weapons to do it with. That is not true. If you don't think you can buy weapons from immoral and amoral regimes around the world, you are wrong; they can. If you think that somehow this will end their engagement, you are wrong. The reason they are involved in Yemen is that they feel it is an effort by Iran—and, rightfully, they feel this way—to encircle them.

If you look at it today, Iran is their enemy. Iran now controls large parts of Syria and is probably the closest government in the world to the Syrian regime to their northwest. Iraq is closer to Iran than it has ever been in the last 20 years to the north. Iran is to their east. Yemen would be to the south with the Houthis operating from there. They feel that they are being encircled by Iran. They are going to fight, whether we help them or not. We could lose our influence over how they do it.

I want to tell you one more thing that will happen. If we pull our support, the chances of a broader, catastrophic conflict increases dramatically. I will lay one scenario out for you. If we pull our support, the Houthis get confident, and they start launching rockets into Saudi Arabia, targeting civilian populations and members of the royal family and killing people.

The Saudis respond with disproportionate force or the same level of force, and we begin to escalate. They will not just respond against the Houthis. They may respond against the Iranian interests elsewhere. Suddenly, you have a real live shooting war that extends beyond this proxy fight. In response to that, the Houthis and Iranians use their presence on the coast and that port city to close off an important chokepoint, the Bab el-Mandeb, that choke point in the Red Sea that connects the Mediterranean to the Indian Ocean, where over 4.8 million barrels of oil a day go through. They start bombing oil tankers. They start hitting those, and all of a sudden, the world has to get engaged to open that up. This holds the real potential for a rapid escalation that could involve a much broader conflict than what we are seeing right now.

I know that many of my colleagues yesterday voted for this resolution out of deep frustration. It was a message to the administration that the way they handled this Khashoggi incident is unacceptable. I hope that message has been received. But this is the wrong way to do the right thing, and that is to ensure that we recalibrate our alliance with Saudi Arabia into one where they understand they can't just do whatever they want. The Crown Prince cannot do whatever he wants.

We have leverage in that regard. There is legislation that the Senator from New Jersey, Senator MENENDEZ, and others offered. In addition to that, there are things we can do. The leadership of the Foreign Relations Committee asked for the imposition of Magnitsky sanctions. That is a powerful tool. I assure you, there are people in Saudi Arabia around the royal family, around the government, who deeply enjoy being able to invest and spend their wealth in the United States and around the world. They are going to care a lot if, as a result of this murder, they lose access to their money, to their property, to their visas. That is a real leverage point that we have.

We have additional tools: religious freedom sanctions and visa bans against other individuals who may not have been involved in the Khashoggi incident but, again, another leverage point.

We have leverage points in restricting U.S. investment. One of the biggest proposals the Crown Prince is making is that he wants to diversify their economy and encourage U.S. and Western investment into their economy. Placing restrictions on that investment is a significant leverage point.

We should use this opportunity to use those leverage points to achieve real changes in our alliance and real changes in their behavior. For example, the release of Mr. Badawi, an activist in Saudi Arabia who has been repeatedly flogged in the past and unjustly held in prison—he should be released. The release of Saudi women activists who have been tortured and sexually harassed while in custody—they should be released. Education reforms—Saudi Arabia should finally stop publishing these textbooks encouraging and teaching anti-Semitism and radicalization and dangerous religious notions and theologies that encourage violence against others. We should require them to restore the Gulf alliance and restore their relationship with Qatar. If they don't, we will. We should force them to stop funding these Wahhabi schools around the world, in which they are exporting radicalization.

All of these things need to happen. There may be other conditions we haven't thought of. These are real consequences that will begin to realign this alliance and make very clear that this is an important alliance, but it is not one that is unlimited or without restrictions or expectations on our part.

If we fail to do this, the Crown Prince will take further escalatory and outrageous actions in the future. He will keep pushing the envelope. This is a young man who has never lived anywhere else in the world. He is a Crown Prince, which tells you, not only is he wealthy, he has rarely faced disappointment in his life or ever not had something he wanted. He has never lived abroad. I think he is largely naive about foreign policy and thinks he can get away with whatever he wants because at home, he can. We have to make clear that with us, he can't.

