the sense of the classical studio system that exists in Carrara, Italy, and that was brought to Barre and to the Vermont Marble Company in Proctor in the 19th century.

Generally, a well-known sculptor would create a model and the expert carvers in the sculpture studios would then execute it. ''Youth Triumphant,'' a Barre monument depicting a young warrior pleading for world peace, was carved by Gino Enrico Tosi, Enrico Mori and John Delmonte from a model created by famous New York sculptor C. Paul Jennewein. Williams is one of the few sculptors in Barre who creates his own model for a commission and then sees it through to execution in his studio.

Miller began woodcarving independently in 1976 while studying art at Southern Connecticut State University and Southern Vermont College in Bennington. Although he is largely self-taught, he worked with the sculptors Lothar Werslin and Billy Brauer of Vermont to hone his skills in drawing, sculpture, and anatomy. For his first 25 years as a working artist, he carved only in wood.

Living in Calais, in Barre's shadow, it was inevitable that Miller would eventually carve stone. Finding his way to the studios of several Barre sculptors, he learned the rudiments of stone carving, and since then has been working in wood and stone, doing both public commissions and personal work.

According to Miller, Williams' classical studies have enabled him to become one of the best figurative sculptors in Vermont. As Miller meticulously carves the Ceres statue in wood, he is constantly taking measurements from Williams' exquisite model.

Williams is a consummate artist and craftsman, and builds his models from the inside out, beginning with a metal armature, layered over with clay to create a nude body, then layering clothing on that. His knowledge of anatomy underlies the figure, giving it a much more realistic sense than most contemporary sculptors are able to achieve with less rigorous means. Miller's own anatomy studies enhance the liveliness of his carving so that there is an incredible flow to Ceres' robes—something that is very evident in the supine form that is near completion at the Vermont Granite Museum in Barre.

Miller's portraits in wood are incredibly sensitive. The character of the individuals shines through the seemingly obdurate material. Miller is imbued with a love of carving and speaks of feeling relaxed and joyous at the end of a day of work. His portrait piece ''Stanley Fitch,'' complete with eyeglasses carved on the face, feels like an integral part of his subject's personality.

The elderly farmer, ''Percy,'' and the couple, ''Howard and Dot,'' are more expressive and personal than a photograph or a painting. The character of each person seems alive before our eyes, under Miller's sensitive strokes. The flow of the lines of carving, all done by hand, follow the form as intimately as a sculptor's fingers working clay. This is an extraordinary achievement and a real legacy creation for many generations.

Most of Miller's personal work in granite and marble is figurative. The female form seems to be of endless inspiration to him. He has also joined forces with other sculptors who have an ongoing project at the Millstone Hill Sculpture Park on the site of the old Websterville quarry. There is a plentiful supply of grey Barre granite, and one never knows when one of Miller's trolls or Hephaestus, the god of fire, might emerge from an old quarry block. Another popular work is a sculptural truck that Miller built, with community support, that resides in Maple Corner, Calais.

Miller doesn't see much of a difference between public and private work. He approaches them with the same spirit. With personal sculptures shown in galleries, he never knows where they will end up. With a public art piece, the area has to be researched, and the artist has to come up with an idea that is relevant. For one commission in Marion, Iowa, a bike-centric community, Miller designed a bike rack supported by granite gloves carved from the town's photos. One of his bike racks featuring gargoyles engaged in an eternal tug of war graces Barre's North Main Street.

Williams' approach to working with clients on public commissions is a genuinely collaborative one, whether he is working on a

memorial sculpture for a family grieving over the loss of their infant daughter or a 10-foot-high granite Teddy bear for Highland Park in Dallas, Texas. His modus operandi is consistently professional, beginning with drawings, moving towards a clay model, then the final execution in stone using diamond saws and pneumatic tools powered by air. For the Barre City and Elementary School, Williams chose to create a collection of free-standing Teddy bears tumbling playfully in one of the sculptural niches at the school.

Williams admits that the challenge of running a carving business and creating personal work is not an easy one. He's not sure that there is a ''happy medium,'' and often feels that he is ''stealing time'' to make personal work. His personal work is often carved granite and mixed media. Two pieces that demonstrate this are ''Argon,'' a split sphere, combining high polish and texture that contains a line of blue argon gas. ''Neon,'' a linear piece with a mysterious, mask-like face, is illuminated with a center of red. Williams loves the effect of the light energy contrasting with the density of the stone. Other pieces are always representational, but not figurative. The work ''Warm Gun'' is a tour de force of softly draped fabric covering a form that reveals itself as a gun only after close inspection.

Williams and Miller belong to a group of sculptors who believe in collaboration. At times, an artist is awarded a commission and will come to Williams to create the model. If Williams or Miller needs help on a larger project, they may bring in one or two other carvers. Large-scale sculpture takes a cooperative effort, and it is this spirit of sharing between Williams and Miller that animates the Ceres project. They both tell of a chance meeting at LBJ's store in Worcester and discussing the requirements for the Ceres sculpture. It was that informal conversation that led them to the path of creating a proposal together to apply for the commission.

Williams was involved in the early days of the Barre Sculptors and Artisans Guild, a loose affiliation of Barre carvers who were also creating their own personal sculpture. What began as a Friday afternoon gathering to drink beer together at Gaylord's studio blossomed into a group that showed their work together. Their first show filled Williams' studio in 1986. Some of those carvers still participate in the annual Stone Show at Studio Place arts.

Williams also participated in the Burlington International Sculpture Symposium organized by University of Vermont professor and sculptor Paul Aschenbach. The intense six-week symposium resulted in a park on the site of the Moran Municipal Generation Station, which endured for 23 years. Local sculptors worked with sculptors from Japan, Germany, Czechoslovakia, Scotland, the Netherlands and Romania to create a people-friendly environment that has been temporarily dismantled and hopefully awaits a second installation in Burlington's redesigned waterfront area.

Sue Higby, director of Barre's Studio Place Arts (SPA), has supported the personal work of Barre carvers by hosting the annual Stone Show at SPA. She has also been a key mover in the execution of public projects in Barre, including developing and securing funding for the Stone Sculpture Legacy Program, which was supported initially by the Charles Semprebon Fund. It was Higby who approached Miller with the idea of creating a site-specific piece in a narrow space between Studio Place Arts and Barre City Place. The resulting ''Unzipping the Earth,'' simultaneously a sculpture and a garden, was designed and executed by Miller, and won the 2014 American Society of Landscape Architects Merit Award for Public Places.

Both Miller and Williams are outstanding examples of the creativity and perseverance that marks sculptors who carve stone or wood. In dealing with an obdurate material, one has to have an eternally flexible attitude—a willingness to work with the stone, not in competition with it—a willingness to bend the carving to follow the flow of the grain of the wood or stone.

