

“the deployment of new Russian missiles is putting this historic treaty in jeopardy.”

He was talking about the New START treaty. He completed his thought by saying: “Russia now acknowledges the existence of a new missile system.”

If Russia cannot be trusted to comply with treaties and if we have this long history of violation of the INF Treaty and now the President is being asked to consider reupping the New START treaty, we urge him to consider this in the context of Russia's current violations. Clearly, at a minimum, this would call for additional verification and enforcement with respect to the New START treaty.

It seems to me it calls for more than that because Russia has clearly believed it is in its country's best interests to blatantly violate the INF Treaty and take whatever the consequences are rather than abide by the treaty. If it believes that with respect to the development of a new cruise missile, it could very easily conclude the same with respect to violations of the New START treaty irrespective of any sanctions or other punishment the United States would mete out.

There is very little one can do to a country that chooses to unilaterally violate a treaty. You can point it out, you can say they shouldn't do it, and you can pull out of the treaty itself, but that doesn't fix the problem; namely, their violation in the first place.

We have actually acted on some things with regard to the INF violation. In December of 2017, the United States imposed economic sanctions on the two Russian companies that were involved in the design of this prohibited missile. We also began examining the range of military options for the United States, both that were INF Treaty-compliant and also what would happen were we to leave the INF. By the way, the President has unofficially said that in view of the Russian violation, the United States will leave the INF Treaty. He hasn't made that public announcement formally yet, but it is clear this is what he intends to do. Under the circumstances, one can hardly blame him when the Russians have gone ahead to develop a missile that threatens both Europe and U.S. interests, and we need to react to that in various ways.

One of the things we have done is for Congress to authorize the administration to study what we ought to do in response, both in terms of potential active defenses and potential offensive capabilities to match what the Russians have done. In the 2018 National Defense Authorization Act, we authorized \$58 million to develop active defenses to counter ground-launched missiles of the prohibited range and counterforce and countervailing capabilities to prevent attacks from these missiles and also to establish a program of record to develop an intermediate range, conventional, road-mo-

bile, ground-launched cruise missile of our own. There are additional potential military response options that obviously come to mind, but the point is, there are two countries to an agreement, and when one country deems it important enough to violate the agreement, even to suffer whatever consequences may exist, then the President ought to take this into consideration in deciding to extend yet another nuclear weapons treaty; in this case, the New START treaty.

There are some other things I think the United States would want to consider doing that it can only do if it leaves the INF Treaty, and that is why I think the President is wise to, in effect, give the Russians notice that this is what we intend to do. Russia can still try to come back into compliance, I suppose, by destroying not only the weapon itself, the cruise missiles it has already deployed, and destroying the launchers on which these missiles would be launched because they too would be in violation of the INF Treaty. They have time to do this.

By announcing in advance his intentions, the President has also given us an opportunity to think about our future. It doesn't do any good for defense planners to think about potential weapons or defenses that the United States could develop if there is never a prospect, in the case of the offensive weapon, of ever actually building it or deploying it. That is a career-ender to be sure. The INF Treaty would currently prohibit that. So nobody is going to spend any time planning activities for the United States that would themselves be a violation. By letting Russia know we are now willing to consider doing that, Vladimir Putin should understand that the President is serious about potentially withdrawing from the treaty. Hopefully, that would give him time to think about the consequences and decide to come into compliance, but it may not.

If it doesn't, and he remains out of compliance, then not only could the United States potentially develop weapons of our own to counter the Russian violation, but we could also begin thinking about what this means in terms of other treaties we have with Russia, changes that we would want to make in order to ensure that these treaties are worth complying with.

The New START treaty only applies to the United States and Russia. What it says is, we will both maintain an existing level of nuclear weapons—a little over 15,000 each. The United States had to bring our stockpile down to meet that level. Russia did not. So the practical effect of the New START treaty, at the time, was for the United States to reduce its nuclear weaponry and Russia basically to do nothing.

What Russia has done in the meantime, however, is to continue to work on the modernization of its strategic missile and nuclear weapons programs. It has developed new missiles. It has tested. It has developed new doctrine,

as I said, in the potential use of nuclear weapons, and it has a capability for nuclear warhead production that the United States does not have.

