

my time in the Senate. It has meant unprecedented victories for American workers and families and communities, as well as our servicemembers. We still have a mission, though—we need to finish out the 115th Congress as strong as we began it, and we only have a few weeks left to do that. That starts by continuing our historic pace of confirming the President's judicial nominees, which already total more than 80, with 2 Supreme Court Justices confirmed in the 115th Congress in the last 2 years.

In the coming weeks, we will continue our work on the farm bill to provide support for our Nation's ag community. In my home State, one out of seven working Texans gains their income from working in the agriculture sector. Everyone has heard the saying "Thank a farmer three times a day." It is the farmers and ranchers in the Lone Star State whom I think of when I hear that. Texans know as well as anybody the unpredictability of Mother Nature, which can ruin a crop or an entire season in the blink of an eye. That is why passing a farm bill is important—to give our farmers and ranchers the predictability and the certainty they need and deserve insofar as we can since we can't control Mother Nature.

As you can see, we have our work cut out for us in these remaining weeks. I mentioned earlier that Americans chose to send Senate Republicans back to Washington with an even greater majority, but Americans also chose a Democratic majority in the House of Representatives. Leader MCCONNELL recently called the Senate "fertile soil for bipartisan work," and that is true. It is the way the Senate is constructed and built with our unique rules when it comes to considering and voting on legislation. We are ripe for the possibilities of solving some of the biggest legislative question marks facing our government and facing our Nation.

But now our friends in the House, with Democratic majorities, need to make a choice. They can either choose to make noise or they can choose to join us in making law and improving the lot of American citizens.

I am confident of what we will choose on this side of the aisle because we will do exactly as we have done over the last 2 years—continue to make substantial progress for the American family.

But we will want to make sure that we extend a hand to our Democratic colleagues in the House, and they can make their decision, I hope, to join us in continuing to make progress on the part of the American people and not just create more chaos and confusion and accentuate the divisiveness that we know already plagues our political system and our country.

It is important that we in Congress demonstrate that we are up to the challenge and that we are worthy of the trust of the people we represent—the American people.

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.

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

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

NOMINATION OF THOMAS FARR

Mr. SCHUMER. Mr. President, first let me welcome everybody back from Thanksgiving, which I hope was a joyous one for everyone here today.

On a subject not so joyous, the majority leader has indicated that the Senate will move to the pending nomination of Thomas Farr to the Eastern District of North Carolina. I have been in the Senate long enough to see a whole bunch of questionable nominees, frankly, from both parties, but Thomas Farr is unquestionably one of the worst. It is hard to believe President Trump nominated him. It is even harder to believe Senate Republicans are considering him again.

This is a man who stands for disenfranchisement of voters, particularly minority voters. That is what he stands for. You can try to parse it any way you want, but that is what he has done. That is not America.

In addition, he has spent his long legal career working against the rights of unions, but he has demonstrated to be a dyed-in-the-wool partisan with particular hostility to voting rights. We all know North Carolina has done more to hurt voting rights than just about any other State. That is an ignominious title for a State that is trying to be more progressive and forward-looking. We all know that.

We also know Justice Roberts will go down in history as one of those who worked to take away voting rights when he authored the Shelby decision and more or less stated that he didn't believe discrimination existed any longer so we wouldn't need section 5 of the Voting Rights Act. That allowed people like Mr. Farr and those in North Carolina to do a wholesale taking away of voting rights, particularly those of minorities.

After challenging multiple congressional maps drawn by North Carolina's Democrats, Farr vigorously defended the congressional maps drawn by North Carolina's Republicans. Even this conservative Supreme Court, often so insensitive to the voting fairness and rights of minorities—the Supreme Court actually overturned this map for discrimination—not partisanship, discrimination.

Farr defended North Carolina's restrictive voting laws. The law, passed by a very conservative Republican legislature, requested data on the use by race of a number of voting practices. After receiving the data, North Carolina Republicans made five changes to voting and registration, every one of which disproportionately hurt the voting ability of African Americans.

Under the law, even citizens who showed government employee IDs, student IDs, or IDs used to receive public assistance were not allowed to vote.