Vermont is fortunate to count these seasoned professionals among the ranks of its profuse community of artists. They are exemplars of artists who have followed their individual paths, and have succeeded in creating exceptional works of art in both the public and private sphere. They have given generously to their communities, and richly deserve the Governor's Award for Excellence in the Arts.

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

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

BORDER SECURITY

Mr. CORNYN. Mr. President, next Friday marks an important deadline in funding the Federal Government. While we have been effective in passing appropriations bills that have funded 75 percent or so of the government, there is still a small but important portion left to be negotiated before we break for Christmas.

Part of the debate will be how we go about securing our border, especially as recently, several large caravans of men, women, and children have left their homes in Central America and made the long, dangerous trek to the United States via Mexico. The truth is that the caravans occur on a daily basis. Of course, most of that hadn't penetrated the consciousness of the American people because it took thousands of people en masse, in a big caravan, to actually get their attention and get the attention particularly of the President of the United States.

I bet it would surprise most Senators and most Members of the House to know that in 2017 alone, there were 396,000 people detained at our southern border—almost 400,000 people. These caravans, whether they are the large, massive caravans like we see in Tijuana or the minicaravans that occur daily in places like the McAllen sector for the Border Patrol—this is a big and important issue. But funding is only one piece of the puzzle when it comes to border security and the migrant crisis.

I would like to say that I was encouraged by a story that I saw in the Washington Post dated November 24 entitled ''Deal with Mexico paves way for asylum overhaul at U.S. border.'' This article goes on to talk about a policy of ''Remain in Mexico,'' where the Mexican Government has actually provided work permits and offered asylum to Central Americans transiting Mexico. Some of them have taken the Government of Mexico up on those, but many of them want to come to the United States, understandably, and the problem is how to deal with these large numbers of asylum seekers. This development, if it proved to be accurate, I think represents an impressive change in policy on the part of the Government of Mexico in a very constructive sort of way.

I want to congratulate Secretary Nielsen, the Secretary of Homeland Security, Secretary Pompeo, and the entire Trump administration for undertaking this delicate and difficult negotiation because this really represents a sea change in the way the Government of Mexico regards the migrant crisis. In other words, it is not just our problem. They themselves regard it as part of the solution to this challenge.

But the truth is, we can't look at this issue like we are looking through a soda straw. I had reporters yesterday ask me ''Well, what about what is happening at the bridge in Tijuana,'' as if that were the whole story. We can't narrowly focus on just one part and refuse to see the full picture, and that is what I want to talk about here briefly.

We won't secure our borders and we won't solve the migrant crisis or improve our asylum system by simplistically looking at the problem. We need to look at this as symptoms of a far more serious problem. This is especially true as the issue of migrants illegally crossing our borders is not new. It has been happening for a long time. It is only recently that there has been no new net migration from Mexico because of improved economic conditions there, and we have seen the flood of people coming up from noncontiguous countries, like those in Central America. But of course it started with the softening of our borders and the disregard of our Nation's immigration laws, and it has continued with the rise of crime and corruption across countries in Central America.

We need to secure our borders, to be sure. You would not think that would be a controversial statement, but apparently some of our colleagues view our efforts to secure our borders with ridicule. They act as though this is not a problem, that this is something all about the midterm elections. Well, the midterm elections have passed, the problem persists, and we need to do something about it.

We do need to partner with Mexico, as I mentioned a moment ago, but also the Central American governments to fight against the cartels and the gangs who are terrorizing these countries and affecting ours in such a negative way, in a way that will help address this migrant crisis that we are seeing symptoms of at the ports of entry in Tijuana, for example.

In Tijuana, about 5,000 immigrants made their way there, and more are on their way. The truth is, every time someone successfully penetrates our border by exploiting gaps in our immigration law or by illegally entering the

United States, it is an encouragement for more people to do exactly the same. Anybody who thinks that a caravan of 5,000 migrants coming from Central America is the last caravan that will attempt to penetrate our borders is engaged in a flight of fantasy because human nature ought to tell us that if it is successful, there are going to be more right behind them. We need to deal with this. We need to deal with the crisis that the Tijuana mayor has called a humanitarian crisis. That reminds me of what President Obama called the crisis of unaccompanied minors coming from Central America a few years ago when he was President; he called it a humanitarian crisis as well. We need to work together to try to solve it.

We know that this group of migrants isn't entirely made up of innocent asylum seekers fleeing poverty or violence in their home countries. The truth is, we haven't really been able to vet the people in the caravan. And that, of course, is one of the goals of our legal immigration system—being able to look at people as individuals and determine: Do you have a criminal record? Have you been deported previously for illegally entering the United States? It is true—I am confident that this mass of people does include people like criminals and other migrants who intend to exploit gaps in our immigration laws and some who have already been deported one or more times from the United States for violating our immigration laws.

I believe the United States is the most generous country in the world when it comes to legal immigration. We naturalize almost a million people a year, and we are the better for it. We have always considered ourselves to be a nation of immigrants but not uncontrolled illegal immigration. That is a recipe for chaos and danger. We have always been a nation that believed in some order, and the rule of law was important when it came to naturalizing people and becoming part of the great American family. We have always provided refuge to those who fled their countries based on persecution because of their religion or their race or their political orientation or their nationality or because they belong to a particular group. We expect those who enter our country to respect our sovereignty and the rules and laws of the U.S. Government. There is a process for coming into the country legally, and that is the process that should be followed here.

I might say that when a mob of migrants tries to break through the border barriers in Tijuana, it is fundamentally—in addition to everything else I said—unfair to the people who stood in line and tried to enter the country legally and waited their turn for them to break to the head of the line and try to enter by force.

Unfortunately, there are organizations that exploit our generosity and use our borders as a transit corridor for all sorts of illegal activity, including drugs and human trafficking. Believe me, if you look at the trial that is occurring in Manhattan today, El Chapo, you can learn a little bit about the complex, big, lucrative business that being head of a drug cartel entails.

Unfortunately, transnational criminal organizations—another word for cartels—have overrun some of the legitimate governments in Central America, and it is no wonder that people are fleeing. Therein lies the root of the current problem. The cartels and the gangs have figured out that it is quite lucrative to traffic migrants to the United States. Based on what I have read, maybe $6,000 to $8,000 is paid to a drug cartel—one of these transnational criminal organizations—to transport a person from Central America to the United States. That is a pretty good, lucrative business. Unfortunately, it is illegal and dangerous too.

This is exactly the same business model that is used to transport drugs into the United States. Last year, according to the Centers for Disease Control, 72,000 Americans died of drug overdoses in the United States. About 50,000 of those were opioid-related. Some of those were fentanyl, a synthetic opioid. Some of those were prescription opioids. But a significant portion of those were heroin, and 90 percent of the heroin that makes its way into the United States comes from Mexico.