It is not known today, but we don't have a nuclear weapon warhead production capability. We couldn't do it. We could build one in a lab or two over time. Russia has a production line, and it is constantly replacing the warheads it has with new warheads and developing new missiles, as I said. Now, I think all of that is relevant to the consideration of whether we should stay in the New START treaty. If we think Russia will comply with the terms, maybe we would conclude again that it is wise to stay in that treaty. This is a little hard to conclude, however, if Russia remains in violation of the INF Treaty.

For all these reasons, we thought it important to recite a little bit of the history of the New START treaty and to quote from the resolution of ratification so the President could see what the Senate's intention was when that treaty was ratified at the end of 2012 and to think about what those factors mean in today's world if the President has an intention to think about potentially extending the terms of the New START treaty.

Again, it doesn't happen until 2021. It is smart to start thinking about it now, but in thinking about it, instead of just blindly considering that it is a wonderful thing and we need to move forward with it without expressing an opinion against extending it, the signers of this letter wanted the President to appreciate some of the background and to understand what we thought the intentions were and what we hoped would occur after the New START treaty was adopted and ratified and how we thought it would improve the relationship between Russia and the United States at the time. If anything, conditions have gotten worse, not better. As a result, these are factors the President should take into consideration when determining whether to consider extending the New START treaty.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. JOHNSON). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. WARREN. 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

Ms. WARREN. Mr. President, for decades powerful interests have been working to take over our courts and tilt the scales of justice in favor of billionaires and giant corporations. President Trump has been all in, nominating extreme and partisan judges to the Federal judiciary at lightning speed.

Trump's judges can easily fill a “Who's Who” of radical, rightwing, pro-corporate lawyers, but today I

want to focus on the nomination of one of the worst of the worst: Thomas Farr, Trump's nominee to serve on the Federal District Court for the Eastern District of North Carolina.

Thomas Farr has made his name as the go-to lawyer for the rich and powerful. When the rental car company Avis and its franchisee were sued for discriminating against African-American customers, Farr defended the franchisee. When Pfizer was sued for sex discrimination and creating a hostile work environment, Farr was there once again representing the company.

Today, just a few weeks after millions of Americans went to the polls to exercise the basic right at the core of our democracy, I want to focus on one of the most pressing reasons my colleagues should vote against the Farr nomination. His nomination will only deepen a plague of voter suppression aimed at stripping Americans—particularly people of color and marginalized groups—from exercising their lawful right to vote.

Voter suppression is front and center on Farr's resume, including his work for Jesse Helms, the former U.S. Senator and shameless bigot. Farr worked as Helms' campaign lawyer while Helms led some of the most blatantly racist political campaigns in modern history. For example, to decrease Black turnout, Helms' Senate campaign mailed postcards to 125,000 voters in predominantly Black precincts, falsely claiming they could be found ineligible to vote based on specific criteria involving their location and length of residence and warning that they could face criminal penalties if they voted.

That is just the beginning. In recent years, Farr represented the North Carolina Legislature in a case challenging a discriminatory voting bill that, according to one Federal appeals court, targeted African Americans with "almost surgical precision." The legislature conducted research into voting practices that helped increase turnout among African-American voters and then wrote a bill that essentially eliminated each of those practices. Farr was there to defend the legislature when faith groups, civil rights groups, and the Obama administration's Justice Department challenged the discriminatory law. The law was ultimately found unconstitutional by the Federal appeals court and was not reinstated by the Supreme Court. Later, when North Carolina redrew its district lines in ways that discriminated against African Americans, Farr was there once again to defend the legislature.

Thomas Farr's nomination is particularly troubling given the blizzard of efforts in recent years aimed at stopping Americans from casting their votes. State after State has passed restrictive voter ID laws, purged voting rolls, limited opportunities to register, and erected other barriers to the democratic process.

We saw voter suppression rear its head during this year's midterm elec-

tions, perhaps most vividly in the State of Georgia. Democratic gubernatorial candidate Stacey Abrams ran a grassroots campaign that sought to lift up Georgians from all backgrounds and to lead a record turnout vote among African Americans, LGBTQ individuals, and young people, but her opponent, Georgia's Secretary of State Brian Kemp, not only refused to recuse himself from overseeing the same election that he happened to be running in, but he openly used the power of his office to suppress voters, especially in communities of color.