You don't have to blow up the alliance to make that message clear. If we don't make that message clear, he will do more of this in the future, and one day, he may pull us into a war. One day, he may fracture the alliance himself because he goes too far. He needs to be stopped now. He needs to understand that there are limits or he will keep testing those limits. If we fail to do that at this moment, we will live to regret it, and its implications will be extraordinary, and it will be a gift to Iran.

That is my last point. What happened here has been a gift to Iran. What they have done has been a gift. Instead of weakening their enemy, they have empowered them. We do need to take positive action on this. We do need to take things that change and recalibrate this relationship, but yanking support at this moment from the Yemen campaign is the wrong way to do the right thing.

I hope that many of my colleagues, who yesterday voted to discharge this bill to the floor to send a clear message to the administration that they are unhappy with the response so far—I hope they will reconsider an alternative way forward that doesn't lead to these consequences I have outlined but allows us in the Senate to lead the way with the administration to reset this relationship in a way that avoids these problems in the future and lives up to our heritage as a nation whose foreign policy is infused with and supports the defense of human rights all over the world.

I yield the floor.

The PRESIDING OFFICER (Mr. SULLIVAN). The Senator from New Jersey.

NOMINATION OF THOMAS FARR

Mr. MENENDEZ. Mr. President, I rise today in opposition to the nomination of Thomas Farr to the Eastern District of North Carolina. Those who sit on the Federal bench are bound to uphold the Constitution for all Americans, regardless of race, gender, ethnicity, or political leaning, but Mr. Farr cannot be trusted to defend equal justice under the law.

Working to disenfranchise voters with a particular hostility toward African-American voters has been his lifelong passion. Consider his work for Jesse Helms' 1990 Senate campaign. We all know Helms' record on race.

When the Justice Department brought a lawsuit against the Helms campaign for sending over 100,000 postcards to mostly African-American voters, falsely warning them that they were ineligible to vote and could be prosecuted for casting a ballot, it was Mr. Farr who defended the scheme. Yet, despite having served as the Helms' campaign attorney, Farr denied having any involvement with the postcards in his Senate questionnaire.

Mr. Farr claimed he did not ''participate in any meetings in which the postcards were discussed before they were sent,'' but according to the former head of the Justice Department's Civil Rights Division, Gerald Hebert, ''the answers in [Farr's] questionnaire are contrary to the facts.''

Mr. Hebert took contemporaneous notes while investigating the Helms campaign—notes that place Mr. Farr at

a meeting on the postcard scheme just 3 weeks before they were sent.

Years later, Farr led a 3-year legal battle to defend North Carolina law that disgracefully shortened early voting, instituted onerous government ID requirements, and eliminated same-day voter registration and out-of-precinct voting, all of which are known to disproportionately suppress minority, elderly, and disabled voters.

Federal courts ruled the law unconstitutional for targeting African-American voters ''with almost surgical precision''—purposeful, surgical precision—calling it the most restrictive law since the era of Jim Crow.

I know Republicans want to confirm as many judges as possible, but why this judge when there are so many other qualified jurists to choose from? I think it is because they know the GOP agenda of enriching big corporations at the expense of everyday working families is incredibly unpopular with the American people.

Consider that while the Republicans held onto the Senate this year, they lost by 16 million votes nationwide. Democracy is supposed to be a battle of ideas, but when it comes to healthcare or student loan debt or climate change, they don't have any. When you can't win a fair fight, what do you do? You tilt the playing field in your favor.

Republicans want to stack the court with judges who will do their bidding—grossly out of step with the American people on everything from voting rights and redistricting to healthcare and climate change, to the constitutionality of Whitaker's appointment to lead the Justice Department. That is what Leader MCCONNELL meant about nominations being Republicans' best chance of having a long-term impact on the Nation's future. It is their best chance at denying minorities from voting and forcing their bad ideas on the American people.

The Republicans are so intent on confirming judges with shameful records on voter suppression that they have shredded the blue-slip process here in the Senate, which allows the Senators to green-light or to prevent hearings on nominees from their home States. It is a process—Senator HATCH once called the blue-slip process the last remaining check on the President's judicial appointment power.