This is the dirty business of the cartels, these transnational criminal organizations—trafficking migrants and children and women for sex and illegal drugs. They are commodity agnostic—whatever will make them money, they will engage in, no matter how vile, how cruel, or how dangerous. They have no morality whatsoever and no regard for life at all. The cartels know we are a generous country and take full advantage of our gaps in border security and immigration laws. As long as we fail to address this issue, we are complicit in making these cartels richer. By our own inaction, we are facilitating their illegal and dangerous enterprise.

This is not just a problem with immigration or drugs or smuggling; it is about all of these issues combined. It starts with the reign of the cartels and gangs in countries like Mexico and countries in Central America. Gangs like MS–13 and Barrio 18 in Central America threaten the safety and stability of the people who live in those countries. They fill an endless circle of supply and demand and operate in a vacuum of power with impunity. But their terror does not stop at their border or our border. Like the mob we have seen on TV, they are crashing through borders and threatening our border communities. They are interrupting legitimate trade and commerce through the ports of entry.

We saw that the port at San Ysidro was shut down because it couldn't accommodate the mob of asylum seekers and conduct legitimate trade and traffic at the same time. So it has a very real prospect of threatening to disrupt not only the U.S. economy and jobs but that of our Mexican colleagues as well. I think that is part of what has gotten the attention of the Government of Mexico. Their life blood is trade with the United States. If that is prevented because of the mobs of people coming across, trying to break through barricades and enter our country illegally, then that threatens that life blood and their economy.

My home State of Texas shares a 1,200-mile common border with Mexico, and about 40 percent of my constituents are of Hispanic origin. The communities along the Texas border are vibrant, and they rely upon the millions of dollars of legitimate trade that pours through our ports of entry. Texas is home to 29 air, land, and sea ports of entry. That is more than any other State in the Nation. About half of the U.S.-Mexico trade moves through a Texas port of entry.

As the volume of commerce that crosses our borders has tripled in the last 25 years, Customs and Border Protection has struggled to keep up with the staffing needs. The infrastructure is old and is being exploited, too, particularly by drug traffickers, who move their high-value cargo through the ports of entry.

Texans who live and work in those regions know they can't afford the cartels' continued exploitation of our flawed system. So we need to look at how we can address the thousands of migrants who look to cross our borders and the cartels who exploit our laws while we still protect legitimate trade and travel. Any solution we find must try to strike a balance between compassion for the migrants and respect for the rule of law and fundamental fairness to those who are doing it the right way.

I have taken, of course, numerous trips to the border to meet with the Border Patrol, and I have heard from many of them on this issue. When migrant caravans cross our borders, Customs and Border Protection not only has to deal with this massive humanitarian crisis, but it has to ensure that the cartels can't take advantage of opportunities that have been opened up by the fact that the Border Patrol is now consumed with trying to process children and families through the ports of entry in accordance with U.S. law. The cartels know that and take every advantage by moving their drugs through the ports of entry or between the ports of entry because they know the Border Patrol is otherwise occupied with paperwork and other distractions.

We need to work more closely with our allies in Mexico and Central America to keep commerce alive, which, as I said, is the lifeblood of the economy. By helping in Central America, we can begin to address the root problems that have forced many to flee.

At the same time, we need to secure our borders and protect our free trade.

As I said, if our ports of entry are clogged with thousands of migrants, legitimate trade comes to a standstill. That not only hurts our economy, particularly in border communities along the U.S.-Texas border, but also our southern neighbor's, Mexico.

The fact of the matter is the United States cannot alone bear the burden of this mass migration. We need our partners in Central America and Mexico to work with us to find solutions for these migrants, which is another reason I was encouraged by the article I mentioned in the Washington Post, which talked about the ''Remain in Mexico'' program as one way to begin to address some piece of this migrant crisis.

My friend HENRY CUELLAR, a Member of the House of Representatives, who represents border communities in South Texas, likes to say that we should focus on pushing back our borders. I think that is right. Border security ends at our border, but it starts in Central America and Mexico.

This week, the incoming President of Mexico, Lopez Obrador, will be sworn in. I hope to be at that inauguration on Saturday, December 1, in Mexico City. Soon-to-be-President Obrador said he is committed to dealing with the violence in Mexico that has been brought about by the cartels and gangs. I know the United States also shares a commitment to working with this new government in helping to reduce that violence.

Our two governments should continue to work closely together because our interests are aligned. Both of our countries want security, and we want the prosperity that comes from legitimate trade. Both of our countries want to see a decrease in the cartel and gang violence. Our relationship is an important one, and it must continue to be nurtured and to evolve because the gangs and the cartels surely will continue to adapt.

By partnering with governments in Central America and Mexico, we can help those countries in bolstering their economies, providing security for their people, and restoring the relationship between their communities and law enforcement to one that will be built on trust so that their people will feel safe again in their homes.

I stand ready to work with others on this issue, but neither I nor my Republican colleagues can do it alone. This will take a full bipartisan effort, and it is going to take a more serious approach than I have seen in some press accounts in which people want to focus, as with a soda straw, on one narrow aspect of the problem when it is much more complex and much more dangerous than that. So I would invite all of our colleagues to join us in enforcing our laws and securing our borders and protecting our economy by securing free and fair trade.

Those who say that by enforcing our laws one is somehow anti-immigrant are engaged in a slanderous lie. It is simply not true. Immigrants who come to the United States legally, who have waited patiently in line, deserve the respect and deserve the reward of their complying with the laws on the books. Somebody who jumps to the head of the line and violates our laws, who has no respect for the safety and security of our border communities, and who wants to facilitate the business model that the cartels have, by moving poisonous drugs or migrants for employment or by trafficking children and women for sex, has no regard for our border communities, for the rule of law, or for those migrants who come to the United States legally and appropriately.

This is not a onetime crisis. You can't be against human trafficking but for allowing migrants to be used as human commodities and to freely enter our country illegally. It is the same people who are bringing them into the country. You can't be against the opioid and drug addiction crisis but for allowing the cartels to exploit our borders by exporting their poison. You can't sit back and say you want to help migrants who flee their countries but not engage in bipartisan solutions. You simply can't have it both ways.

I hope we will take another look at this humanitarian crisis, as the mayor of Tijuana is calling it and as President Obama called it a few years ago when we saw this flood of unaccompanied minors coming across our borders from Central America, and deal with it with the seriousness and the gravity that it deserves. I look forward to working with my colleagues both in the House and the Senate, as well as with the administration and our partners in Central America and Mexico, to find solutions that address the migrant crisis without abandoning the rule of law or opening our borders or encouraging others to ignore our immigration laws.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mr. DAINES). The Democratic leader is recognized.

