

time on the Kelley nomination expire at 12:15 p.m. on Wednesday, November 28; further, that if the nomination is confirmed, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

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

ORDERS FOR WEDNESDAY,  
NOVEMBER 28, 2018

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Wednesday, November 28; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate proceed to executive session and resume consideration of the Kelley nomination, with the time until 11 a.m. equally divided between the two leaders or their designees; finally, that the Senate recess from 11 a.m. until noon tomorrow.

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

ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask that it stand adjourned under the previous order following the remarks of Senator BOOKER.

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

The Senator from New Jersey.

NOMINATION OF THOMAS FARR

Mr. BOOKER. Mr. President, I rise to speak about the nomination of Thomas Farr to serve as a district judge for the Eastern District of the great State of North Carolina.

Over the past year, I have joined many of my colleagues in the Senate, my esteemed colleagues in the House, and really people from all across the country who have been speaking out about Mr. Farr's troubling record.

We see many district court judges come before the U.S. Senate, but I think none has triggered this kind of tumult, this kind of frustration, and this kind of outcry.

We have seen an outpouring of advocacy and activism that is now coming around this nomination, but this nomination—and the energy and advocacy of Americans speaking out against it—is, frankly, not about politics. It is not about partisanship. It is about something deeper than just left or right. This is about right or wrong.

We are a nation of people who I believe have so much more in common than we have apart. The lines that divide us are nowhere near as strong as the ties that bind us. What binds us?

We are bound together not because of many of the more obvious historically held things that hold people together. It is not our language or our religion or our race that holds this Nation and her people together. We are bound to one another because of the ideals we share. We say them in our anthem. We say them in our salute and in our pledge. We know we are a nation of principles and ideals.

Some of the most fundamental of those principles, the most sacrosanct of those ideals we share are about and surrounding that right to vote; that every American has the right to vote. When you enter that ballot box, whether you are the richest person in this country or a working-class person from New Jersey, you are equal in that ballot box. You all have that right to vote. That is what makes this a great republic. That is what makes us a great democracy; that your vote will be equally counted and treated equally under the law.

Throughout our history, greater Americans have fought to secure these fundamental rights for us. From Seneca Falls to the Edmund Pettus Bridge, Americans have stood and fought and marched and sweated and bled for this right to vote, for suffrage, for universal voting rights.

There have been debates on this floor advancing legislation that has secured those rights amongst men and women, further advancing that truth about our country that we will be a democracy where every vote will be counted, where every person will be treated equally in their right to vote.

Americans from all backgrounds—multiracial, multiethnic coalitions—struggled together for these rights and fought together to make them real, but this nomination now stands in direct contrast to that legacy of common sacrifice and common struggle, of that legacy to push for equality.

The facts in this nomination are clear, and they again have nothing to do with partisanship but do indicate a very clear pattern of time and again that Mr. Farr has worked to advance a very specific, very anti-democratic agenda, one that is aimed at turning back the clock, in eroding very critical voting rights.

We know for a fact that in 1984, Mr. Farr managed the so-called ballot security program for the reelection campaign of Senator Jesse Helms that targeted and attempted to suppress the votes of Black North Carolinians.

We know that in 1990, Mr. Farr participated in a so-called ballot security meeting just days before the Helms campaign infamously and notoriously sent tens of thousands of postcards targeting Black North Carolinian votes, suggesting that they were not only not eligible to vote but threatened criminal prosecution if they did. This is not left or right. Republicans and Democrats criticized, decried that method of voter suppression.

Mr. Farr has repeatedly claimed that he had no knowledge of the mailing

until he was contacted after the fact for legal advice, but I am deeply troubled that despite being given multiple opportunities, Mr. Farr has failed to be completely honest with the Senate about his record.

When Senator FEINSTEIN from California asked Mr. Farr: "Did you ever participate in any meetings in which the postcards were discussed before they were sent," he replied unequivocally and simply: "No." But according to a breaking story published by the Washington Post within the last hour, we know that "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 evidence that just came out from the Washington Post again casts a shadow over the truthfulness and the honesty of Mr. Farr about his participation in that meeting and the voter suppression efforts.

Again, Mr. Farr misrepresented the context of this meeting in his responses to me both in December of 2017 and January of this year.

Finally, we also know that in 2016, Mr. Farr lost one of his biggest cases, defending North Carolina's notorious and discriminatory voter ID law—a law that he helped write because the court found it would target Black North Carolinians "with almost surgical precision"—target those North Carolinians to be disenfranchised from their right to vote.

Time and again, Mr. Farr has worked to advance an agenda aimed at turning back the clock on our democratic advancements, on our common ideals, the commonsense fairness that in this country every vote counts, every person has the right to vote. Time and again, in this process, Mr. Farr has offered misleading and incomplete testimony regarding his record and his work.

This is a body that has shown, in its history, the capability to work together in a bipartisan way to protect the right to vote. This body is the one that passed one of the most important pieces of legislation in our history, the Voting Rights Act of 1965, but the weight of history isn't just on this body in this moment because it still weighs heavily on so many voters in North Carolina who remember receiving one of those postcards from Jesse Helms in 1984, at the direction of Mr. Farr and others, and who may have received another postcard from the Helms campaign in 1990, threatening Federal prosecution if they exercised their right to vote.

It is those people in the Eastern District right now who feel the weight, the pushback on historical advancements, who are watching this body now. Those voters who got those postcards didn't get them because the Helms campaign or Mr. Farr saw value in their vote; they received them because the Helms campaign and Mr. Farr were trying to

suppress it. That is anti-democratic. That is an affront to our history.

Confirming the person responsible for managing and defending those tactics, who was involved in them, who has misrepresented that fact pattern to this body, wouldn't just be a disservice to North Carolinians, wouldn't just be a disservice to those Americans who received those postcards, it would be a betrayal of the work of generations of Americans from all backgrounds, all races, all religions, a multitude of parties—all of those Americans who joined in that common pursuit in this country to stand up for the right to vote.

This is not right or left. This is about whether we move forward or back, and forward we have moved: countless generations, people from different backgrounds standing together, working together, sweating together, bleeding together, marching together, marching feet in the suffrage movement, march-

ing feet in the voting rights movement, marching feet across this country, from protestors like Alice Paul marching in front of the White House to protestors marching through the South, through Alabama, across the Edmund Pettus Bridge, every generation marching forward.

This nomination now represents a moment in history, not right or left, but will we continue to march forward? If this body confirms Mr. Farr, it will not be forward-marching. It will be a step backward in the wrong direction, against the historical tide and currents that have gotten us to this wonderful moment together.

Let us again stand together in a bipartisan way and say: We will not be turned around; that we will not go backward; that we believe, when it comes to the sacrosanct rights of the Nation, that we will always fight to make sure the right to vote is secure,

and we have the truth of this country and will go marching on.

I yield the floor.

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ADJOURNMENT UNTIL 9:30 A.M.  
TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 9:30 a.m. tomorrow.

Thereupon, the Senate, at 6:51 p.m., adjourned until Wednesday, November 28, 2018, at 9:30 a.m.

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CONFIRMATION

Executive nomination confirmed by the Senate November 27, 2018:

DEPARTMENT OF AGRICULTURE

STEPHEN ALEXANDER VADEN, OF TENNESSEE, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF AGRICULTURE.