Ironically, back in 2013, when President Obama nominated an African-American assistant U.S. attorney named Jennifer May-Parker to this very seat, the Democrats respected Senator BURR's decision not to return a blue slip, and then-Chairman PAT LEAHY chose not to hold a Judiciary Committee hearing. Then, in 2016, President Obama nominated Patricia Timmons-Goodson, the first African-American woman on the North Carolina Supreme Court, to this same seat. If confirmed, either of these trailblazing women would have become the first African American to serve in the Eastern District of North Carolina—a district that is 27-percent African American. Yet neither Senator BURR nor Senator TILLIS returned a blue slip for Ms. Timmons-Goodson; thus, Chairman GRASSLEY did not act on her nomination.

Yet, today, President Trump's nominees are being confirmed despite objections from home State Senators. Paul Matey, a nominee from New Jersey, will likely become another example. Neither I nor Senator BOOKER were meaningfully consulted by the White House regarding New Jersey's open seat on the Third Circuit. For several reasons, we haven't returned blue slips for Paul Matey; yet they moved ahead with the hearing for him. So it has been eviscerated—totally, totally.

It has gone little by little. First, if one of the two Senators turned in a blue slip, that was enough. Now it doesn't matter that neither Senator turns in a blue slip; they go ahead with the hearing and probably with a vote. So the precious check and balance that Senator HATCH talked about as the last vestige of a check and balance on judicial nominations has largely been lost.

The Republicans claim to be the party of conservatism. Yet I see nothing conservative in their willingness to sweep aside century-old procedures for policy gain. They put their party before their country and show no fidelity to the institutions that have truly made this country great. Something is wrong with any political party that makes the suppression of voters its chief electoral strategy. Mr. Farr is just one more card in their deliberate effort to stack the deck against our democracy, to disenfranchise voters and force their unpopular, bad ideas on our country.

For the sake of our democracy, I urge my colleagues, in this case particularly, to do the decent thing, to do the right thing—to stand up for the voting rights of all Americans and reject this nominee.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent to speak as in morning business.

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

Mrs. FEINSTEIN. Is there a time limit?

The PRESIDING OFFICER. There is no time limit.

Mrs. FEINSTEIN. Thank you. I know there are others waiting, so I don't estimate I will take more than 10 or 12 minutes.

I rise in opposition to the nomination of Tom Farr to the Eastern District of North Carolina. I do so as the ranking member of the Judiciary Committee.

The vote for Mr. Farr's nomination, as Members know, had been scheduled for today, but it has been postponed. Mr. Farr's long career indicates that his history raises serious questions about his ability to safeguard voting rights for all Americans. In fact, he has a history involving voter suppression efforts, which leads me to question his qualifications to even be a Federal judge.

Farr's hostility toward voting rights can be traced back to the 1980s and 1990s when he worked as a lead attorney for Senator Jesse Helms' reelection campaign. Media reports indicate that he was not truthful in his responses to questions for the record about his involvement in voter suppression efforts that were orchestrated by the Helms campaign and by the Republican Party of North Carolina.

Here are the facts:

In 1990, Helms was in a tight race with the mayor of Charlotte, Harvey Gantt, and the campaign implemented a strategy to suppress and confuse African-American voters. The Helms campaign and the North Carolina GOP implemented a so-called ballot security program. That program included sending more than 120,000 postcards almost exclusively to African-American voters, saying they were required to live in a precinct for at least 30 days prior to election day and could be subjected to criminal prosecution.

This information was, in fact, false. In fact, one African-American voter in the State who received a postcard that informed him that he could not vote if he had not lived in his voting precinct for at least 30 days had lived at the same address for more than 30 years and had been registered to vote that entire time. So clearly these postcards were designed to intimidate African-American voters.

In committee, I asked Mr. Farr about this program and his participation in it. He told me that he did not provide any counsel and was not aware of the postcards until after they were sent. Former Federal prosecutor Gerald Hebert, who had worked on voting rights issues at the time, contradicted these statements.

To get to the bottom of it, the Democrats on the Judiciary Committee requested a copy of a Justice Department memo that reportedly detailed Farr's role in this voter suppression incident, but the Department would not provide a copy of the memo. The Washington Post has now obtained the memo, which clearly shows that Farr was, in fact, involved in these voter intimidation efforts.