GENERAL MOTORS

Mr. SCHUMER. Mr. President, first, I would like to talk about the unfortunate news we heard from General Motors.

Yesterday, General Motors announced it was closing five factories and laying off 15,000 workers. The news is a gut punch to workers in Ohio, Michigan, and Maryland. Our hearts go out to them and their families. Many of these people have labored for decades, and many in their families have worked at GM. I know this from our GM plants in New York. To lose your job when you have put so much into it, only to wake up in the morning and say, ''my job is to make the best car possible,'' is a gut punch and worse.

We need to do more—a lot more—to encourage investments in American jobs, in American infrastructure, and to bring back manufacturing. What we don't need is more rhetoric from the President, who has made a whole lot of promises but who has, unfortunately, failed to deliver for these workers.

Here is what President Trump said last year about manufacturing jobs in Ohio:

> They're all coming back. . . . Don't move. Don't sell your house. . . . We're going to fill those factories up or rip them down and build new ones.

Here is what else he said:

> If I am elected, you won't lose one plant. . . . You're going to have jobs again. You won't lose one plant. I promise you that.

President Trump promised people in the campaign that we would not lose one plant. A lot of people voted for him for that reason. Guess where he said we would not lose one plant. Guess where President Trump promised the people we would not lose one auto plant—in Warren, MI. It is one of the plants that is now slated to close. The words are a painful reminder of just how bankrupt many of President Trump's promises turn out to be.

Do you remember Carrier? The President swept into office and promised that Carrier would stay open, thanks to him. He had done a big rally, and 6 months later, Carrier had laid off hundreds of workers in Indiana and had moved its positions to Mexico.

This is what the President does. He makes big, bold, impossible promises without having much care for the results. Instead of overpromising, the President should roll up his sleeves and work with GM to prevent it from cutting jobs.

The American taxpayer has supported GM through tough times. Last year, the Republicans handed GM a windfall of $150 million in its tax bill so GM could bring back money from overseas. It said it would do it and employ people. Well, it is bringing back money from overseas, but it is not employing people. That is what American companies are doing. GM pocketed the tax break we gave it and is closing up shop anyway—with nary a word from the President until after the fact.

I see my friend from Illinois here. We Democrats believe you don't give tax breaks to big companies unless they do something for their workers—not stock buybacks, but employ people, train people, pay them good wages, give family leave. The President gives corporate America—wealthy, big corporations—just what they wish but does nothing to protect workers, except to talk a lot.

So I would ask my friends in New York State and throughout the Midwest and throughout America—working families, the kind of people I came from: When are you going to understand that this man sells you a bill of goods? that this President talks a good game but never delivers on his promises? That is what Americans and working Americans, in particular, should understand about President Trump.

The awful closings from yesterday are terrible. They are a sad symbol of a President who has failed the American working people and given them a

lot of hot air and no real gains. Corporate America—the wealthy—are doing great. Working people—average Americans, people who sweat—get nothing. They are losing jobs.

We need more from this Congress than another tax cut for the wealthy, and the American worker needs more from President Trump than empty rhetoric. Just yesterday, he said: Well, there will be new plants. How many people are going to believe that? He has been saying that for 2 years.

CLIMATE CHANGE

Mr. President, last week, the Trump administration released an important report on climate change that warned of dire consequences by 2050—of devastating storms, hundreds of billions of dollars of damage, a massive drain on the economy. The fact that this administration released the report on Black Friday is wrong. It is an obvious attempt to bury the findings. But guess what. Even though he released them on the Friday after Thanksgiving, those findings were not buried. They were on the front page of every newspaper. Then, of course, while his own administration issued a very strong report on climate change, he said: ''I don't believe it.''

I have said it before, and I will say it again: President Trump and the Republican Party are like ostriches when it comes to climate change. They bury their heads in the sand as the world changes and as more and more of America and American workers are put in danger.

The Trump administration itself has reported on how devastating the costs of their policies will be for future generations of Americans. This report is going to live on day after day, month after month, and year after year. This is not a 1-day story. This is conclusive evidence by the President's own administration of how bad climate change will be for incomes, for families, for workers, for farmers, and for cities. They can't run away from it anymore. It is about time they face the reality and work with us to do something before it is too late.

This report will be in the news again and again and again. It will bolster those who are going to court to prevent the administration from undoing many of the things the previous administration did on climate change.

It is a turning point—a very significant turning point—in the war, which it is, to keep our globe from getting far too hot for everybody's comfort.

NOMINATION OF THOMAS FARR

Mr. President, on the pending judicial nomination of Thomas Farr for a seat in the Eastern District of North Carolina, in his legal career, Mr. Farr has repeatedly defended efforts by North Carolina's Republicans to undermine voting rights generally and disenfranchise African-American voters specifically.

This man was chief cook and bottle washer of the State that probably did more to prevent people, and particularly minorities, from voting than any other State. It is so bad that the discriminatory congressional maps, drawn by the Republican legislature, which Mr. Farr defended, were struck down by the very conservative Supreme Court.

Mr. Farr defended North Carolina's absurdly restrictive voter ID law, also passed by the conservative Republican State legislature, and they tailored their election laws to disadvantage African-American voters after requesting race-specific data on voting practices. The law was one of five changes to registration and voting, all of which—all of which—disproportionately affected African Americans. That wasn't a coincidence; that was designed.

Mr. Farr called the provisions, which a Federal judge said ''targeted African-Americans with surgical precision,'' a minor inconvenience.

Finally, Mr. Farr was a lawyer for the reelection campaign of Senator Jesse Helms and may well have had preknowledge of a mailer sent overwhelmingly to Black voters, with the purpose of intimidating them from voting.

Partisan affiliation, my friends, should not matter in this debate. Voting rights are sacred. It is part of our soil in which the tree of democracy is nurtured. It shouldn't be a Democratic issue or Republican issue. Taking away the voting rights of Americans, of whatever race, creed, color, party, or region is a despicable act. It cuts against the very thing that generations of soldiers have died for—the right of democracy, the right to vote.

Every Senator here, including our Republican friends, should be disturbed by the fact that Mr. Farr has been involved, often directly, in multiple attempts to disenfranchise minority voters.

What sticks in the craw is, we are voting on Mr. Farr only because Republican Senators—when we Democrats were in the majority and still respected the blue slip, they blocked two nominees, both African American, both women, to represent a jurisdiction that is 27 percent African American and doesn't have a single African American judge, even though one-quarter of the people are African American. I don't care what the ideology is here. Then, adding insult to injury, they are putting on the bench someone who would disenfranchise people, particularly people of color. It is a disgrace.