In North Dakota, the Republican-controlled legislature passed a voter ID law that required prospective voters to present an ID with an address, but not just any ID with an address, one that contained a residential street address. Now, this law disproportionately disadvantaged voters in Native American communities, which sometimes use post office addresses or other kinds of residential addresses, rather than residential street addresses.

What we saw in Georgia and North Dakota was egregious, but it was by no means new. According to the Brennan Center for Justice, since 2010, 24 States, most of which are under Republican control, have implemented measures to make it harder for American citizens to vote.

The Republican Party and President Trump are leading this effort with a bull's-eye on Americans who may not be inclined to vote for them. After the 2016 election, Trump falsely claimed that millions of people voted illegally, and months after taking office, he established a sham voter fraud commission. Trump's Justice Department has been in lockstep, reversing its position in a case challenging Texas' discriminatory voter ID laws, requesting that States turn over voter roll information in an apparent move to purge voter rolls, and filing a brief in an Ohio case arguing that it should be easier for States to purge voters from voter rolls.

Republicans know that every time they try to lock voters out of the Democratic process, they are going to get challenged in court, but they have a plan for that. They have been working at breakneck speed to stack Federal courts with a cadre of conservative Federal judges whose records show that they have no intention of protecting democracy. Why? Because the fight for our democracy is a fight over who government works for. Does it work for the rich and powerful or does it work for all of us?

Putting Thomas Farr on the bench is a way for politicians to wall off access to the democratic process so they can keep on working for billionaires and giant corporations. The Eastern District of North Carolina, the district in which Farr has been nominated to serve, is 27 percent African American. Yet the Federal court has not had an African-American judge—not one, not ever.

President Obama attempted to change that by nominating two impres-

sive African-American women to serve as judges in that district, individuals dedicated to ensuring that every American had an equal opportunity to democracy, but Republican Senators refused to allow their nominations to move forward. Now Republicans want to hand that seat to a man who has made it his job to make it harder for North Carolinians to exercise the right to vote.

The literacy tests, poll taxes, and grandfather clauses of the Jim Crow era may be of a bygone era, but today, Americans—and particularly Americans of color—face new, steep barriers to the ballot box. Farr has made it his job to ensure that those barriers remain in place.

If we truly believe that our court should defend equal justice under law, then every Member of this Chamber must vote no on Thomas Farr.

SANDERS-LEE-MURPHY RESOLUTION

Mr. President, I rise today in support of the Sanders-Lee-Murphy resolution to stop the U.S. military's involvement in the Saudi Arabia-led bombing campaign in Yemen. I am a cosponsor of the resolution, and I thank the Senators for their strong leadership on this important issue.

The resolution would direct President Trump to stop our involvement in Saudi-led military operations in Yemen unless Congress provides specific authorization. It would allow our counterterrorism operations against al-Qaida and its affiliates to continue, but it would ensure that the United States is not giving the Saudis a blank check.

For over 3 years, Saudi-led coalition warplanes—refueled and armed with missiles by the United States—have been bombing Yemeni territory to counter Iranian-backed militias. Thousands of Yemeni civilians have been killed as a direct result of this dangerous proxy war between Saudi Arabia and Iran, but when I asked the general who leads our forces in the Middle East about it earlier this year at an Armed Services hearing, he said we weren't even keeping track of where those U.S.-armed and U.S.-refueled planes were going, and he couldn't tell me what they hit when they got there.

I am glad the Trump administration has finally come to its senses and halted its refueling support to the Saudi-led coalition, but this is too little, too late. It is too late to save as many as 85,000 Yemeni boys and girls under the age of 5 who have already starved to death, and it is too little to save the countless children and families who are currently starving as famine spreads throughout Yemen.

Instead of taking decisive action to address this humanitarian crisis, the United States continues to sell weapons and provide other support to the Saudi-led coalition. The administration continues to cover for Saudi actions, the most recent in a rambling, incoherent, shameful statement from the President himself.