I ask unanimous consent that the appropriate parts of the Washington Post article and a memorandum be printed in the RECORD.

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

[From the Washington Post, Nov. 27, 2018]

FATE OF DIVISIVE JUDICIAL NOMINEE FROM NORTH CAROLINA UNCERTAIN AMID CRITICISM

(By Seung Min Kim and John Wagner)

The fate of President Trump's divisive judicial nominee hung in the balance Tuesday as a Republican senator remained undecided on whether to confirm Thomas Farr, who previously worked to defend North Carolina voting laws ruled to have been discriminatory against African Americans.

Senate Democrats have been particularly critical of Farr, an attorney in Raleigh who backed a law that the courts called ''the most restrictive voting law North Carolina has seen since the era of Jim Crow.'' All 49 Democrats oppose the nomination.

Andrew Gillum and Stacey Abrams, two black candidates who fell short in high-profile gubernatorial races this month, criticized the nomination in a new statement Tuesday, underscoring the national fight over Farr's nomination to a seat on the U.S. District Court for the Eastern District of North Carolina.

''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,'' Gillum and Abrams said in a joint statement. ''North Carolina's Eastern District—where most of the state's African Americans live—should be represented by a Bench that represents its diversity, not one that actively works to disenfranchise them.''

Senate Republican leaders have been publicly confident that they will have the votes to confirm Farr, although they will almost certainly need to summon Vice President Pence to break a 50–50 tie.

Sen. Jeff Flake (R–Ariz.) has vowed to oppose all judicial nominations until the chamber votes on legislation that he is seeking that would protect special counsel Robert S. Mueller III. Sen. Tim Scott (R–S.C.) said Tuesday that he had made no decision on the nomination.

Farr worked on the 1990 campaign of Sen. Jesse Helms (R–N.C.), which came under scrutiny for distributing postcards that the Justice Department later said were sent to intimidate black voters from heading to the polls.

The postcard issue has become one factor in the unusually bitter nomination fight. In response to questions from Democrats, Farr has denied any role in drafting the postcards and said he did not know about them until after the mailers were sent, saying he was ''appalled'' when he found out about them.

A 1991 Justice Department document newly obtained by The Washington Post sheds some light on Helms's campaign and the state Republican Party's broader ''ballot security'' program, of which the postcards were one component. Farr served as a lead lawyer for Helms.

The DOJ document, called a justification memo, elaborates on a meeting disclosed by Farr in a letter to Sen. Cory Booker (D–N.J.) last year. In that five-page letter, Farr said he participated in a ''ballot security'' meeting of the Helms campaign in October 1990 in which he said there was no need to do a card mailing because returned cards could no longer be used to challenge voter legitimacy.

The DOJ document obtained by The Post outlined the basis for the DOJ complaint against the Helms campaign and the North Carolina Republican Party for the more than 120,000 postcards sent primarily to black voters that officials said were an attempt to dissuade them from voting.

At the meeting, Farr told others that there were a limited number of ballot security initiatives that the groups could undertake at that point in the race, according to the memo. He also said because the current Republican governor could tap a majority of county election officials statewide, the need for a ballot security program that year was lessened because ''they would ensure a fair election process for Republican candidates.''

During the meeting, participants also reviewed the Helms campaign's 1984 ballot security effort Farr had coordinated ''with an eye toward the activities that should be undertaken in 1990,'' the DOJ wrote in the memo. The document did not say directly whether the controversial postcards were discussed as part of that effort, and Farr has repeatedly denied any prior knowledge of those mailers.

Farr was not named in the DOJ complaint against the Republican entities, and he also signed a consent decree that effectively settled the issue in early 1992.

Sen. Thom Tillis (R–N.C.), one of Farr's most vocal supporters, had asked a former prosecutor to investigate the claims that Farr was directly involved with the controversial postcards. That investigation has turned up no evidence.

''I'd ask them one simple question: When in the history of the DOJ have they allowed somebody who was subject to the investigation negotiate the consent agreement and sign it?'' Tillis said Tuesday. ''Never happens, which is exactly why these are baseless claims.''

Booker had requested DOJ release the justification memo, but it declined, citing confidentiality issues. A Justice Department spokesman declined to comment Tuesday on the memo. Farr did not return an email requesting a comment; nor did the White House.