This morning I called Stacey Abrams and Andrew Gillum, both of whom were hurt by attempts to limit voting rights, and they issued the following statement together:

> When it comes to the trifecta of voter disenfranchisement—voter suppression, racial gerrymandering, and restriction of voting rights—Thomas Farr is, sadly, one of the most experienced election lawyers in the country. . . . Thomas Farr's record of hostility and disregard for fundamental civil rights disqualifies him for a lifetime appointment that will allow him to codify his discriminatory ideology into law.

I couldn't agree more. I urge my Republican colleagues to see the better part of reason, to let, as Abraham Lincoln said—and we all know what he did—the better angels of their nature appeal to them, not just the political machine that says: This guy helped us get elected. Even if he took away voting rights of people, let's put him in.

One more point, the great Chief Justice John Roberts, who told us he would call balls and strikes, allowed a lot of this to happen when he authored the Shelby decision, which took away protections against horrible things that Mr. Farr helped perpetrate. He said there wasn't much discrimination anymore. Well, clearly there is. Nineteen States have rolled back voting rights since Shelby. Mr. Roberts tries to portray himself as a middle-of-the-road, call-the-balls-and-strikes person, but in his decisions he is very far from that, and that is why people see the courts as so political.

VIOLENCE

Mr. President, one final point on rightwing violence. I apologize to my colleagues who are waiting, and it will be a brief point when I can find it. I want to comment on a report by the Washington Post yesterday on extremist violence. The report found that ''over the past decade, attackers motivated by rightwing political ideologies have committed dozens of shootings, bombings and other acts of violence''—this is their language—''far more than any other category of domestic extremist.''

We all abhor violence, whatever its origin—I have spoken out against it—but the conclusion of this report should put an end to the Republican fearmongering, President Trump's fearmongering, about the so-called Democratic mobs.

The hard questions need not be put first to Democrats; hard questions need to be asked of President Trump. There is a question that looms: Is President Trump's rhetoric encouraging rightwing violence that we have seen in the past few years the No. 1 cause of domestic violence? That question needs to be answered.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

NOMINATION OF THOMAS FARR

Mr. DURBIN. Mr. President, Ron Chernow is well known as a historian and prolific writer who has written biographies of some of the most amazing people who have lived in our country. One, of course, is on the Founding Father, George Washington, and another which received acclaim even on Broadway in New York is the well-known biography of Alexander Hamilton, which inspired Mr. Miranda to write a musical, which is probably the most successful musical of our time.

Mr. Chernow has also written another book, which I am working my way through very carefully, the biography of Ulysses Grant. It is about 900 pages long. It is a heavy book to carry

from one living space to another as a U.S. Senator but well worth the effort. It tells the story of this man who came to lead the Union Army to victory in the Civil War and ultimately became President of the United States. As I have read this biography of Ulysses S. Grant, I couldn't help but be struck by the fact that one issue emerged after the Civil War, which was probably one of the most challenging of all, the issue about the right of African Americans to vote in the South after the Civil War—the so-called period of Reconstruction.

I also commend to those who are interested in the issue this book by Carol Anderson, entitled ''One Person, No Vote.'' Carol Anderson is a professor at Emory in Atlanta, GA. She wrote an earlier book, which I also recommend, called ''White Rage.'' This book, ''One Person, No Vote,'' really tries to describe throughout history, particularly after the Civil War, efforts at voter suppression and their impact on our democracy.

Professor Anderson was kind enough to ask me to write the forward to this book, which I was happy to do. I am happy to read this book as well because it went into the detail about what happened after the end of the Civil War, when African Americans were legally and constitutionally declared to be citizens of the United States and then set out to exercise their right to vote. Initially, there was some success, but over time the White population in the South started suppressing that right to vote, passing laws that demanded literacy tests of those who would show up to vote, constitutional tests, poll taxes, and the like. Over time, it dramatically diminished the African-American vote in the South, and that diminishment led many Blacks to pick up and leave in the great migration north. Their departure from the South to the North was to the benefit of States like Illinois, where many thousands came to find work and an opportunity to exercise their own freedom, which they thought had been won by the Civil War.

How important is this right to vote? Well, in the words of John Roberts, the Chief Justice of the Supreme Court, at his hearing in 2005, he said that the right to vote is ''preservative of all other rights''—preservative of all other rights. It is that fundamental to our democracy that we allow those who are eligible to step forward and to express their will when an election is called and choose the candidates of their choice.

Over the period of time after the end of the Civil War, there were extraordinary efforts taken to suppress the right of African Americans to vote. I say, with some embarrassment but in reality, those were largely promulgated by people who described themselves as Democrats in those days. They were the ones largely in control of the political infrastructure of the South who did their best to limit the right of Blacks to participate.

One of the noteworthy events in this history occurred in 1890 in Mississippi, when they passed the Mississippi Plan. In Carol Anderson's words, ''a dizzying array of poll taxes, literacy tests, understanding clauses, newfangled voter registration rules, and 'good character' clauses—all intentionally racially discriminatory but dressed up in the genteel garb of bringing 'integrity' to the voting booth. This feigned legal innocence was legislative evil genius.''

She goes on to explain how the so-called Mississippi Plan became a template for other Southern States to try to find ways to pass local and State laws making it increasingly difficult for individuals to vote, particularly African Americans and people who did not have great wealth. It was a success for many years, and the participation of Black voters diminished dramatically as a result of it.

I know this has sounded like a history lesson to this moment, and it would be but for the fact that we are facing this issue again in a vote we will face this week in the U.S. Senate.

There is a nominee for the Federal Court in the Eastern District of North Carolina named Thomas Farr. Mr. Farr's participation in voter suppression is well documented. In fact, the Congressional Black Caucus has described Mr. Farr as ''the preeminent attorney for North Carolina Republicans seeking to curtail the voting rights of people of color.''

Mr. Farr worked as legal counsel for the 1990 campaign of Senator Jesse Helms. That campaign engaged in well-documented, deeply disturbing tactics aimed at suppressing the Black vote in North Carolina.

As an example, the Helms campaign sent out over 100,000 postcards to mainly African-American voters warning that they might be ineligible to vote for residency reasons. The postcards from the Helms campaign, which Mr. Farr worked on as legal counsel, warned that the Black recipients might be arrested for voter fraud if they came to the polls to vote.

Mr. Farr initially told the Judiciary Committee, in which I serve, that he did not participate in any campaign meetings in which this mailing was discussed. However, news reports then indicated that Mr. Farr did, in fact, participate in an October 1990 meeting that included discussion about mailings that challenged voters' residency.

Mr. Farr, this nominee for a lifetime appointment to the Federal court in North Carolina, later admitted participating in the meeting, despite what he had said earlier. A former Justice Department attorney told the Raleigh News & Observer in 2009 that Mr. Farr ''was certainly involved in the scheme as it was being developed.''

