

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 BARR 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	