The Senate Judiciary Committee advanced Farr's confirmation with a party-line vote in January. Republicans in control of the North Carolina General Assembly hired Farr and others in his law firm to defend congressional boundaries it approved in 2011. In 2016, a federal court struck down the map as a racial gerrymander.

Farr also helped defend a 2013 voter ID law that was considered one of the strictest in the nation. In addition to requiring residents to show identification before they could cast a ballot, the law also eliminated same-day voter registration, got rid of seven days of early voting and ended out-of-precinct voting.

A federal court ruled in 2016 that the primary purpose of North Carolina's law wasn't to stop voter fraud but rather to disenfranchise minority voters. The judges wrote that the law targeted African Americans ''with almost surgical precision,'' in part because the only acceptable forms of voter identification were ones disproportionately used by white people.

Farr has a ''well qualified'' rating from the American Bar Association and was previously nominated to the same post by President George W. Bush.

Senate Minority Leader Charles E. Schumer (D–N.Y.) said he spoke to Gillum and Abrams earlier in the day and that they ''were hurt by attempts to limit voting rights.'' During a floor speech, Schumer called Farr the ''chief cook and bottle washer'' for the contested laws in North Carolina.

''I don't care what your party is, and I don't care what your political ideology is,'' Schumer said. ''How can you have this man in the court?''

The history of the seat Farr would fill also has contributed to the acrimony over his nomination. President Barack Obama nominated two African American women for the post during his tenure, but neither was granted a hearing. This is the longest current court vacancy nationwide.

Sen. Marco Rubio (R–Fla.) has been considered a potential ''no'' voted on Farr because he was prepared earlier this year to join Scott in voting against another judicial nominee with a history of racially charged writing. That nomination was withdrawn.

On Tuesday, however, Rubio—who was briefed by his staff on the nomination Tuesday evening—was prepared to vote for Farr barring any new information that may come out about him, according to a Senate official familiar with his thinking.

Sen. Susan Collins (R–Maine), another potential swing vote, also backs Farr.

ACTION MEMORANDUM—RECOMMENDED LAWSUIT AGAINST NORTH CAROLINA REPUBLICAN PARTY, HELMS CAMPAIGN FOR SENATE COMMITTEE, ET AL. UNDER 42 U.S.C. 1971(b) AND 42 U.S.C. 1973i(b)

(June 19, 1991)

From John P. Dunne, Assistant Attorney General, Civil Rights Division.

Lee H. Rubin, Attorney, Voting Section, Civil Rights Division.

[EXCERPT: PAGE 8–9]

D. The Investigation

Our investigation began on November 1, 1990, the day we obtained reliable information that the postcards at issue had been sent primarily to black voters throughout the State. On that day, we requested that the FBI contact Jack Hawke, Chairman of the North Carolina Republican Party, and ask Mr. Hawke, among other things, the method used to select the voters who were sent postcards and all plans regarding the use of the returned postcards. Mr. Hawke refused to return FBI Agent George Dyer's phone calls, and eventually referred Dyer to his attorney, Thomas Farr, an attorney with Maupin, Taylor, Ellis and Adams, in Raleigh, who was immediately advised by Mr. Dyer of the information we sought from the North Carolina Republican Party.

On Monday, November 5, 1990, after receiving no information responsive to our request, you contacted Mr. Farr and insisted that he provide us with the information we requested by that afternoon. During this conversation, Farr assured you that no information obtained from the returned cards would be used as a basis to challenge voters on election day. Late in the afternoon on November 5, Farr telefaxed to us a list of precincts, which he orally represented to be the precincts in which the voters selected to receive the postcards resided. Although Farr also advised us that Hawke would be made available that day for an interview with Dyer and myself, Hawke in fact did not submit to a voluntary interview that day.