Mr. Farr also represented North Carolina in litigation over a notorious voter suppression law that the Fourth Circuit struck down in 2016. So his experience in this earlier Helms campaign was not confined when it came to voter suppression; by 2016 he was at it again. The Fourth Circuit found that the law—which Mr. Farr defended in court—had ''target[ed] African Americans with almost surgical precision'' and that the legislature had ''enacted . . . the law with discriminatory intent.''

That was the very law that Mr. Farr defended before the court.

This man, who now seeks this lifetime appointment to the Federal bench, has not just a history but a pattern of voter suppression. This phrase—that the law he was defending ''target[ed] African Americans with almost surgical precision''—has probably been repeated more than any I can remember in recent memory on this issue.

Additionally, Mr. Farr represented North Carolina in litigation related to racial gerrymandering and violations of the National Voter Registration Act.

It is particularly troubling that Mr. Farr has been nominated for a judgeship that, as the minority leader mentioned earlier, was denied during the Obama administration when they submitted two African American nominees. The Republican Senators from North Carolina kept the seat vacant and would not allow an African American to fill it. Though President Obama tried twice, they objected to the nominees. Republicans held this seat vacant for years, clearly with the intention to fill it with someone like Mr. Farr.

Let me quote what the Reverend William J. Barber II, a prominent civil rights leader in North Carolina, wrote about Thomas Farr in TIME magazine recently:

> I know Farr. I know what he's done, what he stands for and just how detrimental he will be to his constituents if confirmed.

There are many conservative lawyers in North Carolina who could serve as Federal judge who do not have the blemished record of advocacy for voter suppression that Mr. Farr brings to the Senate. As Reverend Barber wrote in TIME magazine: ''Being a conservative is not the same thing as spending almost 40 years fighting to block full citizenship for all Americans.''

Given his decades-long history of supporting and defending efforts to restrict the right to vote, I must oppose Mr. Farr's nomination.

I must ask: In this moment in time in the 21st century, as we still battle over the issues that divided this Nation during the Civil War, why would this Senate stand and give Mr. Thomas Farr a lifetime appointment to the Federal bench in North Carolina? What does it say about the majority in the Senate that we would give this man, with his personal history of voter suppression, this opportunity?

The reality is this, and it is a grim reality: I believe the Republican Party has decided that demographics are not on their side and that the emerging minorities in the United States of America are not likely to vote their way. So they have embarked on a national program to limit the rights of people to

vote—a national program that I find disgusting. To think that the Koch brothers finance ALEC—the American Legislative Exchange Council—and that ALEC promulgates these State laws in an effort to continue to suppress the vote carries on a sad and despicable tradition.

Back in the 19th century and the early part of the 20th century, it was the Democratic Party, which I belong to, that unfortunately was the home for many of these bigots and led many efforts of voter suppression. Today, sadly, it is the Republican Party—the party of Abraham Lincoln—that is trying to suppress the vote of African Americans with many overt, covert efforts. The appointment of Thomas Farr to fill this vacancy is as overt as can be. We know who he is. We know what he believes. We know what he stands for. And we know that if he is given this lifetime appointment on the Federal bench, he is likely to continue his lifetime history of trying to deny votes to those who are African Americans.

This Chamber that I stand in, with some awe every time I enter it, became the Senate legislative Chamber in January of 1859, even before the Civil War began. It witnessed not only the departure of the southern Senators who were loyal to the Confederacy; it witnessed even Union soldiers coming in and camping out here, at times during the conflict, when they needed a roof over their heads. It also witnessed the battles over reconstruction when the so-called radical Republicans were determined to make sure that African Americans would be given a fighting chance in the south. It witnessed the impeachment trial of Andrew Johnson, and it witnessed many other events that have led us to this moment in time in the year 2018.

Many of the debates that took place on this floor, many of the sentiments that were debated back and forth over the decades, continue to this day to our generation, to our time, and to our Senate. When we bring Thomas Farr for a vote this week in the U.S. Senate, I hope that the party of Abraham Lincoln—the Republican Party of the United States—will join Democrats in stopping this nomination. Can we send a clear message, a bipartisan message from the Senate this week that Thomas Farr and the voter suppression in which he has engaged throughout his life is as unacceptable today as it was in the dark days after the end of the Civil War? That is our responsibility.

This Senator will be voting no on Thomas Farr.

I yield the floor.

The PRESIDING OFFICER (Mr. LEE). The Senator from Oregon.

(The remarks of Mr. MERKLEY pertaining to the submission of S. Res. 708 are printed in today's Record under ''Submitted Resolutions.'')

The PRESIDING OFFICER. The Senator from California.

NOMINATION OF THOMAS FARR

Ms. HARRIS. Mr. President, a key component of our democracy is access to the ballot. The Supreme Court acknowledged in Reynolds v. Sims that ''the right of suffrage is a fundamental matter in a free and democratic society. Especially since the right to exercise the franchise in a free and unimpaired manner is preservative of other basic civil and political rights, any alleged infringement of the right of citizens to vote must be carefully and meticulously scrutinized.''

I always say that your voice is your vote and your vote is your voice. In the recent midterm elections, we saw that there are still powerful forces in our country willing to go to incredible lengths to deny Americans their right to vote. It is indeed outrageous that some voters in Georgia had to wait 4 hours to vote, and a candidate for Governor was the one responsible for overseeing his own election; that Native Americans and their IDs were not accepted at polling places in North Dakota; that nearly 20 percent of North Carolina early voting locations were closed this year.

Five years ago, in Shelby County v. Holder, the Supreme Court gutted the Voting Rights Act. Congress is the only body that has authority to restore and should therefore be taking steps to restore and strengthen the Voting Rights Act and to expand early voting and automatic voter registration. Why? Because the more people who can readily participate in our democracy, the more our government will be responsive to the people we are elected to represent.

Yet, instead of Congress acting to strengthen access to the ballot, the Senate is considering Thomas Farr for a lifetime appointment to the District Court of the Eastern District of North Carolina—a nominee who has consistently and for decades put limits on the ability of Americans to exercise their constitutional right to vote. Just look at the facts.

Mr. Farr actually defended North Carolina's 2013 voting restrictions law—a law that would have required photo IDs, which disproportionately impacted Black voters. At the same time, they prohibited certain IDs, such as student IDs or public employee IDs. This law also reduced same-day registration and early voting—a law that was so clearly unconstitutional that the Fourth Circuit described the law as targeting Black voters with ''almost surgical precision.'' The Fourth Circuit went on to call it ''the most restrictive voting law North Carolina has seen since the era of Jim Crow.''

The facts also include that Mr. Farr represented the North Carolina Legislature in multiple challenges to its 2011 congressional and legislative redistricting. This was an attempt to draw congressional boundaries in ways that disadvantaged Black voters for partisan gain. Those maps were later struck down as unconstitutional and racially discriminatory.