Here is what the Fourth Circuit said—again, not a liberal court circuit. It said: The law had "discriminatory intent" and "targeted African Americans with almost surgical precision." Farr, as he defended this law, said it was a minor inconvenience for voters. This is despicable. That law is particularly designed to prevent African Americans from voting, and we are nominating such a man to the court of appeals, when he was chief cook and bottle washer for much of the time these laws came about. I don't care what your party is, and I don't care what your political ideology is. How can you elevate this man to the court?

Remarkably, Mr. Farr was involved in another sordid affair regarding the voting rights of African Americans. In 1990, Farr was a lawyer for the reelection campaign of Jesse Helms, during which the Department of Justice alleged that 120,000 postcards had been sent overwhelmingly to Black voters, intending to intimidate them from voting. Isn't that amazing? That man is the man we are elevating.

I believe the Republican Party is going to have huge trouble in the future and will shrug its shoulders or say: Oh, this is political correctness. No, it isn't. It is because they tolerate things just like this—not all but too many. Right now, we only have one person on the other side of the aisle who has said he will vote against Farr. I don't care what the marching orders are, they are wrong.

Here, in response to a question from Ranking Member FEINSTEIN, Farr denied that he had participated in any meetings in which the postcards were discussed before they were sent. However, the Deputy Chief of the Voting Section of the Department of Justice's Civil Rights Division said Farr's response was contrary to the facts. In effect, that DOJ person was saying Farr did participate. We don't know the exact circumstances of the mail, but at a minimum, it is disturbing that Farr was involved, often directly, in defending multiple attempts by North Carolina Republicans to disenfranchise African-American voters.

As the Congressional Black Caucus said, "Had the White House deliberately sought to identify an attorney in North Carolina with a more hostile record on African-American voting rights . . . than Thomas Farr, it could hardly have done so." It is well said.

I don't care if you are a Republican; I don't care if you are a Democrat or something in between, we should not elevate a person to the Federal bench who has spent a good part of his career defending those who want to undermine the rights of Americans to vote.

Let's look at the circumstances of this nomination. You know, MITCH MCCONNELL brags as to how many seats he has filled. These seats were held

back because we respected the blue slips when we were in the majority, and there were a lot of empty seats. Well, this one is the longest running judicial vacancy in the United States.

Why, you might ask, has the seat remained open for so long?

Republican Senators blocked two Obama nominees, both of whom were African-American women. Let me say that again. Republican Senators from North Carolina—they may not have been, but they were in the circuit—blocked two Obama nominees, both of whom were African-American women. Yet now we put this man in that place—all because Leader MCCONNELL and Chairman GRASSLEY changed the rules and eliminated the last bit of comity by eliminating the blue slip? Either of those women would have been the first African American ever—not just the first African American woman but the first African American ever—to serve in that judicial district, when the population of that district was 27 percent African American. Two women were knocked out by Republican Senators under the tradition of the blue slip—both African American—in a district that was 27 percent African American.

They are not on the bench, and we are nominating this man who has stood steadfastly against the right of people—in this case, Black people—to vote. That is despicable. Considering Farr's record on voting rights—on the disenfranchisement of African-American voters, in particular—his nomination to the Eastern District vacancy is not just a dash of salt in the wound, it is the whole shaker.

I plead with my Republican colleagues. After an election in which voting rights and voting suppression were major issues in States like Georgia and Florida and at a time when our President always says elections are fixed and that Americans should have faith in the wellspring of our democracy—the right to vote and to have votes counted and correctly tabulated in a fair way—what message does the Senate send if it approves Farr's nomination?

This is our democracy. For the first time in the history of America, nasty creatures are gnawing at its roots. The tree could fall down. I hope it will not. It is a strong tree, but it could fall down, and it will be aided and abetted by those who put people like Mr. Farr on the bench. I vociferously oppose his nomination, and I urge my colleagues to do the same.

ACTING ATTORNEY GENERAL

Mr. President, one other point on Whitaker, the Acting Attorney General.