The lack of cooperation which marked the initial stages of the investigation has persisted during the course of our investigation. Soon after the election, we contacted the North Carolina Republican Party, the Jefferson Marketing Companies, Mr. Ed Locke, and Mr. Doug Davidson, and requested that they provide us with all information relevant to our investigation. Mr. Hawke and Ms. Effie Pernell, the Executive Director of the North Carolina Republican Party, voluntarily spoke with Dyer on November 9, 1990. In late November, we received a request from Mr. Michael Carvin, one of the attorneys representing the North Carolina Republican Party, for a meeting with Department attorneys to discuss our investigation. At the time we received this request, we were on the verge of obtaining voluntary statements from individuals associated with Jefferson Marketing and from Doug Davidson. However, the respective counsel chose to delay the scheduling of any interviews until we responded to Mr. Carvin's request. Asserting that the requested meeting would be ''premature,'' we declined the invitation to meet with Carvin on December 21.

[EXCERPT: PAGE 11–14]

D. The 1990 ''Ballot Security'' Program

The postcard mailing was one component of the 1990 ''ballot security'' program financed by the NCGOP. The wheels for the 1990 ''ballot security'' program were set in motion long before the actual mailing of the postcards. According to Doug Davidson, of Campaign Management, Inc., ''ballot security'' was discussed at several meetings held during the summer months of 1990. These meetings were attended by Davidson, Carter

Wrenn, a consultant to the Helms Committee, Peter Moore, the campaign manager for the Helms committee, Jack Hawke, Chairman of the NCGOP, and Effie Pernell, Executive Director of the NCGOP. During these meetings, in addition to discussing general campaign strategy, Davidson recalls that a consensus was reached that some type of ''ballot security'' effort needed to be undertaken prior to the 1990 general election. Peter Moore confirmed Davidson's recollections, as he recalls meetings in which discussions focused upon the need for a ''ballot security'' program in connection with the November, 1990 election. At one of these meetings involving the leadership of the Helms Committee and the NCGOP, the decision was made to budget $25,000 for the 1990 ''ballot security'' program and to finance the ''ballot security'' program with NCGOP funds.

In early September, 1990, Ed Locke, a political consultant from Charlotte who had played a major role in organizing the 1984 ''ballot security'' program for the NCGOP and the 1984 Helms Committee, contacted Tom Farr to offer his services for coordinating the 1990 ''ballot security'' program.

On October 16th, Davidson and possibly Tom Farr, who had worked with Ed Locke on the 1984 ''ballot security'' program for the NCGOP and the Helms Committee, contacted Locke by telephone in Charlotte and asked Locke if he would be willing to meet in Raleigh to discuss the 1990 ''ballot security'' program. Apparently Peter Moore and Carter Wrenn had been consulted concerning contacting Locke for discussions on the ''ballot security'' program and had given their assent to pursue such discussions. Locke agreed to meet with the Helms Committee representatives and flew to Raleigh the next day.

In Raleigh, he met initially with Moore, Davidson, and Farr. This meeting was held at Farr's law firm, Maupin, Taylor, Ellis & Adams. At the meeting, the participants apparently reviewed the 1984 ''ballot security'' program with an eye toward the activities that should be undertaken in 1990. Davidson stated that by the end of the meeting they had formulated a tentative outline for the 1990 ''ballot security'' effort. Davidson recalls that a mailing targeted at voters who no longer resided in the precinct in which they are registered was one of the projects suggested for 1990. They also discussed who would be best suited to coordinate the ''ballot security'' effort.

According to Farr, he told the attendees of the meeting that there was only a limited number of ''ballot security'' programs that could be undertaken with only about three weeks left in the election. Farr also stated that the need for a ''ballot security'' program was not as compelling as in 1984, since, unlike in 1984, the state had a Republican governor. Since the Governor has power to appoint two out of the three members of each county's board of elections, Farr explained that the Republican-controlled county election boards throughout the state would serve effectively as a statewide ''ballot security'' program, as they would ensure a fair election process for Republican candidates. He suggested that contact be made with a Republican board of elections member in every county to ensure that they will be working on election day. He also suggested that, to the extent that any ''ballot security'' programs are undertaken, they should focus on those precincts with little or no Republican presence at the polls. To this end, he advised that the Helms Committee/NCGOP should hire observers to watch the opening and closing of the polls in such precincts. He suggested that it may also be helpful to publicize the fact that a ''ballot security'' program is going to be undertaken.