Mr. Farr has also repeatedly represented powerful employers against the rights of workers and customers to be treated equally. For example, he represented a rental car company that allegedly imposed additional requirements on Black customers. He also represented a pharmaceutical company against allegations of gender discrimination, hostile work environment, and retaliation.

To be clear, attorneys are not charged—nor should they be—with the views of their clients, but when such a significant part of your decades-long record involves defending clients charged with discrimination and defending laws that undermine the right to vote, it is reasonable to question whether that individual can be a fair and impartial judge of similar cases.

Mr. Farr's public comments raise questions about his judgment as well. For instance, he has compared the decision upholding the Affordable Care Act to the Dred Scott and Plessy decisions. For a reminder, Dred Scott is a case that said African Americans could not be citizens, and Plessy v. Ferguson upheld the constitutionality of segregation—both now universally considered shameful decisions. The idea that a decision upholding the expansion of healthcare for millions of Americans is remotely comparable to these rulings should be utterly offensive to anyone who knows anything about America's history. These are statements of an ideologue, not someone who understands that their interpretation of these rulings should be something that people will, if they are not careful, rely on. So these are the statements of an ideologue, not an evenhanded and unbiased judge. The people of North Carolina deserve better, and let us be clear about who many of these people are.

More than one-quarter of the population covered by the Eastern District is Black—nearly 27 percent. Yet there has never been a Black Federal judge serving the Eastern District of North Carolina in the court's 146-year history.

In 2013, President Obama nominated Jennifer May-Parker, an assistant U.S. attorney and chief of the Appellate Division of the U.S. Attorney's Office, and she is Black. She was appointed to this vacancy—a position Senator BURR had previously recommended her for—but that nomination was blocked.

In 2016, President Obama nominated Patricia Timmons-Goodson—a justice who served on the North Carolina Supreme Court—who is also Black. That nomination was also held up.

As a result, this is now the longest judicial vacancy in the Federal court system. Instead of two highly qualified women, Senate Republicans want to fill this vacancy with someone who is anathema to so many of our communities and, in particular, communities of color.

So I would echo the North Carolina NAACP, which said that ''if this nomination is confirmed, it represents an historic insult to justice and to the people of North Carolina.''

I know there are folks who might consider the odds of stopping this

nominee and throw in the towel, but the way I see it, if it is something worth fighting for, it is a fight worth having. If it is something worth fighting for, it is a fight worth having. This fight against Thomas Farr is a fight worth having because Thomas Farr is far from what we should accept in a nominee. I know we can do better, and we must do better.

I yield the floor.

The PRESIDING OFFICER (Mr. CRUZ). The Senator from South Dakota.

SENATE ACCOMPLISHMENTS

Mr. THUNE. Mr. President, the 115th Congress is drawing to a close, and we have accomplished a lot over the past 2 years. Our goal for this Congress was simple—make life better for the American people.

A big part of that was getting the economy going again. After years of economic stagnation under the Obama administration, American families were feeling the pinch. Growth was sluggish, wages were stagnant, and opportunities were few and far between. For too many families, getting ahead had been replaced by getting by. We were determined to change that, and so we took action.

We passed a historic reform of our Tax Code that put more money in American families' pockets and made it easier for businesses to grow and create jobs and opportunities for American workers, and now we are seeing the results: robust economic growth, the lowest unemployment level in almost 50 years, a record number of job openings, growing wages, near-record confidence among small businesses, and the list goes on.

In human terms, that means more opportunities for American workers looking to grow and advance; it means more options for Americans searching for a job; and it means bigger paychecks and better benefits for workers and less worry for families.

I am proud tax reform is making life better for American families and grateful to Senator HATCH and our colleagues on the Finance Committee for the incredible work they did to get this historic reform through Congress.

Tax reform was our biggest economic achievement this Congress, but that is not the only thing we have done to help American workers. Along with the White House, we have lifted burdensome regulations, and we enacted legislation, led by Senator ENZI and Senator ALEXANDER, to prepare students for the workforce by improving career and technical education programs. We also enacted Senator CRAPO's legislation to give Main Street lenders relief from burdensome Dodd-Frank regulations.

On the national security front, under the leadership of the late Senator McCain and Senator INHOFE, we have reinvested in our Nation's military to ensure that our troops are equipped not only for today's mission but to meet the threats of the future. We passed the largest pay increase for our troops in nearly a decade, and we delivered real reforms for our veterans through the VA MISSION Act. This legislation, helmed by Senator ISAKSON, streamlined the VA's community care programs to help ensure that veterans receive efficient, timely, and quality care. Once fully implemented, it will also expand caregiver assistance to disabled pre-9/11 veterans, an overdue benefit for generations of our heroes. We also modernized the Veterans Benefits Administration appeals system to develop a quicker, more responsive system for veterans.

On the healthcare front this Congress, we passed the SUPPORT for Patients and Communities Act to address the nationwide opioid epidemic. This was a product that contained policies championed by multiple committees and multiple Senators, and I am grateful for all the work my colleagues did to advance this important initiative.

We also repealed ObamaCare's individual mandate tax which forced patients to buy insurance they didn't want and couldn't afford; we passed legislation, led by Senator JOHNSON, to give terminally ill patients access to experimental care; and under the leadership of Senator HATCH, we passed the longest extension of the State Children's Health Insurance Program in the program's history.

Another major achievement this year has been the tremendous number of good judges we have been able to confirm to the Federal bench. Senator GRASSLEY has done an incredible job of moving these judges through the process and presiding over the confirmations of two Supreme Court Justices. The Federal bench will be stronger for many years because of his work.

Senate Republicans have accomplished a lot in the 115th Congress, and we are excited to get to work in the 116th. Our agenda will stay the same—growing our economy and expanding opportunities for American workers and protecting our Nation.

There are those who wonder how much Congress will be able to accomplish in the next 2 years. After all, we are facing a divided government. We have a Republican President. The American people voted for a Republican majority in the Senate, but they also voted for a Democratic majority in the House of Representatives. Divided government doesn't have to spell the doom of productivity.

Over the last 30-plus years, some of our greatest legislative accomplishments have been the product of divided government—the 1986 Reagan tax reform, 1996 welfare reform, the Balanced Budget Act of 1997, national security legislation in 2002, the 2012 legislation to help working families by making the Bush tax cuts permanent, a major reform of the VA in 2014—all important bills, all the product of divided government.

So I know it is possible for the Republican Senate and the Democratic House to achieve big things in the 116th Congress, and Senate Republicans are ready to work with our Democratic colleagues. Now it is up to the Democrats to decide whether they want to work with us. Democrats have spent a lot of time over the past 2 years trying to relitigate the last Presidential election, but if they want to get anything done in the 116th Congress, they are going to need to move past 2016. Tying up the House with partisan investigations of the President or running a Presidential campaign from the Senate floor is not a good use of anyone's time. We need to spend our time focused on the American people's priorities like helping working families and increasing opportunities for American workers. That is what Senate Republicans will be focused on in the next Congress.