It has been almost 3 weeks since President Trump tapped Mr. Matthew Whitaker to be the Acting Attorney General. Since that time, I, along with Democratic Leader PELOSI and the ranking members of key committees in the House and Senate, have sent a letter to the Department of Justice, ask-

ing for a formal update on whether Mr. Whitaker must recuse himself from the Russia investigation given that he has had a long history of criticizing. We have not yet received a response. It has been 3 weeks with no response. I have also sent a letter to the Department of Justice, asking its inspector general to look into whether Mr. Whitaker and the White House had any improper or unlawful conversations prior to his appointment—again, no response.

In the meantime, we have learned that before joining the Department of Justice, Mr. Whitaker served on the advisory board of a company that was accused of scamming and deceiving consumers. We learned he received thousands of dollars in campaign contributions 4 years after his campaign ended. They don't seem like campaign contributions, do they? They were something else. Far more evil was at stake, and he got them just before he became Attorney General Session's Chief of Staff. Amazingly, we have learned that he has received \$1.2 million in compensation for unspecified work for a shadowy, conservative, dark money organization that refuses to disclose its donors.

The more the public learns about Mr. Whitaker, the more troubling his appointment becomes. He is hardly the most honorable man given all of this. He is the Acting Attorney General without having had any review by anyone other than President Trump, who has shown that he wants the Justice Department to be his personal arm of attack, not the rule of law—to go after his enemies and lay off his friends.

Beyond the shady business dealings, the most important thing is, Mr. Whitaker will not recuse himself from the Russia probe despite his publicly expressing his bias against the investigation. Clearly, he has shown he is willing to meddle in the investigation. That, in all likelihood, is why President Trump appointed him.

What a sad place we are in. We need to come together in the Senate—Democrats and Republicans—to pass legislation to protect the special counsel's investigation. We already have the bill. It is bipartisan—two Republicans, two Democrats. It passed committee on a bipartisan vote. Chairman GRASSLEY, to his credit, voted for it, and now we have an urgent reason to consider it on the floor. If the majority leader refuses to give it the vote it deserves, the Democrats will push to include it on the must-pass spending bill that we must approve in the next few weeks.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

BUSINESS BEFORE THE SENATE

Mr. MCCONNELL. Mr. President, with the Thanksgiving holiday behind us, we are reminded that this year and this Congress will soon come to a close. The past few years have been a time of historic accomplishments on behalf of the American people: historic tax and regulatory reform, landmark legislation to combat the opioid epidemic, a return to regular order appropriations, much needed reforms and resources for our men and women who wear the uniform today and for our veterans. The list goes on and on.

As the 115th Congress comes to a close, my colleagues will have much—much, indeed—to be proud of. But we aren't finished yet. The Senate still has a full plate of important business that we must complete before the end of the year.

At the top of the list are more nominations—well-qualified individuals that the President has chosen for executive and judicial service. Since the beginning of this Congress, the majority has taken the Senate's role in the personnel business very seriously. We have taken the opportunity to process nominations efficiently and fulfill our responsibility to advise and consent.

Of course, thanks to a concerted delaying effort from our colleagues across the aisle, a number of important offices remain unfilled. Accomplished nominees have waited patiently on the Senate calendar. Important posts have remained vacant while my colleagues on the other side of the aisle slow-walk nominations and force a record-breaking number of cloture votes.

We are 2 years into this administration. The President deserves his team, and our constituents deserve the government they voted for. So, as we have this entire Congress, we will continue to make nominations a top priority for as long as need be.

The nominees we will consider this week are highly regarded and well equipped for public service. We will begin with Stephen Vaden, who has been nominated to serve as General Counsel at the Department of Agriculture. Mr. Vaden is a graduate of Vanderbilt and Yale Law School. He brings experience from multiple Federal court clerkships and from years in practice in administrative law and appellate litigation.

This nominee was voted out of the Agriculture Committee with bipartisan support, including that of the ranking member. So I urge each of my colleagues to join me in voting to advance Mr. Vaden's nomination this afternoon and to confirm him this week.

Then we will turn to more nominations for the Department of Commerce, for the Federal judiciary, and for the Consumer Financial Protection Bureau. I look forward to confirming each of them without undue delay.

I suggest the absence of a quorum.