When the idea of a card mailing was raised, Farr told us that he explained to Locke and the others that while during the 1984 election, state law provided that returned postcards may serve as prima facie evidence that a voter was not properly registered to vote in that precinct, such procedures had been altered subsequent to that election so that a returned mailing could no longer serve to support an election day challenge of voters. He told the others that in light of this change, a postcard mailing like the mailing conducted in 1984 would not be particularly useful, except for use as evidence in post-election challenges.

Mrs. FEINSTEIN. The memo includes Farr's own retelling of meetings in which sending postcards to voters was discussed. In fact, Farr told colleagues that postcards might not be as effective in kicking voters off the rolls as they had been in 1984. It is impossible, though, to square this memo with Farr's denial to the Judiciary Committee that he had any knowledge of these actions.

In addition, since that time, Mr. Farr has remained active in efforts to depress and dilute African-American voting. In several cases, Farr defended North Carolina's congressional and legislative districts that were drawn after the 2010 Census against allegations that the State legislature drew them to dilute the vote of African Americans. Farr has defended these districts before North Carolina's State courts, Federal courts, and the Supreme Court. However, in each instance, his arguments have been rejected.

In North Carolina v. Covington, a three-judge panel in the Middle District of North Carolina found that ''race was the predominant factor motivating the drawing of all challenged [state legislative] districts.''

In Harris v. McCrory, two of the three Federal judges on a panel held that the State's congressional redistricting plan violated the 14th Amendment's equal protection clause.

In 2016, Farr also defended North Carolina's restrictive voter ID law in the North Carolina State Conference of the NAACP v. McCrory. He had served as an adviser to the State legislature as it was considering that legislation. In arguing before the Fourth Circuit, Farr strongly denied that racial animus toward African Americans was the motivation for the voter ID law. The court, however, strongly disagreed. In striking down the law, the court strongly rejected Farr's arguments, noting that the law's requirements ''target African Americans with almost surgical precision.'' That is the Fourth Circuit's confirming that racial animus was part of this.

The Congressional Black Caucus Foundation expressed its strong opposition to Farr's nomination, writing that ''Farr has amassed a record that puts him at the forefront of an extended fight to disenfranchise African-American voters.''

Opposition to Farr's nomination has been compounded by the history of this particular vacancy, which has been open for a long time—actually, since 2006. President Obama nominated two highly qualified African-American women to fill the vacancy. Either would have been the first African American to serve on the court—a long-overdue milestone in a district in which more than 25 percent of the population is African American.

The first nominee, Jennifer May-Parker, served as chief of the Appellate Division at the U.S. Attorney's Office in the Eastern District of North Carolina. By that time, she had served in the U.S. Attorney's Office for 14 years. Her nomination did not move forward because she didn't receive a blue slip from the State's Republican Senator even though he had initially recommended her to the White House as a potential nominee.

The second nominee, Patricia Timmons-Goodson, served as the vice chair of the U.S. Commission on Civil Rights. She had previously served as an associate justice on the North Carolina Supreme Court and as an associate judge for the North Carolina Court of Appeals. Again, Republicans did not allow her nomination to move forward.

While the Republicans have undermined the blue-slip policy to confirm President Trump's judicial nominees, it is important to know that the only reason Tom Farr's nomination is under consideration today is that Republican blue slips were honored by the Democrats during the Obama administration. In short, the Republicans blocked two highly qualified African-American women from filling the vacancy in order to hold the seat open for a White nominee with a history of disenfranchising Black Americans. I am sorry to say that, but that is the way it was.

It is impossible to see how the people Tom Farr would serve in the Eastern District of North Carolina would ever believe they would be getting a fair shot in his courtroom. The Senate should reject this nominee.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

IMMIGRATION

Mr. LANKFORD. Mr. President, on May 5 of this year, NASA launched the InSight rocket. That probe, the InSight probe, has traveled 300 million miles since May of this year and has touched down safely on Mars. It is a remarkable achievement. The United States is the only country in the world that has any probes on Mars. We have several now that are moving around and are stable. The technology behind that—the thought, the design, the engineering, the work—is a remarkable achievement for the science community.

The 300 million-plus miles that it has traveled since May and to be able to land safely is a remarkable achievement. I compared that 300-mile journey of the InSight probe and safely landing on Mars to our now two-decades-long conversation trying to solve immigration.