I hope our Democratic colleagues will join us. If they are willing to work with us, I know that together we can achieve big things for the American people.

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

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

Under the previous order, all postcloture time has expired.

The question is, Will the Senate advise and consent to the nomination of Stephen Alexander Vaden, of Tennessee, to be General Counsel of the Department of Agriculture?

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 bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Mississippi (Mrs. HYDE-SMITH).

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

The result was announced—yeas 53, nays 46, as follows:

[Rollcall Vote No. 246 Ex.]

YEAS—53

Alexander	Flake	Paul
Barrasso	Gardner	Perdue
Blunt	Graham	Portman
Boozman	Grassley	Risch
Burr	Hatch	Roberts
Capito	Heitkamp	Rounds
Cassidy	Heller	Rubio
Collins	Hoeven	Sasse
Corker	Inhofe	Scott
Cornyn	Isakson	Shelby
Cotton	Johnson	Stabenow
Crapo	Kennedy	Sullivan
Cruz	Kyl	Thune
Daines	Lankford	Tillis
Donnelly	Lee	Toomey
Enzi	McConnell	Wicker
Ernst	Moran	Young
Fischer	Murkowski	

NAYS—46

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

NOT VOTING—1

Hyde-Smith

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 bill 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 Karen Dunn Kelley, of Pennsylvania, to be Deputy Secretary of Commerce.

Mitch McConnell, Johnny Isakson, Mike Rounds, Thom Tillis, Mike Crapo, Pat Roberts, John Hoeven, David Perdue, Tim Scott, John Cornyn, Roy Blunt, Cory Gardner, Tom Cotton, Jerry Moran, John Barrasso, Roger F. Wicker, John Boozman.

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 Karen Dunn Kelley, of Pennsylvania, to be Deputy Secretary of Commerce, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Mississippi (Mrs. HYDE-SMITH).

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

The yeas and nays resulted—yeas 62, nays 37, as follows:

[Rollcall Vote No. 247 Ex.]

YEAS—62

Alexander	Cruz	Hoeven
Barrasso	Daines	Inhofe
Blunt	Donnelly	Isakson
Boozman	Enzi	Johnson
Burr	Ernst	Jones
Capito	Fischer	Kennedy
Casey	Flake	King
Cassidy	Gardner	Kyl
Collins	Graham	Lankford
Corker	Grassley	Lee
Cornyn	Hatch	Manchin
Cotton	Heitkamp	McCaskill
Crapo	Heller	McConnell
Moran	Roberts	Sullivan
Murkowski	Rounds	Tester
Murphy	Rubio	Thune
Nelson	Sasse	Tillis
Paul	Schatz	Toomey
Perdue	Scott	Wicker
Portman	Shaheen	Young
Risch	Shelby	

NAYS—37

Baldwin	Gillibrand	Reed
Bennet	Harris	Sanders
Blumenthal	Hassan	Schumer
Booker	Heinrich	Smith
Brown	Hirono	Stabenow
Cantwell	Kaine	Udall
Cardin	Klobuchar	Van Hollen
Carper	Leahy	Warner
Coons	Markey	Warren
Cortez Masto	Menendez	Whitehouse
Duckworth	Merkley	Wyden
Durbin	Murray	
Feinstein	Peters	

NOT VOTING—1

Hyde-Smith

The PRESIDING OFFICER. On this vote, the yeas are 62, the nays are 37.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Karen Dunn Kelley, of Pennsylvania, to be Deputy Secretary of Commerce.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 1:15 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The Senate will come to order.

The PRESIDING OFFICER. The Senator from Iowa.

TRIBUTE TO ORRIN HATCH

Mr. GRASSLEY. Mr. President, I am here to give thanks. Just a few days ago our country celebrated a national day of Thanksgiving. We celebrated food, fellowship, and freedom with family and friends. By any measure we are a people endowed with an abundance of blessings. As Americans, we have every reason to be grateful to share the prosperity of economic freedom, religious liberty, and self-government.

Today, I come to the floor to extend my gratitude for one of the most distinguished public servants ever to serve in the U.S. Senate. It is my distinct privilege to stand here today to pay tribute to my good friend and colleague from Utah, ORRIN HATCH.

He is a man widely known for his integrity, character, and temperament. He is devoted to his family, his constituents, and his country. With overwhelming support from the good people of Utah, he has served his State and all of America in the U.S. Senate for 42 years.

In those four decades of service, he has brought honor, humility, humor, and heart to this institution of the U.S. Senate. He has honed his legislative experience on a broad range of public policies. In fact, none of his peers have led more laws to final passage than my friend Senator HATCH. He has built successful bipartisan coalitions to enact laws that make a difference in the lives of everyday Americans.

As former chairman of the Senate Judiciary Committee and currently the senior member there, he is a champion of religious liberty and the rule of law. He is an advocate for entrepreneurship and free enterprise, as well as a champion of intellectual property rights, which includes being the lead Senate sponsor of the Music Modernization Act. He is just old enough to know when laws aren't keeping up with technology. Thanks to his tenacity, the new law will help ensure songwriters, artists, and creators that they will be fairly compensated for their works.

Like so many Americans, Senator HATCH is a man of humble beginnings. He embraces the promise of prosperity and opportunity that makes America the beacon of the free world, and that brings me to the basis of my remarks today. From his decades of service and the chairmanship at the helm of the Senate Finance Committee, Senator HATCH has shouldered some pretty heavy lifting in the legislative trenches to advance free and fair trade laws to foster economic growth and opportunity.

As we all know, America is home to at least 320 million people. That is a fraction of the world's population, and yet America leads the world in economic output. Thanks to an amazing bounty of natural resources and an economic foundation that rewards ingenuity, productivity and creativity, our country, the United States, produces goods and services that consumers around the world want to buy.

Senator HATCH and I share a core philosophy: lowering taxes and trade barriers as a winning formula for prosperity. To paraphrase a philosophy that often is attributed to our 35th President, ''a rising tide lifts all boats.'' Today, I want to give credit where credit is due. Thanks to Senator HATCH's unflinching leadership and unwavering commitment to advance the principles of free and fair trade, America's formula for prosperity and opportunity stands strong for generations to come.

It is virtually impossible to recall any trade policy in recent history that does not have the fingerprints of my esteemed friend Senator HATCH all over those documents. In fact, he led the renewal of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015. It paved the way for a robust, transparent review of trade negotiations.

Like Senator HATCH, I understand that America needs to speak with one voice on the world stage for effective, lasting trade agreements. We also agree on the constitutional authority